

*Revised version*

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## Conference Report

### *Making gender equality and the empowerment of women and girls a reality: Best practices and parliamentary commitments*

The Beijing Declaration and Platform for Action was adopted at the Fourth World Conference on Women in 1995 as a comprehensive and visionary agenda for achieving gender equality, the empowerment of women and the realization of human rights for women and girls. The vision of Beijing was reaffirmed in 2015, when States adopted the 2030 Agenda for Sustainable Development.

The year 2020 was a year of taking stock of achievements in and challenges for women's human rights and gender equality by reviewing the implementation of the Beijing Declaration and Platform for Action (Beijing +25); the twenty years of implementation of United Nations Security Council resolution 1325 (2002) on women, peace and security; and the five-year milestone of the Sustainable Development Goals (SDGs), including Goal 5 on gender equality and women's empowerment. It was also in 2020 that the COVID-19 pandemic broke out endangering hard-won gains in the advancement gender equality.

The present report reviews key achievements, persisting and emerging challenges, as well as good practices witnessed in recent years in advancing gender equality. It focuses on the key areas of equality of men and women in law, gender balanced political participation, and the elimination of violence against women and girls. In its conclusion the report identifies a series of actions recommended to parliaments and their men and women members to accelerate progress in advancing gender equality, in fulfilling the human rights of and empowering women and girls.

#### ***Where are we with elimination of discrimination against women in law?***

The Sustainable Development Agenda specifically recognizes the importance of promoting gender equality and women's empowerment as a key driver of change towards a more equitable, prosperous and inclusive world. Reflecting this commitment, SDG 5 specifically focuses on promoting gender equality. The first target under SDG 5 calls on States to end all forms of discrimination against all women and girls everywhere. The 2030 Agenda reflects prior commitments that were included in the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW Convention) and the 1995 Beijing Declaration and Platform for Action that call on Member States to remove discriminatory laws against women. Equal rights for women and men are not only the right thing to do but are also good from an economic perspective as reforms and policies that empower women boost economic growth.<sup>1</sup>

<sup>1</sup> World Bank, *Women, Business and the Law 2020* (Washington, 2020): <https://openknowledge.worldbank.org/handle/10986/32639>.

Yet, on average, women have just three-fourths of the legal rights afforded to men.<sup>2</sup> Discriminatory laws affect more than 2.5 billion women and girls around the world. Today, there remain 75 countries wherein women and men do not have equal rights to manage and inherit property. Less than half of the countries around the world have mandated equal pay for work of equal value. Only 44 countries in the world have paid parental leave and 88 countries still restrict the jobs that women can hold. The ages of retirement remain unequal for women and men in about one third of countries globally. Moreover, 108 countries still do not have legal provisions that prohibit gender-based discrimination in the access to finance.<sup>3</sup>

On a more positive note, the World Bank's *Women, Business and the Law 2021* index<sup>4</sup> presents a narrower gender gap in development outcomes, higher female labour force participation, lower employment vulnerability and greater representation of women in parliaments. Since 2019, 27 countries representing all regions have enacted reforms that increased gender equality in 45 instances. Most of these reforms affected women's pay and parenthood.

### **Good practices of recent years**

- In 2020, on the basis indicators such as access to mobility, workplace and employment policies, just compensation, marriage rights and domestic violence, parenthood, entrepreneurship, assets and pensions, it was established that three-quarters of the world's legislation was gender-responsive.
- Even though research shows that fathers only tend to take paternity leave when it is highly compensated and specifically granted to them,<sup>5</sup> paternity leave was one of the most prevalent reforms in 2020 due to the growing recognition that gender equality in the home was necessary to achieve gender equality in the workplace.
- Ten economies (Belgium, Canada, Denmark, France, Iceland, Ireland, Latvia, Luxembourg, Portugal, and Sweden) achieved equal legal standing for men and women across all the indicators measured.
- Most legal reforms since 2019 have been carried out in countries in the Middle East and North Africa (MENA) and the Organization for Economic Co-operation and Development (OECD).
- Looking at the last 50 years, record gains in the gender-responsiveness of laws have been achieved in Latin America and the Caribbean, Sub-Saharan Africa, and the OECD countries.

