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# A minimum of 30% of each sex in Assembly national delegations

**Report**[1]
Committee on Rules of Procedure, Immunities and Institutional Affairs
Rapporteur: Mr John GREENWAY, United Kingdom

*Summary*

The Committee on Rules of Procedure, Immunities and Institutional Affairs welcomes the regular increase in the proportion of women in both national parliaments of the member states and the Parliamentary Assembly and the positive progress towards achieving the objective the Assembly has set of a minimum 30% women represented in the national delegations to the Assembly.

National parliaments, particularly those whose national delegations are nowhere near achieving the objectives set, shall resolutely maintain their efforts in support of a balanced representation of women and men in national delegations.

The Committee on Rules of Procedure, Immunities and Institutional Affairs notes that women appear too often as Substitutes rather than Representatives in the national delegations. It therefore considers that the Rules of Procedure could be modified in order to strengthen women's effective participation in the work of the Assembly and its committees by limiting their appointment as Substitutes in the delegations.

1. Reference to committee: Doc. 11664, Reference 3522 of 26 January 2009.

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## A. Draft resolution[2]

1. The Parliamentary Assembly refers to its Resolution 1585 (2007) on gender equality principles in the Parliamentary Assembly and the principle it adopted that national parliaments should ensure that women are present in the national delegations to the Assembly in at least the same proportions as they are present in the national parliament, "with the aim of achieving, as a minimum, a 30% representation of women, bearing in mind that the threshold should be 40%".

2. It welcomes the regular increase in the proportion of women in both national parliaments and the Assembly and the positive progress towards achieving the objective it has set, since 24 of the 47 national delegations include a percentage of women equal to or greater than 30%, and twelve of them are made up of at least 40% women. More particularly, the Assembly congratulates delegations that have met this criterion despite the limited number of women members in their national parliament.

3. The Assembly reiterates the terms of its Resolution 1585 (2007) and again urges national parliaments, particularly those whose national delegations are nowhere near achieving the objectives set, to resolutely maintain their efforts in support of a balanced representation of women and men in national delegations.

4. The Assembly notes that while all the national delegations satisfy the requirement in the Rules of Procedure that they should include at least one representative of each sex, women appear too often as substitutes rather than representatives, which may occasionally prevent any effective participation by women in the work of the Assembly and its committees, in particular due to budget restrictions in national parliaments.

5. In order to clarify the existing provisions to promote more balanced participation of women and men, the Assembly decides to amend its Rules of Procedure as follows:

5.1. in Rule 6.2.a, replace the second sentence with the following sentence:

*"National delegations should include the under-represented sex at least in the same percentage as is present in their parliaments and, at a very minimum, one member of the under-represented sex appointed as a representative";*

5.2. in Rule 7.1.b, replace the words "one representative of each sex" with "one member of the under-represented sex, appointed as a representative".

6. The Assembly considers that the objective of increasing the proportion of women can only be achieved if the public and the political and parliamentary stakeholders at national level are made more aware of women's active and effective participation in representative institutions. It welcomes the measures taken in member states to encourage more representation of women in national parliaments, including the introduction of quotas for electoral lists. It considers that consideration could be given to other measures to ensure that national parliaments are made still more aware of this requirement.

7. The Assembly therefore decides to strengthen its dialogue with national parliaments on this question and to continue its consideration of measures that could be introduced by national parliaments to increase women's representation in the Assembly. These measures might include awareness raising programmes for members of parliament developing good practices in national parliaments based, for example, on closer coordination between their political groups when appointing delegations, and initiatives to encourage women to stand for election and encourage their active participation in parliamentary delegations. The Assembly also considers that awareness raising activities targeted on certain national delegations could also serve a useful purpose.

2. Draft resolution unanimously adopted by the committee on 28 April 2010.

## B. Explanatory memorandum by Mr Greenway, rapporteur

### 1. Introduction

1. Rule 6.2.a of the Assembly's Rules of Procedure stipulates that "National delegations should include the under-represented sex at least in the same percentage as is present in their parliament and in any case one representative of each sex".

