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Office of the Special Adviser on Gender Issues and Advancement of Women
Department of Political Affairs

Enhancing women's participation in electoral processes in post-conflict countries

Report of the Expert Group Meeting
Glen Cove, New York
19-22 January 2004

Office of the Special Adviser on Gender Issues and Advancement of Women
Department of Economic and Social Affairs

2 UN Plaza, 12th Floor

New York, NY 10017

Fax: (212) 963-5086

E-mail: osagi@un.org

Web location: <http://www.un.org/womenwatch/osagi>

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I. INTRODUCTION

Since its inception, the United Nations has been involved in the field of electoral assistance and has kept the political rights of women on the international agenda. The United Nations has numerous international instruments that address women's rights and their political rights including the Universal Declaration of Human Rights (1948), the Convention on the Political Rights of Women (1952), the International Covenant on Civil and Political Rights (1966) and the Convention on the Elimination of All Forms of Discrimination against Women (1979), which in article 7 calls on Governments to "take all appropriate measures to grant women the right to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies".

The Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women in 1995, also emphasizes the need for Member States to "take measures, including, where appropriate, in electoral systems that encourage political parties to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men." Furthermore, in paragraph 190, it encourages states to "review the differential impact of electoral systems on the political representation of women in elected bodies and consider, where appropriate, the adjustment or reform of those systems".

Security Council resolution 1325 on women, peace and security, adopted in October 2000, calls on Member States "to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict" (para. 1). It also calls upon actors to "ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary" (para. 8c).

In accordance with its multi-year programme of work for 2002-2006, the Commission on the Status of Women will review the thematic issue of "women's equal participation in conflict prevention, management and conflict resolution and in post-conflict peace-building" at its forty-eighth session in 2004. In order to contribute to a further understanding of this issue and to assist the Commission in its deliberations, the Office of the Special Adviser on Gender Issues and Advancement of Women in the Department of Economic and Social Affairs (DESA) convened an expert group meeting on "Enhancing women's participation in electoral processes in post-conflict countries," jointly organized with the Department of Political Affairs of the United Nations. The expert group meeting was held at the Harrison Conference Center in Glen Cove, New York from 19 to 22 January 2004. The expert group discussed and analyzed electoral processes in post-conflict countries and the obstacles, lessons learned and good practices in enhancing women's participation in these processes. Based on its discussions, the expert group meeting adopted recommendations on the incorporation of gender perspectives into the phases of elections in post-conflict and the roles of the various actors in support of women's full participation. The report which follows is the outcome of this meeting.

II. ORGANIZATION OF WORK

A. Participation

The expert group meeting on “Enhancing women’s participation in electoral processes in post-conflict countries” was held in Glen Cove, New York from 19 to 22 January 2004. The meeting was jointly organized by the Office of the Special Adviser on Gender Issues and Advancement of Women in DESA and the Department of Political Affairs, in close collaboration with the United Nations Development Programme (UNDP) and the United Nations Development Fund for Women (UNIFEM), as well as several intergovernmental organizations supporting electoral processes. The meeting was attended by 10 experts from different regions, two consultants, 12 observers (five from the Member States, three from the United Nations system, four from civil society), and representatives of the organizing entities (see annex I).

B. Documentation

The documentation of the meeting was comprised of:

- Two background papers by consultants
- Four country papers and one subregional paper prepared by experts
- Three thematic papers prepared by experts
- Two papers prepared by observers (see annex II).

This report and all documentation relating to the meeting are available online at the website of the Office of the Special Adviser on Gender Issues and Advancement of Women – www.un.org/womenwatch/osagi.

C. Programme of work

At its opening sessions on 19 and 20 January 2004, the meeting adopted the following programme of work (see annex III):

Election of officers

Introduction to the meeting

Adoption of the programme of work

Presentation and discussion of the background papers

Presentation and discussion of experts’ papers

Working groups discussed thematic areas of legal framework, political representation and political parties, voter and civic education, electoral administration and electoral observation by the following actors:

- Government actors
- International actors
- Civil society actors

Presentation and discussion of recommendations of working groups in plenary

Drafting and finalization of report and recommendations

Adoption of report and recommendations

Closing session

D. Election of officers

At its opening session, the meeting elected the following officers:

Chairperson: Muna Ndulo

Vice-Chairperson: Luz Mendez

Rapporteur: Amal Sabbagh

E. Opening statements

The meeting was opened by Ms. Angela E. V. King, the Special Adviser of the Secretary-General on Gender Issues and Advancement of Women. In her statement, Ms. King welcomed the experts and observers on behalf of the Secretary-General, Mr. Kofi Annan. She expressed her special gratitude to the United Nations Department of Political Affairs for co-organizing the event. Ms. King described the pivotal role the United Nations had played in assisting Member States in holding elections. Since the late 1980s, the UN had been increasingly called upon to provide assistance in holding inclusive, credible and legitimate democratic elections in post-conflict countries. These conflicts eroded institutions that provided a basis for the sustainability of societies and undermined societal values replacing them with institutionalized violence. Rape, forced pregnancies, sexual slavery and assault, which directly targeted women, had become deliberate instruments of war that destroyed the bonds which held communities together.

The Special Adviser on Gender Issues and Advancement of Women stressed that durable solutions to these conflicts must flow from post-conflict societies themselves and must have a strong focus on reviewing and strengthening institutions necessary to ensure peace, security, human rights and justice for all, women as well as men, while the international community and the United Nations played a supportive role which was adapted to the specific political circumstances of each country. It was, therefore, vital that any attempt at building peace in the wake of a violent conflict must focus strongly on rebuilding democracy and bringing women into all stages of conflict prevention, management and post-conflict reconstruction, including through electoral processes, as contributors and active participants.

Ms. King shared her experience as the Chief of the United Nations Observation Mission in South Africa (UNOMSA). Ultimately, the elections in 1994 led to the creation of a solid foundation for peace, democracy, effective governance and an active women's role in South African society. In fact, it was one of the first recorded occasions where, well before the elections, women of various political parties and groups banded together to demand one third of the seats in the constitutional negotiations and later, on party slates. While only the ANC fully adhered to this agreement, approximately 25 per cent of the first elected parliamentarians were women.

Ms. King emphasized the important role of the expert group meeting to review what had been done to support women in all aspects of the electoral process in post-conflict countries and to develop an agenda for action on how to strengthen support to the

full participation of women in electoral processes in post-conflict countries. She mentioned that some of the target groups of users of the lessons learned and recommendations made were the Security Council, UN policy-makers in post-conflict elections, Special Representatives of the Secretary-General heading missions, representatives of Governments, civil society, women's groups and other international actors working in Afghanistan, Côte d'Ivoire, the Democratic Republic of the Congo and Iraq.