### **Emerging and persisting challenges**

The COVID-19 crisis has put additional pressure on women who are more likely than men to work in the health sector (70% of the health workforce) and to occupy unstable, informal jobs that provide no social security or health coverage, while coping with increased care responsibilities. Women also make up the majority of caregivers in the home and workers in grocery stores and pharmacies. The pandemic and some of the measures to contain it put women's lives and safety at risk.

Living in confinement and under economic stress increases the risks of sexual exploitation and violence against women. Women are underrepresented in added-value jobs and managerial positions. The economic downturn disproportionately affects women as workers who are more likely than men to have lower-paid and less secure jobs.

Women's limited access to property, inheritance and financial services further undermines their autonomy, well-being and economic opportunities. In addition, women's essential contribution to society as carers is most often not remunerated, and they continue to undertake most household chores. The unequal share of responsibilities within families and the lack of State contribution and financed infrastructure to care for children and the elderly are key obstacles to redressing these existing imbalances.

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<sup>2</sup> Ibid., p. 1.

<sup>3</sup> World Bank, *Women, Business and the Law 2021* (Washington, 2021): <https://openknowledge.worldbank.org/bitstream/handle/10986/35094/9781464816529.pdf>.

<sup>4</sup> Ibid.

<sup>5</sup> Berit Brandth & Elin Kvande, "Workplace support of fathers' parental leave in Norway", *Community Work & Family*, 22:1 (2019), 43–57; Leena Marynissen et al., "Fathers' Parental Leave Uptake in Belgium and Sweden: Self-Evident or Subject to Employment Characteristics?", *Social Sciences*, 8:11 (2019), 312; Ankita Patnaik, "Reserving Time for Daddy: The Consequences of Fathers' Quotas". *Journal of labor economics* 37.4 (2019):1009-1059.

### ***Are we anywhere close to achieving equal participation of men and women in parliament?***

The IPU report *Women in parliament: 1995–2020* published in March 2020, revealed that a quarter of a century after the United Nations Fourth World Conference on Women in Beijing, expectations regarding women's participation in politics have grown in ambition, and that achieving a critical mass of 30 per cent of seats held by women in national parliaments was no longer the objective. A shift in the paradigm towards gender parity emerged as the biggest achievement of the past 25 years.<sup>6</sup> But despite progress in the global proportion of women in parliament, in 2021 only three countries have at least 50 per cent of women in their lower or single chambers, and only in one country (Rwanda) women hold over 60 per cent of parliamentary seats. The global average of women in parliament stands now at 25.5 per cent up from a mere 11.3 per cent in 1995.

IPU data as of 1 January 2021 indicate that there are 23 parliaments in the world that have 40 per cent or more women representatives in their lower or single chambers. However, in a majority of countries women hold less than 25 per cent of seats.

Regionally, the Americas have the highest average of women representatives in parliament. In 2021, women in the Americas make up 32.4 per cent of members of parliament, a 1.1 per cent increase from 2020. Europe trails close behind with 30.4 per cent. Sub-Saharan Africa is currently at 25 per cent regionally, followed by Asia (20.4%) and the Pacific (20.9%). The proportion of women in parliament in the MENA region is the lowest among all regions at 17.8 per cent, all chambers combined. At the level of sub-regions, Europe's Nordic countries continue to lead the way, with an average of 44.5 per cent women in parliament. On the lowest end, the Pacific Island States are at 6.4 per cent of parliamentary seats held by women.

IPU research shows that gender electoral quotas have been a key determinant of progress in women's participation in parliament. Quotas acted as a shield against backsliding during the pandemic in 2020. In 25 out of the 57 countries that held elections in 2020, a gender quota was applied in some form. Parliaments with legislated gender quotas elected 11.8 per cent more women to single and lower chambers and 7.4 per cent more women to upper chambers. Other key factors that help accelerate progress include policies to promote women's recruitment by political parties, strong women's movements, awareness-raising efforts and a more gender-sensitive political culture.

### ***Women in political leadership***

Despite progress in female representation in parliamentary leadership roles, women are still underrepresented among Speakers of parliament. Today, one in five Speakers of parliament is a woman. This is a mere 0.4 per cent increase from the year before.