2. When the Assembly last considered the issue of equal gender representation, in 2007, it adopted Resolution 1585 on gender equality principles in the Parliamentary Assembly in which it urged "national parliaments to ensure that women are present in the national delegations to the Parliamentary Assembly in at least the same proportions as they are present in the national parliament, with the aim of achieving, as a minimum, a 30% representation of women, bearing in mind that the threshold should be 40%". Rule 7.1.b of the Rules of Procedure explicitly recognises failure to include at least one Representative of each sex in a national delegation as a ground for challenging that delegation's credentials.

3. A motion for a resolution on "Requiring a minimum of 30% of each sex on the Assembly's national delegations" (Doc. 11664), which was tabled on 25 June 2008 by Mrs Err and others, has been referred to the Committee on Rules of Procedure, Immunities and Institutional Affairs for report and the Committee on Equal Opportunities for Women and Men for opinion. The idea is to amend the Assembly's Rules of Procedure to require national delegations to comprise at least 30% of Representatives of each sex.

4. It should be noted that the terms of reference of the Committee on Rules of Procedure, Immunities and Institutional Affairs confine it strictly to the representation of the sexes in parliamentary delegations. Consideration could therefore not been given, in the framework of this report, to other aspects, such as how to encourage equality of the sexes in other Assembly bodies, such as political groups, committees, the Bureau or Vice-Presidents.

5. Nor does the Committee on Rules of Procedure, Immunities and Institutional Affairs intend to consider in this report the value of quotas for encouraging the representation of under-represented sexes. The matter has been raised in several Assembly reports, most recently in January 2010.[3] The committee has adopted a pragmatic approach by attempting to assess, before making any final decision, the feasibility of such a proposal for the Assembly. The committee has consulted the national delegations, in order to collect the information needed for a report on the issue and ascertain the extent to which this proposal can be implemented. It therefore approved a questionnaire on the representation of women in national delegations to the Assembly, which was sent to national delegations in May 2009 (see Appendix I).

### 2. Situation of women in national delegations to the Parliamentary Assembly[4]

6. In January 2010, women constituted 28.57% of Assembly members (180 out of 630). The figure has been rising steadily, and compares with 24.84% in January 2007, 24.48% in January 2006 and 22.5% in January 2005. It was about 19% in 2003, when the Assembly approved the revision to its Rules of Procedure. Progress has been slow, but real. These figures show a fundamental trend since 2003 that cannot be reversed in the future.

7. It should be noted, however, that 78 (43.33%) of the women are Representatives and 102 (56.67%) Substitutes at the Assembly, whereas men have a much more equal distribution between the two statuses (236 Representatives (52.44%) and 214 Substitutes). In the current context of budgetary restrictions, several national parliaments have now introduced rules confining the participation of members of their delegations to Representatives, so these statistics are likely to have an impact on the assessment of the real level of participation of women in the work of the Assembly and its committees.

8. In connection with the objective of securing a minimum 30% representation of the under-represented sex, the figures at 21 April 2010 are encouraging (see Appendix II):

– 12 national delegations have at least 40% women (including eight between 50% and 67%);

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3. See the report of the Committee on Equal Opportunities for Women and Men, "Increasing women's representation in politics through the electoral system" (Doc. 12097), Resolution 1706 (2010) and Recommendation 1899 (2010).

4. Statistics and analyses relating to previous years appear in the report, "Gender equality principles in the Parliamentary Assembly" (Doc. 11432, Resolution 1585 (2007) and Recommendation 1819 (2007)), and in the report on "Gender-balanced representation in the Parliamentary Assembly" (Doc. 9870 and Resolution 1348 (2003)).

– 12 national delegations have between 30% and 39% women;

– 13 national delegations have between 20% and 29% women;

– nine national delegations have between 10% and 19% women;

– just one national delegation has less than 10% women.