Mr. Sean Dunne of the Electoral Assistance Division of the Department of Political Affairs presented a statement on behalf of Ms. Carina Perilli, Director of the Electoral Assistance Division who was unable to attend the opening as the latest developments in Iraq required her presence elsewhere. Mr. Dunne noted that elections constitute a continuum in which what was decided at one stage, would deeply affect the next. From a chronological point of view, provisions to ensure the role of women in the electoral and political arena should be taken at the outset of a process. In terms of long-term sustainability the enfranchisement of women had to be seen in the broader context of the enfranchisement of society as a whole; and in that light, the advancement of women in the electoral process must be addressed as a key element of a broader reality.

There were three main areas in which the question of women's participation in the electoral process had to be addressed, particularly in post-conflict situations. These were: the question of voice and citizenship; the question of representation and women representatives; and the question of women's capacity to engage in decision-making roles in the electoral and political process. In those three areas, and at each stage of the electoral process, efforts should be made in order to enhance the role of women in electoral processes both in quantitative and qualitative terms. A range of tools and resources had to be provided to ensure that women's voices were heard and to enable them to participate in the process.

In the experience of the UN there was no "one way", there was no "best way" – there was always a unique constellation of actors and forces that demanded innovative and creative approaches. Mr. Dunne stressed that electoral politics was a competition for power - not a competition between equals, but one that had to be conducted over a level playing field to be considered fair. To enhance women's participation in this arena, proactive efforts had to be directed both to leveling the field and to enhancing the capacity of women to be formidable and lasting competitors. Mr. Dunne expressed his hope that the meeting would provide the opportunity for experts to collectively contribute to the endeavour of identifying more tools which could be shared by all in pursuing these goals.

III. SUMMARY OF THE DEBATE

Post-conflict transitions involving the international community are not quiet corners where local political actors committed to democracy and external electoral experts could seek solutions together. They are high-profile interventions in which not all the local players might even be committed to ending the conflict at all, and in which there are strong, differing and often controversial external agendas in play. The political reality is that an election in a transitional situation represents a major investment of resources by the international community and is therefore unlikely to be rejected as unsuccessful short of complete breakdown or chaos.

Much of what is known generally about women's participation in electoral processes is relevant also to post-conflict situations - psychological barriers, inequality of resources, discriminatory cultural patterns, indirect discrimination and the lack of clear rules, all of which reduce women's participation. The experience of the last 25 years has been that elections in post-conflict situations typically take place in an environment which contrasts radically with that prevailing in democratic countries. More specifically, the following differences are likely to impact negatively on women's participation in electoral processes in post-conflict situations:

- There is an expectation that elections will build or consolidate the peace, and this is often seen as the key requirement. As a consequence, the "success" of an election may be judged not so much on the basis of the criteria which normally apply in democratic countries, but on the extent to which it has contributed to the political process of ending conflict.
- Democratic commitment is fragile, with participants prepared to subvert the electoral process for short-term political gain, or even denounce or withdraw from the process.
- Military involvement with electoral processes is likely to arise. When the police have a high profile role, where there is no shortage of either recent combatants or weapons and where there are still groups committed to violent means, the security climate is likely to be an obstacle to the participation of women.
- Political parties tend either to be derived from movements associated with a political struggle, or to be small, disorganized bodies, often based around regions, tribes, clans, religious groups, language groups or high profile individuals, and sometimes amounting to little more than patronage networks.
- There are large numbers of displaced persons either within or outside the country. These groups typically include predominant numbers of women and children. The existence of residency requirements in many electoral laws gives rise to a significant risk that they will be disenfranchised.
- Institutional development is limited. There may be a history of human rights violations, and the judiciary may be weak, poorly trained, corrupt, or politicized, representing, in the worst cases, a system of rule by law rather than rule of law. In such situations, the ability of women to obtain proper protection of their legitimate rights is likely to be severely limited.

- Public campaigning tends to proceed through meetings, rallies and marches, which may be difficult for women to attend.
- Fraud, corruption and intimidation are generally widespread. In situations where women are already disempowered, it may be very difficult for them to resist pressures of this type.
- There may be a partisan use of state resources, in a manner which is likely to entrench the *status quo*.
- The electorate often contains a substantial illiterate component. In cases in which women have suffered this sort of deprivation of opportunity, they will be particularly disadvantaged.
- The reality of post-conflict mission funding is that international resources often arrive late or are insufficient. The challenge is to ensure that women's participation is seen as a core activity of the post-conflict mission, and not merely as a desirable soft option to be cut when "hard choices" have to be made.

Post-conflict elections have been conducted under tight time constraints, often driven by the domestic politics of Member States of the international body. In fact, once agreement on a framework is reached, the pressure would be for elections and new institutions to be in place as fast as possible. Women would have to be exceptionally aware and well organized to take advantage of what has been agreed.

As there is increasing realization that the electoral framework is not self-standing, but intimately connected with the constitution and the political laws, it has been clear that women's participation and representation issues are not only questions for electoral engineers and election specialists, but for the negotiators and drafters of the wider framework of instruments such as constitutional experts and experts revising or drafting national legislation. Moreover, debate and provisions on women's representation issues are often limited to the national level. In seeking long-term change, drafters may need to make a specific effort to put the role of women at the local level on the agenda.

Open lists and proportional representation have been shown to encourage gender-balanced representation, although this might be less true in developing nations because there are fewer women who could seize opportunities for "balanced tickets". The key issue, however, is the interaction between the district magnitude and the party system – as illustrated by the question: “If you get elected, how many party colleagues will you have from your electoral district?” If the district magnitude is too small, the likely answer for all but the strongest parties will be none, and the "balanced ticket" principle will have little effect. Only a provision that requires balancing the "top of list" positions across electoral districts is likely to be effective. If, however, the district magnitude is too big, there is the possibility of many small parties winning one seat each – unless an overt threshold for representation is additionally in place and unless women have emerged as party leaders, this may not bode well for the level of women's representation. Alternatively, the legal criterion for the establishment of a political party may demand a high level of organization thereby restricting the number of parties. There have often been, however, many groups who want to form parties in the early stages of transitions, and there is a strong argument for a low qualification for party registration in order to be

inclusive. Quotas may be adopted within the electoral system, using the nomination requirements, or within political parties. Reserved seats are another approach which may guarantee numbers, but it may not be effective in giving status to the reserved seat members.

The discussion on electoral systems applies equally to political party procedures for choosing candidates and to nomination and election procedures for internal party management bodies. The latter play a major role in determining whether parties are "gender-friendly". Nomination and election procedures for internal party leaderships and committees play a major role in the development of the internal ethos of parties: their results effectively contribute to the development of the political skills and influence of women. Civil society organizations can also identify and promote women who are interested in becoming elected representatives. In addition, a post-conflict mission should also consider the extent to which external actors can be directly involved in encouraging the recruitment and training of women candidates.