Comparing progress in women's participation in parliament and government, the joint IPU-UN Women map *Women in Politics: 2021* showed that, as at 1 January 2021, 22 countries had women Heads of State and Government – up from 20 countries in 2020. It also showed that the number of countries in which women held at least 50 per cent of ministerial positions dropped to 13 from 14 in 2020. Overall, the proportion of women ministers reached 21.9 per cent, +0.6 per cent from the previous year.

At the IPU level, placing gender equality in politics has been at the core of the political agenda for many decades but, in 130 years of existence, there have been only two women Presidents of the IPU. On a more positive note, women have been occupying between 30 to 50 per cent of seats in the Executive Committee, Standing Committee Bureaux and other decision-making bodies of the Organization.

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<sup>6</sup> At the multilateral level, the goals were already affirmed in 1990 by the United Nations Economic and Social Council (ECOSOC), which set targets for the proportion of women in leadership positions at 30 per cent by 1995 and 50 per cent by 2000. In 2016, the IPU Member Parliaments reaffirmed the objective in the IPU resolution *The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective*, adopted unanimously by the 135th IPU Assembly (Geneva, October 2016) (available at: <http://archive.ipu.org/conf-e/135/item4.pdf>). In March 2021, the sixty-fifth session of the United Nations Commission on the Status of Women called for achieving “the goal of 50/50 gender balance at all levels of elected positions” (<https://undocs.org/en/E/CN.6/2021/L.3>).

### ***Good practices of recent years***

- While in the 1990s gender quotas tended to aim at reaching a critical mass of 30 per cent of parliamentary seats held by women, many are now increasingly aiming at gender parity.
- Following parliamentary elections in 2020, Mali and Niger made significant gains in women's representation, despite grave security challenges. New or revised quota policies helped protect these gains against instability. These countries are testament to the fact that women's role in transition processes is key to their political empowerment.
- Egypt also reached historic highs for women in parliament thanks to a new quota law for the House of Representatives.
- New Zealand made history in 2020 with more women, people of colour, LGBTQ+ and Maori elected as MPs than any time in the past.
- While Asia recorded the slowest growth rate of any region over the past 25 years, Nepal's proportion of women MPs has exceeded 30 per cent over the last decade, a trend confirmed in elections for the upper house in 2020.
- In Europe, four countries that had parliamentary renewals in 2020 exceeded 30 per cent women's representation in at least one chamber – Ireland, France, North Macedonia and Serbia.
- In the Americas, women are also making history. In Chile, a referendum in 2020 approved the establishment of a Constituent Assembly that will include gender parity. The United States elections marked the highest levels in history of women's representation in the national legislature. Leadership in parliament reflects this positive change. Both chambers of the US Congress are currently presided by women.

### ***Are we succeeding in eliminating violence against women and girls (VAWG)?***

At least 144 countries have passed laws on domestic violence; 154 countries have laws on sexual harassment; and improvements in legal frameworks were conducted in more than half of the countries of the world. However, women and girls remain subject to different and intersecting forms of violence, mostly perpetrated by men, in a variety of contexts and in diverse spheres: the family, the community, the workplace and broader society. Gender-based violence affects women in all countries and across all socioeconomic groups, locations and education levels.

In the shadow of the COVID-19 pandemic, reported cases of violence against women and girls have increased across countries as a result of confined living conditions, economic stress and fear about the virus. The risks are likely higher for women of vulnerable groups and marginalized communities, adolescent girls, women with disabilities, and women and girls in contexts of conflict, violent extremism, terrorism, displacement and migration.

Recent data shows that:

- In 2020, 245 million women experienced sexual or physical violence from their partner.<sup>7</sup>
- More than half of the women intentionally killed worldwide were killed by their partners or family members. This represents more than 50,000 women every year and 137 women every day.
- Less than 40 per cent of the women who experienced violence sought help of any sort. Among women who did so, most looked to family and friends and less than 10 per cent sought help by appealing to the police.
- 15 million adolescent girls (aged 15 to 19) worldwide have experienced forced sex (forced sexual intercourse or other sexual acts) at some point in their life.
- 650 million women and girls in the world today were married before age 18.
- At least 200 million women and girls aged 15 to 49 underwent female genital mutilation in the 30 countries with representative data on prevalence. In most of these countries, the majority of girls were cut before age five.
- Displaced, migrant and refugee women are at particular risk of gender-based violence, including sexual abuse, transactional sex, forced marriage and trafficking.