9. Eight national delegations include only one woman (Andorra, Cyprus, Hungary, Ireland, Malta, Monaco, Montenegro and San Marino). With the exception of the Irish and Andorran delegations, these women appear as Substitutes.

10. More than half the delegations (24 out 47) have currently attained the objective in Resolution 1585 (2007) of a minimum of 30% of women. This compares with 18 in 2007, 13 in 2005 and 11 in 2003. There has also been an improvement at the "bottom of the table", since there is now only one delegation with fewer that 10% of women, compared with five in 2007. Of the 47 national parliamentary delegations, 11 are chaired by a woman, compared with nine in 2007.[5]

11. In all the member states of the Council of Europe, the percentage of women in national parliaments is rising and has now reached 21.43%.

12. Overall, the percentage of women in the Assembly reflects that in the national parliament, but the figures also show that certain parliaments with few women members have made a real effort to ensure female representation in the Assembly, in particular Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Liechtenstein, Luxembourg, Malta, Monaco, Montenegro and Slovenia. On the other hand, certain delegations, in particular those of Belgium, Denmark, Ireland, the Netherlands and the United Kingdom, include few women comparatively, which in no way reflects their strong numerical presence in their national parliaments.

## 3. Analysis of replies to the questionnaire to national delegations

13. Of the 47 national delegations questioned, 31 replied to the questionnaire: Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Czech Republic, Denmark, Estonia, France, Germany, Hungary, Iceland, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland, "the former Yugoslav Republic of Macedonia" and United Kingdom.

14. The rapporteur would naturally like to thank these delegations and their chairpersons for their co-operation.

15. Of the 26 delegations which had fewer than 30% of women when the questionnaire was sent, 12 replied, and their replies to the questions specifically put to them have made it possible to identify some issues for debate.

### *3.1. Position of the national delegations regarding the obligation to include a specific percentage of Representatives of each sex*

16. The replies to the questionnaire show an extremely wide range of positions among the delegations.

#### *3.1.1. Should it be compulsory for each national delegation to include a minimum of 30% of each sex?*

17. Some 19 of the 31 delegations (namely, 61%) said they supported the proposal.[6]Whilst nine were against it,[7]and three others failed to agree a clear position.[8]

18. Three of the delegations which were in favour or somewhat in favour of this proposal also stressed that they would be unable to implement it (Cyprus, Hungary and Monaco).

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5. To round off these figures, the three delegations whose parliaments have observer status – Canada, Israel and Mexico – abide by the conditions laid down in Rule 6 of the Rules of Procedure, even though these conditions are not applicable to them, since they include, respectively, 25%, 33.33% and 33.33% of women.

6. Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, France, Germany, Hungary, Iceland, Liechtenstein, Luxembourg, Monaco, Portugal, Romania, Serbia, Slovakia, Slovenia, Sweden and “the former Yugoslav Republic of Macedonia”.

7. Armenia, Denmark, Estonia, Malta, Netherlands, Poland, Russian Federation, Switzerland and United Kingdom.

8. Cyprus, Czech Republic and Lithuania (which is somewhat opposed).

19. The detailed comments made by some delegations in their responses deserve to be mentioned:

– the Polish and Russian delegations consider that the rule should be that national delegations to the Parliamentary Assembly should comprise the same proportion of women as in their respective national parliaments, whatever that proportion may be;

– the Polish delegation also believes that the decision on whether to implement the proposal should be up to each individual parliament;

– the German delegation considers that, while the 30% objective is reasonable, the introduction of a mandatory system together with penalties could produce the opposite effect to the one sought, because it would interfere with the sovereignty of national parliaments;

– the Estonian delegation is in favour of having a compulsory threshold of 20%;

– the delegation of Liechtenstein considers that the 30% threshold should be reduced to 25% for small delegations;