The importance of gender balance in election administration recruitment, from commissioners to polling station officials, is now being increasingly recognized. The registration of refugees and internally displaced persons is frequently critical in post-conflict situations. Women may be disadvantaged by illiteracy or access requirements in registration and polling procedures, as well as by lack of awareness of ballot secrecy or that the individual has a right to vote without being pressured to vote along family lines. Considerable experience and 'best practice' have developed in targeted voter education to encourage women's participation, and it is important to ensure that this is further developed to match local conditions.

Little attention has as yet been given to gender aspects of electoral dispute resolution. How appointments adjudicating bodies are made and whether procedures to lodge a claim and have it heard appear more onerous or threatening to women are important questions that need attention. Similarly, the limited access of women to election media, both in terms of access and of confinement to "soft" issues, has indeed been identified as a problem but so far little attention has been devoted to the subject.

The general agreement that gender balance is important in international observation teams has not always been reflected in practice. The evaluation of gender issues is not consistently seen as a mainstream observation task. Observation reporting has been distinctly patchy: some missions report on gender issues in some depth, while others remain completely silent on the issue.

Thus, there are many areas in which more thought and research is needed. However, a considerable volume of wisdom already exists, and the task in many areas is understanding, dissemination and implementation. This means that in practice resource manuals and materials – including party development and candidate training programmes, training for election administrators, voter education, and others should be reviewed and updated. Training and extending awareness might be needed not only among local actors, but also for members of international mission teams.

IV. RECOMMENDATIONS ADOPTED BY THE EXPERT GROUP MEETING

A. The Role of Actors

In order to examine all aspects of the gender perspectives in electoral processes, the expert group meeting focused on the role which actors should play according to the various phases of the election process in post-conflict countries. The main actors are considered to be governments, international organizations including the United Nations and its system of organizations and regional intergovernmental organizations and international and national civil society groups including non-governmental organizations. For purposes of a more focused discussion, the meeting agreed that the continuum of phases of the electoral process should include: the legal framework; political representation and political parties; voter and civic education; election administration; and election observation. The expert group meeting discussed the major challenges affecting women's participation from the point of view of specific actors. It also described best practices drawn from what actors have accomplished to enhance women's participation in post-conflict elections. Participants gave priority to recommending immediate or short-term solutions or improvements related to an electoral process. It was pointed out that some of the many possible barriers to women's participation include poverty, low literacy rates and cultural factors. While recognizing the impact of such barriers, it would not be realistic for an international electoral mission to expect to make a significant impact on these basic structural barriers within the timeframe of a mission.

Given the multiple actors that are involved in elections, the expert group agreed upon specific terminology for each actor group so that recommendations could be targeted.

The term "*government actors*" is defined by the expert group as a sovereign state which is responsible for the creation of rules and laws that ensure its citizens' political representation, empowerment and accountability. In some post-conflict settings, however, there may not be a functioning government, thus requiring the formation of a temporary administrative structure. The autonomy of this transitional administration and its ability to effectively manage an election process will set the stage for how other actors support the elections. Peace agreements often recommend the creation or restructuring of commissions on electoral, constitutional, human rights or gender issues. Their existence varies greatly in post-conflict countries.

The ultimate government actor in the electoral process is determined to be the election management board which oversees the planning, implementation and evaluation of the elections. It can be guided by whether or not the state has ratified international treaties concerning women's rights, such as the Convention on the Elimination of All Forms of Discrimination against Women as this determines the fundamental basis for ensuring support for the full participation of women in electoral processes.

The term “*international actors*” is broadly construed to include international organizations (including the United Nations and other intergovernmental and interstate organizations), governments other than those where the election is taking place, Member States including donor countries, and international non-governmental organizations. A variety of actors within the United Nations involved in post-conflict elections include the Department of Political Affairs, Department of Peacekeeping Operations, Special Representatives of the Secretary-General heading UN peacekeeping missions, United Nations system entities such as UNDP, the UN High Commissioner for Refugees (UNHCR) and UNIFEM.

It is clear that the role and influence of international actors can vary widely depending on the circumstances. In some instances, the United Nations or another international actor have a mandate actually to conduct the election, giving it broad powers to shape electoral systems, legislation and the election administration. In other cases, the United Nations and other international actors have a far more restricted role, which may, for example, be limited to providing assistance or advice, or encouraging domestic actors to adopt best practices to advance women’s participation.

The term “*civil society actors*” includes national non-governmental organizations that support women’s political participation in post-conflict situations such as women’s groups, human rights and youth groups, indigenous organizations, political parties, trade unions and professional groups and members of academia and think-tanks. While none of these bodies have explicit responsibility for elections, often in post-conflict societies, non-governmental networks have strong ties to citizens and the capacity or expertise that can be tapped for social mobilization and nation-building. For example, civil society is well poised to carry out assessments of the different needs and priorities of women and men in all aspects of local and general election processes.

The expert group meeting considers it important to make overarching recommendations regarding the incorporation of gender perspectives and the advancement of women in peace operations as a whole.

It was recommended that *all* actors listed above should:

- Be guided by the relevant laws and instruments that give full expression to the rights of women as set out in the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Covenant on Civil and Political Rights and the Convention on the Political Rights of Women, and establish mechanisms for ensuring that those rights will, in practice, be enjoyed.
- Be guided by the recommendations of the Ottawa Expert Group Meeting on Peace Agreements as a Means for Promoting Gender Equality and Ensuring the Participation of Women: a Framework for Model Provisions¹.

¹ EGM/PEACE/2003/REPORT of 10 December 2003

- Work proactively for the inclusion of women as part of delegations to international and national peace negotiations, including by structuring negotiations to include women as participants and by providing incentives to parties to the conflict to include women on their negotiating teams.
- Help protect and empower women refugees when negotiating United Nation's Status of Mission Agreements with neighbouring countries, for example, by preventing forced returns and ensuring availability of voting rights to women in refugee camps.
- Create platforms to ensure women's voices are heard, through meetings, events and publicity, and by consulting and being seen to consult with women leaders and women's groups.
- Support transitional bodies, constituent assemblies and other such institutions by enhancing their capacities and supporting their women members, and encourage gender balance in their composition.
- Mainstream gender into peacekeeping mission budgets and include provisions for gender units/advisers and gender mainstreaming activities throughout the mission.
- Ensure effective donor coordination which should be clear on the priority attached to advancing women's participation and gender equality.
- Consider using opinion polling and focus groups to identify issues of importance for women in post-conflict countries and to develop ways to be responsive.
- Support and foster domestic civil society organizations with a view to strengthening their involvement in developing women's political rights.

B. Legal Framework

Women are often not involved in the consultations that lead to the development of policies and laws which will directly affect their participation in electoral processes, both as voters and candidates. Not all provisions, laws and regulations establishing citizenship and election procedures contain a commitment to equality with regard to gender. Where they do, they are often broad in their approach to gender equality. Laws that establish voting and candidature qualifications may create barriers for women's participation, by virtue of their sex, level of education or literacy.