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<sup>7</sup> UN Women

Effective change requires both a strong institutional framework and national bodies with the capacity and legitimacy to take action: long-term investment is required to implement laws and policies, comprehensive and coordinated services for women and girls, and to tackle gender inequality as the root cause of violence.

### ***Good parliamentary practices supported by the IPU***

In recent years, the IPU provided support to several parliaments in their action to eliminate VAWG:

- Awareness-raising and capacity building activities have triggered parliamentary action in Albania, Azerbaijan, Romania, Tajikistan, and Turkey. In Romania, the Parliament made substantial legislative improvements to the law on preventing and combating domestic violence. Sixty-eight Romanian senators and deputies from all political parties submitted a legislative initiative to amend the Penal Code. The amendment eliminates the possibility for aggressors to be exempt from criminal responsibility when the victims withdraw their complaints.
- In Sierra Leone, the first ever Parliamentary Caucus on female genital mutilation (FGM) was created in 2020 with IPU support. Men and women MPs have been strengthening their ability to talk about FGM abandonment in their constituencies and to generate support for national policies in this area.
- Support brought to the caucus of women MPs in Mauritania during the examination of a government bill on gender-based violence and a bill on reproductive health, helped include the prohibition of FGM in both bills. The law on reproductive health was passed with the amendment on FGM as proposed by the caucus of women MPs.
- Training for members of the parliamentary network against violence against women in Mali helped the MPs to carry out outreach missions to raise awareness among the population on ending VAWG, FGM and child marriage.
- In Burkina Faso, a law on all forms of violence against women and girls was drafted with IPU support and adopted in 2015. In 2018, the revision of the country's Criminal Code took into account the provisions of the 2015 law while penalties and sanctions for the various forms of VAWG set out in the Criminal Code and the law on VAWG were harmonized.

### ***Emerging challenges***

The COVID-19 pandemic exacerbated isolation, stress, disruption of economic stability as well as shortcomings related to protection and provisions of essential services and community support to survivors, and limited access to justice.

Violence against women politicians has increased during the pandemic as well. Women politicians are more exposed to online harassment and abuse, and encounter more discriminatory obstacles in accessing online platforms and campaign funding.

Even before the pandemic, the United Nations Human Rights Council Special Rapporteur on violence against women, its causes and consequences, had shed light on violence against women in politics and violence facilitated by technology as emerging issues to be addressed.

The persistence of gender stereotypes and negative portrayals of women in the media are a factor contributing to violence against women and girls and gender inequality more broadly. Rapid changes in technology and the media are creating new spaces for the perpetration of violence against women and girls.

The ILO Violence and Harassment Convention, 2019 (No. 190), highlighted women's experiences of violence and harassment in the world of work. It is important to advance ratification and implementation of the Convention.

The IPU study *Sexism, harassment and violence against women in parliament* (2016) provided evidence of the prevalence of gender-based violence in parliament as a workplace. In 2019, the IPU issued guidelines<sup>8</sup> to support action by parliaments to eliminate sexism, harassment and violence against women.

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<sup>8</sup> IPU, *Guidelines for the elimination of sexism, harassment and violence against women in parliament* (2019).

### **Special focus on violence against women in parliament**

Two IPU studies, published in 2016 and 2018,<sup>9</sup> provided evidence that sexism, harassment and violence against women in parliaments were extremely widespread and that they were present to different degrees in every region of the world. Sexism, harassment and violence against women in parliaments are major obstacles to the full contribution of women to political processes and a prejudice to democratic institutions and to democracy itself. The IPU encourages and supports parliaments to implement the *Guidelines* by:

- Adopting a policy to make it perfectly clear that sexism, harassment and VAW are totally illegal, intolerable and unacceptable; clearly stating what remedies are available to MPs and parliamentary staff.
- Carrying out an exhaustive evaluation of the situation, including through surveys.
- Ensuring that those who believe they are victims can have access to assistance and advice services in full confidentiality.
- Putting in place a complaints and investigation mechanism which is confidential, fair and responsive to victims' concerns.
- Introducing and applying disciplinary sanctions against the perpetrators.
- Raising awareness and running training for all persons working in parliament on respect at work and the fight against sexism, harassment and VAW.