– the Swiss delegation is broadly in favour of having better gender representation, but against having a quota system. It believed this would be too inflexible, unnecessary and contrary to Swiss political culture, which encourages dialogue and consultation. While some delegation members think that it could help improve the representation of women, others feel that it is degrading for them;

– the British delegation considers that the goal is worthy and legitimate but the means chosen to achieve it – namely a compulsory threshold set arbitrarily at 30% – are not realistic and could not be applied in practice unless delegations were left incomplete or women were brought in artificially to fill the quota without any guarantee that they would be able to take part properly in the work of the Assembly;

– the Lithuanian delegation considers it far more important for the Assembly to try hard to promote delegations' involvement in its work and help consolidate democracy than to bring in a compulsory gender representation.

*3.1.2. Are there any obstacles to the immediate implementation of this measure?*

20. The majority of delegations (19) do not report any obstacles to the implementation of this measure.[9] Most of these delegations say that they already comply with the requirement for a minimum of 30% of each sex. However, some say that implementation of this measure could be complicated by the results of future elections, in cases where there is no binding electoral legislation.

*– the way parliaments work*

21. For several delegations – this argument was made in the replies from Armenia, Austria, Belgium, Germany, Lithuania and the Netherlands in particular – the implementation of a compulsory representation threshold would come up against internal parliamentary rules, namely that the delegations are composed on the basis of appointments made completely independently by each political party or parliamentary group, in accordance with their own rules, and there is no co-ordination between groups on these appointments. There are therefore no specific, binding rules in national parliaments which would compel political parties or groups to put forward more female candidates.

22. The Cypriot delegation said that the introduction of a quota of female parliamentarians in international delegations would ultimately create discrimination against male parliamentarians, as they would be penalised by not being allowed to participate in such delegations' work.

*– the low number of female parliamentarians*

23. Certain delegations (Cyprus, Hungary, Malta and Monaco) emphasised the fundamental statistical reality: they have a low proportion of women in their parliament, which limits the number of women on international parliamentary delegations (see also paragraph 34).

9. Azerbaijan, Bosnia and Herzegovina, Croatia, Czech Republic, Denmark, Estonia, France, Iceland, Liechtenstein, Luxembourg, Netherlands, Portugal, Romania, Serbia, Slovakia, Slovenia, Sweden, Switzerland and "the former Yugoslav Republic of Macedonia".

*– the fact that female parliamentarians are not available or reticent about being members of the parliamentary delegations*

24. The Hungarian and Maltese delegations said that several female parliamentarians occupy important positions in parliament (Hungary) or the government (Malta), and this prevents them from joining parliamentary delegations. Monaco said that parliamentarians have other jobs in addition to being members of parliament, which, along with their other day-to-day personal commitments, sometimes prevent them from taking up international representative appointments. The Cypriot delegation stressed that parliamentarians' international commitments are very time-consuming and reduce the amount of time they spend in their national constituency.

25. The Hungarian delegation said that inadequate command of the Council of Europe's official languages hampers women's participation in international delegations. The Cypriot delegation also emphasised that delegation membership requires a high level of expertise in and understanding of international issues and knowledge of the languages used at international level.

*3.1.3. Should this measure be implemented gradually?*

26. The delegations in favour of the introduction of a 30% quota also favour being implemented gradually (Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, France, Hungary, Iceland, Liechtenstein, Luxembourg, Portugal, Romania, Serbia, Slovakia and Slovenia). Sweden said that the reform should be implemented as soon as possible while Iceland said it should be brought in over a three-year span. "The former Yugoslav Republic of Macedonia" said that gradual implementation would not be useful. For Cyprus, any quota system should be implemented in accordance with each delegation's wishes and the implementation of any compulsory measure should be spread over a very long period of time.

27. The delegations opposed to the introduction of a 30% quota are no more favourable to its gradual introduction (Armenia, Denmark, Malta and the Netherlands).