The legal framework inclusive of constitutional, political, legislative and electoral laws and regulations must provide the fundamental basis for democratic elections with full participation of women. Post-conflict situations often provide a unique opportunity through peace agreements for radical changes in a country's legislative framework.

Countries may thus adopt a new constitution, laws establishing political bodies and/or election laws as part of fulfilling peace agreements.

The expert group meeting recommends that a legal framework should:

- Ensure gender balance in all bodies created as part of the design or implementation of the constitutional, political, legislative and electoral laws and regulations. To ensure this outcome special measures including the use of quotas and incentives should be explored.
- Ensure that women participate and hold decision-making positions in all committees, commissions or other fora that are established, including in drafting committees and create specialized bodies to advance the rights of women.
- Have specific provisions on non-discrimination and the full equality between women and men, in accordance with international standards on human rights and women's rights.
- Ensure that citizenship rights of women and men are equal in all respects.

With regard to the electoral process, the legal framework should:

- Eliminate procedures that might constitute indirect discrimination such as an excessive requirement for signatures of citizens.
- Ensure that campaign financing laws do not directly or indirectly discriminate against women, such as requiring an unreasonably high monetary deposit taking into account that women often have less access to resources than men.
- Include provisions to assist illiterate voters, and ensure that these provisions are not abused.
- Include provisions to ensure polling stations are established and located so as to provide easy access for women voters.
- Establish a complaints and appeals process that can provide rapid and genuine redress to individuals whose electoral rights have been violated. Procedures should be simple, clear and rule-based and should operate in a way that inspires the confidence of the electorate. Women should participate as members of any administrative or judicial body considering election complaints.

The expert group recommends that

Government actors should

- Ensure that the relevant laws and instruments give full expression to the rights of women as set out in the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Covenant on Civil and Political Rights and the Convention on the Political Rights of Women, and establish mechanisms for ensuring that those rights will, in practice, be enjoyed.
- Review the legal framework for proposed constitutional, political, legislative and electoral laws and regulations to identify elements which may hamper women's participation, and amend legislation to correct problems identified.

International actors should

- Within their mandates, encourage the adoption of a legal framework that guarantees equal participation by women in elections.
- Encourage the formation of new institutions and strengthening of existing institutions, including ministries of women's affairs, national commissions on women, and ombudsman offices and other innovative institutions that can contribute to empowering women and advancing their political rights.
- Undertake or offer to assist with a gender analysis of the legal framework on elections, to help identify any shortcomings or indirect discrimination and suggest remedies, and provide advisers on human rights and women's rights to improve legal frameworks.
- Encourage and facilitate the exchange of information and best practices, particularly within the same region on ways to advance women's participation in elections. For example, open lists and proportional representation systems have been shown to lead to the election of greater numbers of women than majoritarian systems, although both systems are accepted as meeting international standards.
- Provide information on special measures and encourage their adoption. It has been shown that special measures, including quotas for women on party lists or reserved seats for women, can lead to a significant increase in women's participation as members of parliament or other elected bodies. Special measures are acceptable under international standards such as article 4 of the Convention on the Elimination of All Forms of Discrimination against Women. Such measures can also be among the most effective means of increasing women's participation and the election of women candidates. These measures can be applied at local or regional levels as well as at the national level.

- Pursue further research on
 - Special measures with a view toward evaluating their effectiveness;
 - How different constitutional and political legislative frameworks affect the level of women's participation and representation;

Civil society actors should

- Organize public consultations, and lobby for women to participate and hold decision making positions in all committees, commissions or other fora that are established, including in drafting committees during the reform process.
- Identify and support (including through training) qualified women to participate in these fora. Effective strategies for influencing domestic reform can include developing education outreach campaigns, and reaching out to the international community and other civil society organizations for support.
- Support gender equality through issuing position papers and lobbying on:
 - Application of international legal instruments;
 - Internal party democracy including candidate recruitment and party rules;
 - Election monitoring and observation mechanisms;
 - Application of special measures, including gender quotas and party ballot composition;
- Monitor the Government's implementation of peace agreements and mobilize public support for the full implementation where agreements have included women's equitable political participation.
- Ensure that women who are refugees, internally displaced persons, non-registered voters, or those without official identification forms and/or birth certificates are not excluded or disenfranchised due to barriers of citizenship.
- Develop a media strategy that highlights the application of international norms and standards or specific constitutional or electoral reform proposals.
- Develop coalitions and alliances among sectoral groups and non-governmental organizations, to unite, for example, women's groups and human rights organizations, to galvanize support for constitutional and electoral reform.
- Provide training for members of electoral commissions on international laws and standards on gender equality issues as well as state obligations.

C. Political Representation and Political Parties

The expert group meeting considers that the structure and organization of parties can be obstacles to the participation of women. In post-conflict situations, party leadership positions tend to be dominated by men, and women tend to lack representation and power in the party structures. While the party system may be fluid, with parties exploring either the option of merging with others or forming joint tickets, the negotiations which lead to such a situation will typically be conducted by the parties' (male) leadership, with women having little opportunity to influence them. Parties may lack internal democracy. Indeed, their internal procedures may be poorly defined, and they may lack constitutions. Such situations are conducive to the domination of parties by élites, usually men, who will control the internal recruitment of candidates and their placement on party lists, and may even be in a position to change the order of candidates on party lists to the disadvantage of women. Politics within such parties may be pursued with a ruthlessness which can discourage those outside the dominant group from taking part. In some situations where women do gain endorsement it will often only be for unwinnable seats or for positions on party lists that represent mere tokenism.

Political party leaders and supporters may have a stereotyped view of the role of women which can make it very difficult for women to progress within the party. Such stereotypes include women being seen as lacking "management skills" or other "qualifications". Women's family responsibilities may also constitute an obstacle to their playing an active role in politics. This will be particularly the case if participation could put women or their families at risk of intimidation or attack.

The expert group meeting recommends that political parties should:

- Be required, as a condition of registration, to have a constitution specifying their position on gender equality. Where possible, such requirements should be incorporated in the document or instrument which is likely to be seen by all political players as being most binding.
- Adopt internally democratic structures (e.g., open and transparent candidate nomination procedures) in order to advance the participation of women rather than closed decision-making structures.
- Identify gender issues in their platforms and select women candidates using transparent criteria, party-list placement in winnable positions and other mechanisms to promote their election such as a "zippered" list, in which the names of men and women alternate, which provides the best possibility of electing greater numbers of women.
- In their party rules, mandate that the membership of party management and party policy committees is gender balanced and that women are included in decision-making roles. They should ensure that women candidates have access to resources

and special training opportunities. These should include strategies that reach out to include women.

- If a party Code of Conduct exists, include standards on participation by women and gender equality.
- Take into account that experience has shown that women's political participation can often be most effectively advanced at the party level through setting voluntary quotas or targets on the proportion of women candidates who will appear on party lists. Targets are most effective if linked to a specific timeframe and accompanied by training and resources for women party members and candidates.