### **Parliamentary commitments to making gender equality and the empowerment of women and girls a reality**

The year 2021 is crucial for accelerating action to fulfil women's rights both de jure and de facto, achieve equality between men and women at all levels and in all sectors, and deliver on development promises for all, both nationally and globally. Gender equality is key to building back better and with more resilience.

Accelerated global and national action to advance gender equality, fulfil the human rights of women and girls and empower them is needed now. With this objective, the Fifth World Conference of Speakers of Parliament needs to place gender equality high on its agenda. The Conference can revive the commitment by parliaments and their members and spur accelerated action to:

- Reaffirm – in the spirit of multilateralism – global commitments such as the Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Declaration and Platform for Action, UN Security Council resolution 1325 (2000), Sustainable Development Goal 5, as well as IPU commitments on women's political empowerment<sup>10</sup> and financial inclusion.<sup>11</sup>
- Review implementation of these commitments and accelerate action towards their fulfilment in the context of the SDG Decade of Action.
- Build or enhance political will to support women's rights and gender equality, including in the context of the COVID-19 pandemic and its parliamentary response.
- Track de jure inequalities and repeal discrimination against women and girls in legislation.
- Advance legislation that shares the burden of household care work through paid parental leave policies, equal pay policies and universal childcare policies.
- Ensure gender-responsive economic recovery post-COVID-19 through strengthening social security nets especially for the informal economy where women represent a large majority.
- Tackle all forms of violence against women and girls through legislation and policymaking.

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<sup>9</sup> IPU, *Sexism, harassment and violence against women parliamentarians* (Issues Brief, 2016): <https://www.ipu.org/resources/publications/issue-briefs/2016-10/sexism-harassment-and-violence-against-women-parliamentarians>; IPU-PACE, *Sexism, harassment and violence against women in parliaments in Europe* (Issues Brief, 2018): <https://www.ipu.org/resources/publications/issue-briefs/2018-10/sexism-harassment-and-violence-against-women-in-parliaments-in-europe>.

<sup>10</sup> IPU resolution, *The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective* (135th IPU Assembly, Geneva, October 2016): <http://archive.ipu.org/conf-e/135/item4.pdf>.

<sup>11</sup> IPU resolution, *Promoting enhanced international cooperation on the SDGs, in particular on the financial inclusion of women as a driver of development* (136th IPU Assembly, Dhaka, April 2017): <http://archive.ipu.org/conf-e/136/item5.pdf>.

- Ensure that all parliamentary actions in legislation, oversight and representation take into account and are responsive to the needs and interests of the most marginalized groups of women and girls.
- Adopt ambitious, well-designed and strictly enforceable legal measures such as gender electoral quotas to advance women's equal participation with men in parliament and other political decision-making positions, including if necessary, through constitutional reforms.
- Encourage gender parity commitments by political parties.
- Review and adopt comprehensive legislation and policies on all forms of VAWG, including child marriage and FGM, that include provisions on prevention, protection and support for the survivors, and prosecution and punishment of the perpetrators.
- Ensure strong implementation of such legislation and policies, including by scrutinizing budgets, effective oversight, and by participating in monitoring and evaluation processes together with civil society organizations and governments.
- Oversee government action to ensure proper enforcement of all gender-equality-related laws and policies.
- Allocate sufficient resources nationally and through official development assistance to advance gender equality.
- Build partnerships between men and women parliamentarians and with stakeholders from government, civil society, academia, the media and the private sector.
- Condemn all forms of violence against women in politics and enforce a zero-tolerance policy towards any act of sexism, harassment and violence against women in parliament.
- Raise awareness on zero tolerance against VAWG and contribute to transforming mentalities and challenging the unbalanced power relations between men and women, addressing stereotypes and discrimination, and building a culture of equality and respect.
- Promote personal commitment by political leaders to concrete action for gender equality, the rights of all women and girls and their empowerment.
- Ensure that parliamentary institutions are gender-sensitive, that is, that they are able to respond to the needs and interests of both men and women in their structures, methods and work, and that they promote women's leadership.