28. The Romanian delegation wants the proposed system to be introduced over a period equivalent to the lifetime of a parliament, so that the member states can introduce the measures needed to promote women in politics and parliament. The Swiss delegation supports an incremental approach to promoting the gender representation.

*3.1.4. Is it necessary to introduce a compulsory proportion of over 30% of the under-represented sex?*

29. Those delegations which do not support the proposal to introduce a 30% quota naturally reject the idea of having an even higher one (Armenia, Denmark, Estonia, Malta and the Netherlands). Nor do delegations with a mixed position (Cyprus, Czech Republic and Lithuania). Moreover, some of the delegations in favour of a 30% quota do not nevertheless support the idea of a higher one (Liechtenstein, Portugal and "the former Yugoslav Republic of Macedonia"). The Swiss delegation believes that such a measure would be premature.

30. With regard to the delegations that support the proposal:

– Austria, Belgium, Croatia, France, Iceland, Luxembourg, Romania, Serbia, Slovakia and Sweden favour a higher threshold. The Swedish delegation is the most progressive, as it proposes a compulsory proportion of 40% of the under-represented sex by 2014 and a proportion of 50% by 2018;

– other delegations have more moderate positions (Azerbaijan believes that efforts to improve women's representation in parliament must depend upon the results of future elections; Bosnia and Herzegovina considers that it is currently impossible for all parliaments to meet such a condition, as this would require changes to national electoral laws. Hungary and Slovenia favour the measure in principle, but cannot implement it for practical reasons – not for lack of political will).

*3.1.5. Should non-compliance with the condition of a compulsory 30% representation of the under-represented sex be penalised?*

31. A majority of the delegations (16) which replied to the question are against the introduction of a penalty in the Assembly's Rules of Procedure. This is the case both for delegations which are opposed to the planned proposal to introduce a 30% quota (Armenia, Denmark, Estonia, Malta, Netherlands, Russian Federation and United Kingdom) or somewhat opposed (Lithuania) and for delegations which are in favour (Belgium, France, Germany, Hungary, Monaco, Romania and Slovakia) or somewhat in favour (Cyprus). The Polish delegation did not expressly state its opposition but is clearly against the idea. The Czech delegation said it was neutral.

32. The other delegations (12) support the introduction of a penalty system:

– Austria, Croatia and "the former Yugoslav Republic of Macedonia" support the two measures mentioned by way of example (amending Rule 7.1.b of the Rules of Procedure to make it possible to challenge the credentials of a parliamentary delegation which fails to comprise at least 30% Representatives of the under-represented sex, or an automatic penalty such as the obligation to leave a vacant seat for each missing member of the under-represented sex);

– Azerbaijan, Bosnia and Herzegovina and Luxembourg favour an automatic penalty (such as the obligation to leave a vacant seat for each missing member of the under-represented sex, cited as an example);

– Iceland, Liechtenstein, Serbia, Slovenia, Sweden and Switzerland support only a non-automatic penalty (the possibility to challenge the credentials of a parliamentary delegation which fails to comprise at least 30% Representatives of the under-represented sex);

– Luxembourg also listed some other possible penalties in its reply (withdrawal of the right to vote for each missing member of the under-represented sex, obligation for the chairperson of the national delegation at fault to become an active member of the Committee on Equal Opportunities for Women and Men) and additional measures (preferential treatment on the list of speakers for members of national delegations with equal numbers of women and men; national delegations to be chaired jointly by a man and a woman);

– Switzerland also mentioned the possibility of penalising delegations using the rule governing the selection of candidates for the position of judge at the European Court of Human Rights.

33. The Russian Federation and Portugal said that if Rule 7.1.b were to be amended, it should be to allow the credentials of a delegation to be challenged only if the proportion of the under-represented sex is lower than in the parliament concerned.