In order to ensure that political parties incorporate gender perspectives, the expert group meeting recommends that:

Government actors should

- Ensure that elections be conducted over a timeframe long enough to enable political parties to be firmly established and developed in a manner which does not merely replicate the structures which preceded or arose during the period of conflict.
- Implement processes which give political parties the strongest incentives, including access to state resources, the state media at election time, and public funding, to involve women fully in all aspects of the parties' operations. This includes, if necessary, making mandatory requirements (relating, for example, to nomination of women candidates and internal party democracy) which a party must satisfy to gain or retain legal recognition.
- Provide sufficient resources to women's organizations which are involved in supporting, researching or encouraging the greater participation of women in electoral processes, not only at election time but also between elections.
- Provide resources to all parties on an equitable basis for the training of women in the skills required to become candidates and undertake public campaigns to emphasize the legitimate role of women as candidates, to break down stereotypes, and to encourage women to become candidates. Where a party has a women's wing, make resources available to strengthen its activities.
- Explore systems for guaranteeing representation of women in the legislature, including legislated or voluntary party quotas within a list system of proportional representation, or reserved seats within a majoritarian or plurality system. Where quotas are adopted for implementation, the enforcement mechanism should be clearly specified.

International actors should

- Establish and support programmes to develop cross-party cooperation among women candidates, including training through cross-party caucuses, and support men and women members of parliament and activists in developing cross-party networks and policies on issues of special concern to women.
- Encourage research on the circumstances under which women's wings of political parties help advance women's political participation, as these entities have in some instances promoted the advancement of women and in others, relegated women to a subsidiary place in the party.
- Assist with training
 - All political party members and candidates – men and women – on gender-related issues including gender awareness;
 - Journalists on effective coverage of women candidates and issues of special concern to women, as well as training on gender sensitivity;
 - Women candidates on how to deal effectively with the media. More research is needed on the quantity, content and presentation of the coverage of women in elections by the media;
 - Security forces on gender aspects of elections in post-conflict societies, including developing model codes of conduct for police and military;
- Consider sponsoring a gender-sensitive security liaison focal point within the police or military for political parties and candidates, as well as safe havens in dangerous areas where women candidates campaign.

Civil society actors should

- Advocate and lobby to ensure that critical gender issues are addressed in political party platforms. They can hold elected officials accountable between elections by monitoring and publishing performance on issues of importance to women against party platforms.
- Lobby for media access and free public media to all political parties as part of election process. Consider incentives such as extra airtime to parties who propose women candidates and support training for women candidates on media issues.
- Support women's wings to ensure that they are linked to main decision-making bodies within their political parties, and that they know how to influence the candidate selection process so as to avoid being marginalized in party decision-making.

- Because of ties to the community-level, serve as a link between women candidates and the grassroots, and provide an incentive to women to run as candidates and use this link to mobilize voters and raise resources for candidates.
- Once women are elected to office, encourage, establish and support programmes to develop cross-party cooperation among women candidates and potential candidates, including network and training through cross-party fora. In addition support men and women members of parliament and activists in developing cross-party networks and policies on issues of special concern to women.
- Help elaborate strategies for elected women officials to ensure that they function effectively as legislators and prepare for reelection campaigns.

D. Voter and Civic Education

In post-conflict countries, the electoral processes to be implemented may be new, or unfamiliar to the great majority of voters. Therefore it cannot be assured that voters have prior knowledge or understanding of elections and their significance, or the secrecy of the ballot. Where the development of electoral procedures is delayed, there may be inadequate time for implementation of voter and civic education programmes.

Voter education should be provided in a manner which makes it accessible to women, or as accessible to women as to men. Where it is provided only in a written form illiterate people, mostly women, will be unable to benefit from it. If it is provided through electronic media some women will not have access, or it may be unavailable in places where refugee or internally displaced women are located. It may be made available only at times or in places which are inconvenient for women with caring responsibilities. It may be provided only in an official language, rather than in a local language which women in an area speak.

The expert group meeting recommends that voter and civic education programmes should:

- Start early, cover the entire election process and include the roles of women as candidates and voters.
- Use inclusive language and images that include both women and men and develop specific material targeted at women. Use a variety of methods and media that are sensitive to the needs of all citizens.
- Address not only voter registration and voting procedures (such as informing women that their vote will be secret and a matter of their individual choice), but also focus on other specific issues of concern in a country.

- Create safe resource centres to facilitate women's access to voter education programmes.
- Review curriculum materials to ensure they are gender sensitive and explicitly address the rights of women to vote and to be candidates in the electoral process, as well as in the broader political process and develop curriculum materials suitable for long-term civic education in schools.
- Provide sufficient resources so as to meet the objective of universal coverage. Voter and civic education should be seen as an ongoing activity, not just as a one-off process at election time.
- Involve women's organizations from the outset in the design and implementation of voter and civic education campaigns and ensure that women are involved on an equal basis in its delivery.
- Provide sessions for women only and ensure the locations and times of voter education sessions allow women's full access. Where necessary, child-care arrangements should be incorporated in planning for voter education.

The expert group recommends that:

Government actors should

- Provide sufficient and sustained resources for gender sensitive, neutral and accurate voter and civic education to ensure that all voters understand their electoral rights and responsibilities, and are able to cast valid votes.

International actors should

- Support comprehensive gender-sensitive voter education programmes that ensure women's full participation in the design and dissemination of the programmes.
- Support civic education campaigns that include information on the benefits of democracy, reconciliation and peace-building. Information should be gender sensitive and should combat stereotypes.
- Develop specific tools and creative means to help get voter and civic education messages to the public, in all relevant languages. These might include plays, radio and television messages, and establishing internet cafés which are safe and accessible for women. Monitor and assess whether messages are getting through effectively to the voters.
- Develop and support training opportunities for women through partnerships and exchange programmes.

- Support links between the party leadership and women at the grassroots level to enhance mutual understanding of election-related issues.

Civil society actors should

- Monitor the content and design of government publications on voter and civic education to ensure that they are accessible and gender-sensitive.
- Develop training programmes in civic education that address education and skills fundamental to living in a democracy (specifically, literacy skills) in addition to immediate voter education training.
- Develop gender-sensitive voter education messages that
 - Highlight the capacities of women as candidates and political representatives;
 - Encourage women to run for office;
 - Emphasize that votes are secret, individual, and personal (i.e. not “family votes”);
 - Inform the population that elections are a peaceful process for governments in transition, and if conducted in a free and fair manner, the results would be accepted as conclusive and final;
 - Teach women not only how to vote but also the responsibilities of the electorate and elected officials;
 - Involve male community leaders, party officials, and religious leaders, in endorsing and participating in training and education programmes for women;
- Design training targeted at men and “local notables” on women’s capacity as voters and candidates.
- Insist that electoral commissions conduct a wide-reaching public education campaign targeting women as well as men to ensure that all citizens understand and have access to voting procedures. Electoral commissions should make the training material available in local languages.
- Collaborate with teachers and academics to develop curricula on civic education (e.g. model parliaments) that emphasize women’s right to equal political participation.

E. Election Administration

Ensuring women’s equitable political participation can be influenced by the logistics and mechanisms in place for running an election. Before the election, requirements for registration and for documentation can discriminate against those women who do not have identification in their own name or against internally displaced persons and refugees who have lost identification documents. On the day of the election critical obstacles may include the location and transportation to voting stations and the

duration and hours of operation. Other obstacles include the lack of training for election administrators and the low representation of women on election management boards.

Women may be disadvantaged by inappropriate polling procedures. Access to polling stations can give rise to difficulties similar to those which can arise in relation to registration centres, and badly designed polling precincts can add to the problems encountered. Since polling involves processing the entire adult population of a country in a very short time, often in a single day, long queues of voters may form, which may be most uncomfortable for women voters, particularly the elderly and those with children. The problem will be made worse if the hours of polling are badly chosen.

Actions which compromise the secrecy of the ballot are of particular concern. Women may be subject to intimidation or threats designed to make them vote in a particular way, and/or to reveal how they have voted. The presence of people such as party agents at a voting station has the potential to intimidate voters, especially if the agents in question have a history of involvement in abuse of power, or intimidation. The secrecy of the vote may also be compromised by polling procedures which make blind or illiterate voters dependent on someone else to mark their votes.

Complex ballot marking requirements, and strict rules for the validity of ballots, can cause votes to be discarded even when the voter has attempted to indicate a clear intention. This is likely to impact in particular on the less educated and literate voters, a group in which women may well be over-represented.

The expert group meeting recommends that election management boards should:

- Have a stated objective on gender balance at all levels and put incentive packages in place to enable women who wish to seek employment or a career in electoral administration to do so.
- Develop a policy on gender, dealing both with strategies for enhancing the role of women within the election management board, and for enhancing women's participation in the election process.
- Where security is a concern, give priority to ensuring that people are able to register and vote safely.
- Train its staff to ensure the correct implementation of procedures intended to facilitate women's participation in the election process.
- Ensure the secrecy of the vote is reinforced by having appropriately laid out polling stations. Polling officials should know that they, not the voters, are responsible for ensuring that the secrecy of the vote is maintained and that any irregularities which arise are promptly and effectively dealt with.

- Ensure ballots bear photographs and party symbols, to reduce the need for assisted voting of the illiterate and to better enable voters to identify their preferred candidate or party.
- Explore mechanisms for providing incentives to increase the turnout of women voters. For example, where positions in a legislature are to be filled on a sub-national level, consideration could be given to apportioning the seats among the provinces, after the election, on the basis of total turnout, so as to give political players an incentive to support voting by women.
- Facilitate intercountry networking between staff of different election management boards, with a particular focus on mechanisms which will allow women staff of different election management boards to share and learn from each others' experiences.
- Collect sex-disaggregated statistics on the election process, covering such matters as different levels of registration or turnout among men and women, which could highlight strengths or weaknesses of existing electoral arrangements from a gender perspective.
- Critically evaluate voter registration and polling procedures to ensure that they should not disadvantage women in practice. Where necessary, special procedures, such as the use of mobile registration and polling teams, or the establishment of separate registration or polling stations for men and women, should be explored. Where the latter approach is adopted, strict procedures should be implemented to ensure that the facilities provided for women are not inferior to those provided for men.

The expert group meeting recommends that:

Government actors should

- Establish gender-sensitive electoral procedures which do not discriminate against women, whatever their situation, and which are administered by neutral bodies which are sensitive to gender issues and where women are fully represented at all levels.
- Ensure that all agencies of the state which are involved in any aspect of the electoral process, including, for example, police investigating alleged electoral transgressions, are trained to respect the electoral rights of women, and adopt a gender-sensitive approach.
- Ensure that independent monitoring mechanisms be established to identify and report on gender bias in the media in relation to the electoral process.

International actors should

- Ensure United Nations peacekeeping missions that are involved in supporting elections in post-conflict countries
 - Include a specific reference in the mandate to Security Council resolution 1325 (2000) on women, peace and security;
 - Give priority to enhancing the full participation of women in all aspects of the electoral process;
 - Ensure gender balance and deploy personnel who are gender sensitive;
 - Train personnel on gender issues and develop a curriculum for such training;
 - Report on gender perspectives and gender balance in their regular reporting to Headquarters;
- Provide sufficient up-front funding for elections, and in particular funding from the outset for promoting women's participation in elections.

Civil society actors should

- Advocate that the election management board ensures that gender perspectives in the voting process are fully incorporated.
- Identify qualified women candidates for election management boards and advocate for their equal inclusion. Identify and encourage women to run for positions on electoral commissions, registration centres and polling stations, including as chairpersons.
- Collaborate with the national election management board to develop a code of conduct for election administrators and political parties that includes gender-sensitive language.
- Monitor the implementation of registration processes so that they are non-discriminatory towards women.

F. Election Observation

As with other aspects of election processes, women are often excluded from the election observation process. International observer missions often ignore gender equality issues and are not trained to recognize specific obstacles that women face including discrimination and harassment. Because women's organizations and prominent women in communities are not tapped to support election observation missions, much needed capacity and local resources are not mobilized in support of ensuring free and fair elections.

Election observation can make a valuable contribution to the conduct of democratic elections by promoting transparency, accountability and confidence in an

election process and by its presence, can deter violations. This is especially important in post-conflict situations where voters may lack confidence in a new system or be suspicious of a peace agreement. Ideally, observation missions should cover the entire election process – before, during and after elections.

The expert group meeting recommends that election observation missions should:

- Ensure gender balance and address gender issues in guidelines, including generic guidelines issued by international organizations, which define how election observation should properly be conducted.
- Receive training on gender issues, and on the electoral rights of women.
- Develop checklists that draw their attention to critical points of the election process at which women may be disadvantaged.
- When determining whether an election has been free and fair, give full weight to the extent to which women have been able to exercise their rights.
- Include gender considerations especially in determining possible irregularities such as in family voting, arbitrary application of rules and harassment of women attempting to vote.
- Collect sex-disaggregated statistics on the election process, covering such matters as different levels of registration or turnout among men and women, which could highlight strengths or weaknesses, from a gender perspective, of existing electoral arrangements.
- Evaluate an election from a gender perspective and disseminate the results.

The expert group recommends that:

Government actors should

- Facilitate the observation of elections, in a manner which gives due priority to gender issues, by observation groups in which women are adequately represented at all levels.
- Invite international and domestic observer groups to observe their elections.

International actors should

- Support the conduct of observation missions designed to look specifically at women's participation in elections.
- Encourage all governments to invite international observation missions, and encourage observation by non-partisan domestic observer groups.