### *3.2. Explanations given by the national delegations which do not currently comprise a minimum of 30% of each sex*

34. When the questionnaire was sent out, 26 of the 47 national delegations had less than 30% women. Specific questions were put to them in order to identify the reasons why they fail to comply with the aim set in Assembly Resolution 1585 (2007) of achieving a minimum of 30% of each sex. Of the 17 delegations which replied to the questionnaire, only 12 also provided additional, more detailed explanations:[10]

– Azerbaijan gave no specific reason for its delegation's failure to reach the 30% women threshold, saying simply that any progress would depend upon the general policy for improving the representation of women in society;

– Belgium said the number of women in its delegation is fortuitous, as its composition is determined by the appointments made by political groups, and they do not confer with one another;

– Cyprus said that there are nine women in its parliament and the percentage of women in its delegation (25%) is already much higher than that of women in parliament (16%). In the absence of legislation establishing a quota at elections, parliamentarians are elected on the basis of their political programme and not their gender. Because there are so few women parliamentarians, many demands are made upon them in order for parliament to be able to meet the requirements for equal representation in international delegations. They do not always have the time and fear their involvement can have a negative impact on the amount of time they spend on national issues and their relationship with the electorate;

– Hungary pointed out that several female parliamentarians already occupy important positions in the Hungarian Parliament, which prevents them from joining parliamentary delegations. Inadequate command of the Council of Europe's official languages is also an obstacle to their participation in delegations;

– Malta said that there are only six women in its parliament, of whom two are ministers;

– Monaco said that there are only six women in its 24-member parliament. Parliamentarians have other jobs in addition to being members of parliament, which sometimes prevents them from taking up international representative appointments;

10. France, Germany, Iceland, Poland and Russian Federation did not answer this part of the questionnaire.

– the Netherlands said it wanted to encourage parliamentarians with the necessary expertise to put themselves forward. Political parties are constantly informed about the need to promote new political talent among women;

– Portugal said that the parity law adopted in 2006, which introduced a minimum 33.33% quota for each sex, could not be applied to the current delegation, but that the new delegation after the forthcoming elections will have to comply with this requirement;

– Romania said that its delegation is composed of members appointed independently by the parliamentary groups, using their own criteria, including one concerning representation of the sexes;

– Serbia said that its delegation too is composed of members appointed by the political groups. However, the Serbian Parliament's rules of procedure are currently being revised and should soon stipulate that there must be a minimum of 30% of each sex on all parliamentary bodies;

– Slovakia said that its women parliamentarians showed little interest in taking part in the work of an international organisation;

– the United Kingdom noted that its delegation contained very experienced parliamentarians taken in equal numbers from the House of Commons and the House of Lords, whose members were from an older generation in which women had been less represented. There was a clear trend towards increased representation of women in each new parliament.

## 4. Conclusions

### *4.1. Summary of the replies*

35. On the basis of the replies received – which reflect a very wide and mixed range of positions – and bearing in mind that replies which might have been given by delegations which had not replied to the questionnaire would have provide the committee with an even better picture, the following conclusions can be drawn:

– among the delegations which replied to the questionnaire, a majority expressed a positive opinion on amendment of the Assembly's Rules of Procedure (Rule 6.2.a) to introduce a minimum 30% threshold for the representation of each sex;

– a majority also agreed that such a reform should be implemented gradually;

– the majority of delegations which replied do not support the proposal to introduce a penalty for failure to comply with the condition of a compulsory 30% representation of the under-represented sex;

– the majority of delegations consulted do not support the proposal to introduce a quota higher than 30%.

36. The delegations note that no progress can be made on this issue until there are improvements at national level in the representation of women in the political and parliamentary arena, and more broadly in society. They argue that better representation of the under-represented sex can only be achieved if progress is made in the representation of women at national level, through a policy for promoting parity in parliamentary elections (amendment of electoral laws with the adoption of binding provisions and the introduction of quotas) and in political parties (promotion to leadership positions). Some delegations accordingly support amendment of national electoral laws to ensure, where this is not already the case, that political parties include a compulsory minimum percentage of women on their lists, or even full parity, which in the case of list-based systems covers the most favourable positions at or near the head of the list. However, the establishment of a legislative or regulatory framework guaranteeing equal participation in political, public and social life is not on its own sufficient to secure serious progress.