- Continue to support the process of transition, democratization and equality after the election is over, including by giving support to women elected as legislators.

Civil society actors should

- Organize briefings by women's organizations and prominent women leaders for the election observation teams, both international and domestic.
- Actively seek credentials as non-partisan election observers, bearing in mind that for security reasons, ideally, there should be more than one woman observer at each polling station.
- Review election monitoring reports and advocate for reform.

ANNEX I

LIST OF PARTICIPANTS

EXPERTS

Julie Ballington
Gender Officer
Political Parties Program
International IDEA
Stromsborg
S-103 34 Stockholm
Sweden
Tel: 46-8-698-3700
Fax: 46-8-202-422
Email: j.ballington@idea.int

Alcinda Antonio De Abreu
Director
Instituto Gedlide
(Gender Institute for Democracy,
Leadership and Development)
Rua Vilanamuali No. 296
Maputo
Mozambique
Tel: 2581-414726
Email: cinda.antonio@tvcabo.co.mz

Tanya Domi
226 Kimberly Place
Apt. 4B
New York, NY 10463
USA
Tel: 718-543-2630
Email: tld@tanyadomi.com

Kareen Jabre
Programme Manager
Programme for the Promotion of Partnership
between Men and Women
Inter-Parliamentary Union
5 Chemin du Pommier
1202 Le Grand-Saconnex
Switzerland
Tel: 0041-22-919-4125
Fax: 0041-22-919-4160
Email: kj@mail.ipu.org

Richard Matland
Professor
University of Houston
Department of Political Science
Room 447 P6H
Houston, TX, 77204-3011
USA
Tel: 713-743-3911
Fax: 713-743-3927
Email: matland@uh.edu

Luz Mendez
President
Advisory Council to the National Union of
Guatemalan Women
2a calle 4-55 zona 1,
Guatemala City, Guatemala
Tel: + 502-232-4960 (Work)
Tel: + 502-270-3039 (Home)
US Address:
8 Peabody Terrace # 21
Cambridge, MA 02138
USA
Tel/Fax: 617-384-1335
Email: luzmeg@yahoo.com

Muna Ndulo
Professor of Law and Director
Institute for African Development
Cornell Law University
314 Myron Taylor Hall
Ithaca, NY 14853-4901
USA
Tel: 607-255-6642
Fax: 607-255-7193
Email: mbn5@cornell.edu

Milena Pires
UNIFEM Programme Coordinator
UNIFEM, UN House
Caicoli, Dili
Timor-Leste
Tel: 670- 724-0251
Email: milena.unifem@unagencies.east-timor.org
Email: milena.unifem@east-timor.org

Elizabeth Powley
Associate Director
Policy Commission
Women Waging Peace
2040 "S" Street, NW
Washington, DC 20009
USA
Tel: 202-403-2000
Fax: 202-299-9520
Email: powley@huntalternatives.org

Amal Sabbagh
Secretary-General
Jordanian National Commission for Women
PO Box 5118
Amman 11183
Jordan
Tel: 962-6-556-0741
Fax: 962-6-5827350
Email: jncw@nets.com.jo
Email: asabbagh@nets.com.jo

CONSULTANTS

Andrew Ellis
Head
Election Processes
International IDEA
Stromsborg
S-103 34 Stockholm
Sweden
Tel: 46-8-698-3734
Fax: 46-8-202-422
Email: a.ellis@idea.int

Michael Maley
Director
International Services Section,
Australian Electoral Commission
Canberra
Australia
Tel: 61- 2 – 6271- 4429
Fax: 61-2- 6271-4613
Email: michael.maley@aec.gov.au

OBSERVERS

Member States

Canada
Beatrice Maillé
Second Secretary
Economic and Social Affairs
Permanent Mission of Canada
to the United Nations
885 2nd Avenue, 14th Floor
New York, New York, 10017
USA
Tel: 212 848 1176
Fax: 212 848 1195
Email: beatrice.maille@dfait-maeci.gc.ca

Norway

Kjersti Rodsmoen
Minister Counsellor
Economic and Social Affairs
Permanent Mission of Norway to the United Nations
825 Third Avenue, 38th Floor
New York, NY 10022
USA
Tel: 212 310 1536
Fax: 212 688 0554
Email: kjersti.rodsmoen@mfa.no

Republic of Korea

Jin-woo Cho
Attaché
Ministry of Gender Equality
Permanent Mission of the Republic of Korea
to the United Nations
335 East 45th Street
New York, New York 10017
USA
Tel: 212 439 4000
Fax: 212 986 1083
Email: cjw5@chollian.net

United Republic of Tanzania

H.E. Augustin P. Mahiga
Ambassador
Permanent Mission of the United Republic
of Tanzania to the United Nations
201 East 42nd Street, Suite 1700
New York, NY 10017
USA
Tel: 212 972 9160
Fax: 212 682 5232
Email: tzrepny@aol.com

United States of America

H.E. Ellen Sauerbrey
Ambassador
Permanent Mission of the United States of
America to the United Nations
4122 Sweet Air Road
Baldwin MD 21013
USA
Tel/Fax: 410-592-2200
Email: ellen99@erols.com

United Nations**Division for the Advancement of Women
Department of Economic and Social
Affairs (DESA)**

Makiko Tagashira
Social Affairs Officer
Division for the Advancement of Women
Two UN Plaza, Room DC2-1250
New York, New York 10017
Tel: 212-963-4836
Fax: 212-963-3463
Email: tagashira@un.org

United Nations System**United Nations Development Programme
(UNDP)**

Stephanie Kuttner
Programme Analyst
Strategic Planning Unit
Bureau for Crisis, Prevention and Recovery
United Nations Development Fund
One United Nations Plaza, DC1- 2041
New York, NY 10017
Tel: 212 906 6749
Fax: 212 906 6887
Email: stephanie.kuttner@undp.org

**United Nations Development Fund for
Women (UNIFEM)**

Maha Muna
Governance, Peace and Security
United Nations Development Fund for
Women
304 East 45th Street, 16th Floor
New York, New York 10017
Tel: 212-906-5110
Email: maha.muna@undp.org

Regional Organizations

Peter Eicher
Organization for Security and Cooperation
in Europe (OSCE), Office for Democratic
Institutions and Human Rights (ODIHR)
600 H Street SW
Washington, DC
USA
Tel: 202-314-5711
E-mail: petereicher@hotmail.com

Civil Society

David Pottie
Senior Program Associate
Democracy Program
The Carter Center
453 Freedom Parkway
Atlanta, GA 30307
USA
Tel: 404 420 5174
Fax: 404 420 5196
Email: dpottie@emory.edu

Kristin Haffert
Manager
National Democratic Institute (NDI)
2030 M Street, NW, Fifth Floor
Washington, DC 20036-3306
USA
Tel: 202 728 5512
Fax: 202 728 5520
Email: kristin.haffert@ndi.org