37. However, there is no absolute correlation between women's representation in national parliaments and in parliamentary delegations. The preceding argument runs up against the statistics on female participation in the Parliamentary Assembly. For example, while the Assembly has only one Hungarian female member of parliament (out of 43 elected to the national parliament), one Irish female member (out of 36 elected women members), four Romanians (out of 46) and four Russians (out of 71), how then to explain that the equivalent figures for Liechtenstein, Georgia and Bosnia and Herzegovina are, respectively, two out of six, two out of nine and four out of 10?

38. Some delegations also consider that more proactive efforts are needed to raise awareness about the requirements of Rule 6.2.a of the Assembly's Rules of Procedure in the parliamentary delegations concerned, as well as in the political parties and groups in national parliaments which appoint people to the delegations. Co-ordination between groups in national parliaments would also be desirable.

39. On the other hand, some delegations believe that the law should strictly respect legal equality between the sexes, in compliance with democratic rules. In all cases, the composition of parliaments stems from the free choice of voters.

40. One delegation said that it would be improper to introduce a quota system in the Parliamentary Assembly if there were no binding rules of this kind in national parliaments, an argument countered by another delegation which said that the adoption of a 30% quota by the Assembly would be a beacon and a model for national parliaments.

### *4.2. Proposals*

41. There is little point in amending Rule 6.2.a of the Rules of Procedure so that the requirement that delegations should include the same percentage representation of the sexes as is present in their parliament, with a minimum of at least one Representative of each sex, is replaced by a representation of at least 30% of each sex or any other minimum percentage yet to be decided on, if no penalty is imposed on delegations that fail to comply with the rule. Yet, there is no clear majority in the Assembly in favour of amending Rule 7.1.b and imposing a penalty for failure to comply with a tougher representation requirement. Neither does it make sense to amend the Rules of Procedure immediately to incorporate an obligation which practically all the delegations would like to phase in gradually.

42. The Assembly's Rules of Procedure comprise a body of rules that govern its operations and establish obligations with which its members and national delegations, in particular, must comply. It cannot include mere political objectives that have no binding force.

43. Moreover, simple arithmetical logic shows that a 30% minimum level of representation would lead to discrimination between delegations. Thus, in practice a minimum of 30% would require small delegations to appoint two of their four members from the under-represented sex, that is 50%.[11] This "strengthened" obligation would also be detrimental – albeit to a lesser extent – to eight and 14-member delegations.

44. On the other hand, formally setting a lower limit of, for example, 20% or 25% in the Rules of Procedure would have a negative impact in the light of the more ambitious objective that the Assembly has set for itself and national parliaments in its previous resolutions.

45. In the light of the foregoing and bearing in mind the Assembly's previous decisions, particularly in Resolution 1585 (2007), the committee therefore considers that the existing provisions of the Rules of Procedure, namely Rules 6.2 and 7.1.b, are satisfactory, but could be clarified in such a way as to strengthen women's effective participation in delegations and limit their appointment as Substitutes.

46. The committee could therefore propose the following changes to the Rules of Procedure:

– in Rule 6.2.a, replace the second sentence with the following sentence:

*"National delegations should include the under-represented sex at least in the same percentage as is present in their parliaments and, at a very minimum, one member of the under-represented sex, appointed as a Representative";*

– in Rule 7.1.b, replace the words "one representative of each sex" with "one member of the under-represented sex, appointed as a Representative".

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11. To satisfy the 30% requirement, it would be necessary to appoint:
– two Representatives of the under-represented sex from six-member delegations (33.33%);
– three Representatives from eight-member delegations (37.50%);
– three Representatives from 10-member delegations (30%);
– four Representatives from 12-member delegations (33.33%);
– five Representatives from 14-member delegations (35.70%);
– six Representatives from 20-member delegations (30%);
– eight Representatives from 24-member delegations (33.33%);
– 11 Representatives from 36-member delegations (30.5%).