Edit Schlaffer
Women without Borders
Salzgries 19/21 - 1010 Vienna
Austria
Tel: 43 1 533 45 51
Fax: 43 1 533 4552
Email: office@women-without-borders.org

ORGANIZERS

Office of the Special Adviser on Gender Issues and Advancement of Women Department of Economic and Social Affairs (DESA)

Angela E.V. King
Special Adviser on Gender Issues and
Advancement of Women
Two UN Plaza, Room DC2-1220
New York, NY 10017
Tel: 212-963-5086
Fax: 212-963-1802
Email: king@un.org

Kate Burns
Senior Social Affairs Officer
Office of the Special Adviser on Gender
Issues and Advancement of Women
Two UN Plaza, Room DC2-1206
New York, NY 10017
Tel: 917-367-5221
Fax: 212-963-1802
Email: burns2@un.org

Sylvia Hordosch
Personnel Policies Officer
Office of the Special Adviser on Gender
Issues and Advancement of Women
Two UN Plaza, Room DC2-1208
New York, New York 10017
Tel: 917-963-5450
Fax: 212-963-1802
Email: hordosch@un.org

Annalisa Orlandi
Office of the Special Adviser on Gender
Issues and Advancement of Women
Two UN Plaza, Room DC2-1206
New York, NY 10017
Tel: 917-367-2252
Fax: 212-963-1802
Email: orlandi@un.org

**Department of
Political Affairs**

Sean Dunne
Electoral Assistance Division
Department of Political Affairs
United Nations
New York, NY 10017
Tel: 212- 963-2405
Fax: 212- 963-2979
Email: dunnes@un.org

Anna Peregrini
Electoral Assistance Division
Department of Political Affairs
United Nations
New York, NY 10017
Tel: 212- 963-5469
Fax: 212-963-2979
Email: peregrini@un.org

ANNEX II

LIST OF DOCUMENTS

Background Papers: Papers by Consultants

Title and Author

- EGM/ELEC/2004/BP.1 Enhancing women's participation in electoral processes in post-conflict countries
Prepared by Michael Maley
- EGM/ELEC/2004/BP.2 Enhancing women's participation in electoral processes in post-conflict countries
Prepared by Andrew Ellis

Papers by Experts

- EGM/ELEC/2004/EP.1 Electoral processes in selected countries of the Middle East. A case study
Prepared by Amal Sabbagh
- EGM/ELEC/2004/EP.2 Constitutional provisions and enhancing participation of women in elections
Prepared by Muna Ndulo
- EGM/ELEC/2004/EP.3 Post-election support
Prepared by the Inter-Parliamentary Union (IPU)
Presented by Kareen Jabre
- EGM/ELEC/2004/EP.4 Enhancing women's participation in electoral processes in post-conflict countries. Experiences from Mozambique
Prepared by Alcinda De Abreu
- EGM/ELEC/2004/EP.5 Strengthening governance: The role of women in Rwanda's transition. A summary
Prepared by Elizabeth Powley
- EGM/ELEC/2004/EP.6 Enhancing women's participation in electoral processes in post-conflict countries: Experiences from East-Timor
Prepared by Milena Pires

EGM/ELEC/2004/EP.7 Enhancing women's participation in electoral processes in post-conflict countries: Guatemalan case study
Prepared by Luz Mendez

EGM/ELEC/2004/EP.8 Political parties and special measures: Enhancing women's participation in electoral processes
Prepared by Julie Ballington and Richard E. Matland

Papers by Observers

EGM/ELEC/2004/OP.1 Monitoring women's participation in elections
Prepared by Peter Eicher

EGM/ELEC/2004/OP.2 Enhancing women's participation in electoral processes in post-conflict countries
Prepared by Ellen Sauerbrey

Additional Documents

An Annotated Bibliography of Selected Resources Materials *Prepared by the United Nations Office of the Special Adviser on Gender Issues and Advancement of Women, Department of Economic and Social Affairs, January 2004*

EGM/PEACE/2003/REPORT Peace agreements as a means for promoting gender equality and participation of women – A framework of model provision
Prepared by the United Nations Division for the Advancement of Women, Office of the Special Adviser on Gender Issues and Advancement of Women, Department of Political Affairs

Draft Handbook for Monitoring Women's Participation in Elections *Prepared by the Organization for Security and Cooperation in Europe, Office for Democratic Institutions and Human Rights*

A/RES/58/142 Women and political participation – General Assembly resolution, 22 December 2003

ANNEX III

PROGRAMME OF WORK

Monday, 19 January 2004

6.00 p.m. Registration and Orientation

7:00 p.m. Opening Session

Ms. Angela E.V. King,
Special Adviser on Gender Issues and Advancement of Women

Mr. Sean Dunne,
Electoral Assistance Division, Department of Political Affairs

8:00 pm Dinner

Tuesday, 20 January 2004

8.30 – 9.00 a.m. Election of Officers
Introduction to the meeting
Adoption of programme of work

9:00 – 9:45 a.m. Presentation of background papers by consultants
Mr. Andrew Ellis
Mr. Michael Maley
Discussion

9:45 – 10:45 a.m. Country case studies
Ms. Luz Mendez: Guatemala:
Ms. Amal Sabbagh: Selected countries of the Middle East
Discussion

10:45 - 11:00 a.m. Break

11:00 – 12:30 p.m. Country case studies continued
Ms. Alcinda De Abreu: Mozambique
Ms. Elizabeth Powely: Rwanda
Ms. Milena Pires: Timor-Leste
Discussion

1:00 – 2.00 p.m. Lunch

2:00 – 3:30 p.m. Thematic Papers
1. Constitutional and legislative law: Mr. Muna Ndulo

2. Political parties and special measures: Ms. Julie Ballington and Mr. Richard Matland
 3. Post-elections support: Ms. Kareen Jabre
- Discussion

- 3:30 – 4:00 p.m. Ms. Tanya Domi: Bosnia-Herzegovina
Presentation of observer papers
- 4:00 – 4:15 p.m. Break
- 4:15 – 5:30 p.m. Working groups established and commence work

Wednesday, 21 January 2004

- 8.30 – 10.30 a.m. Working groups
- 10.30 – 11.00 a.m. Break
- 11.00 – 1.00 a.m. Working Groups
- 1:00 – 2:00 p.m. Lunch
- 2.00 – 5.00 p.m. Working groups
- 5:00 – 5:30 p.m. Plenary: feedback and status report from working groups

Thursday, 22 January 2004

- 8:30 – 11:00 a.m. Working groups to complete draft recommendations
- 11:00 – 11:30 a.m. Break
- 11:30 – 12:30 p.m. Plenary: review of final draft recommendations
- 12.30 – 1:30 p.m. Lunch
- 1:30 – 3:00 p.m. Plenary: discussion and approval of recommendations
- 3:30 p.m. Meeting adjourned