47. Finally, it goes without saying that any consideration of other measures that do not entail any changes to the Rules of Procedure and do not involve the institutional functioning of the Assembly is less the concern of the Committee on Rules of Procedure, Immunities and Institutional Affairs than of the Committee on Equal Opportunities for Women and Men, as part of its general terms of reference, which require it to monitor progress on Assembly recommendations in this field. These measures, which focus on closer dialogue with national parliaments on the issue of women's representation in the Assembly, might include awareness-raising programmes for members of parliament, developing good practices in national parliaments based, for example, on closer co-ordination between their political groups when appointing delegations, or initiatives to encourage women to put their candidature and encourage their active participation in parliamentary delegations. The Committee on Equal Opportunities for Women and Men might also consider whether it would be helpful to target awareness-raising activities on certain national delegations, perhaps drawing on members of "model" delegations that satisfy the objectives that have been set.

## Appendix 1 – Questionnaire sent to national delegations

### A. Questions to all delegations

1. What is your delegation's position concerning the above-mentioned proposal to make it compulsory for national delegations to the Assembly to include a minimum of 30% of each sex?

2. Are there currently any obstacles in your parliament to the immediate implementation of this measure? If so, what are they?

3. Would your delegation be in favour of this measure if it were implemented gradually (for example, with a compulsory threshold of 20% within one year, 25% within two years, and 30% within three years) or would an extended time frame be helpful?

4. Would your delegation be in favour of a measure that went even further in this direction (for example, a compulsory proportion of 40% of the under-represented sex)?

5. If the Assembly were to amend Rule 6.2 of its Rules of Procedure to incorporate the condition of a compulsory 30% representation of the under-represented sex, should non-compliance with this requirement be penalised?

6. If so:

*a.* Is your delegation in favour of amending Rule 7.1.b of the Rules of Procedure to make it possible to challenge the credentials of the parliamentary delegation in question on the grounds that it fails to comprise at least 30% representatives of the under-represented sex?[12]

*b.* Is your delegation in favour of applying an automatic penalty (for example, the obligation to leave a vacant seat for each missing member of the under-represented sex)?

7. Does your delegation have any other proposals to improve the representation of both sexes in national delegations?

### B. Questions only for delegations which do not comprise at least 30% Representatives of each sex[13]

8. Please indicate the reasons why your delegation does not include more women.

9. What practical measures is your parliament implementing in order to remedy this situation and to improve the representation of women in the parliamentary delegation in future, in accordance with Resolution 1585 (2007)?

### Appendix to the questionnaire

(update of 27/04/2009)

| | PACE 2009 | | | National parliaments 2009 | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | Total | Lower or single house | | Upper house | |
| | Women | Men | % women | % women | Seats | Women | Seats | Women |
| Sweden | 7 | 5 | 58.33 | 46.99 | 349 | 164 | | |
| Bulgaria | 6 | 5 | 54.55 | 21.67 | 240 | 52 | | |
| Andorra | 2 | 2 | 50.00 | 25.00 | 28 | 7 | | |
| Estonia | 3 | 3 | 50.00 | 20.79 | 101 | 21 | | |
| Liechtenstein | 2 | 2 | 50.00 | 24.00 | 25 | 6 | | |
| Czech Republic | 7 | 7 | 50.00 | 16.37 | 200 | 32 | 81 | 14 |
| Spain | 10 | 14 | 41.66 | 33.38 | 350 | 125 | 264 | 80 |
| Bosnia and Herzegovina | 4 | 6 | 40.00 | 10.52 | 42 | 4 | 15 | 2 |
| Croatia | 4 | 6 | 40.00 | 21.56 | 153 | 33 | | |

12. Rule 7.1.b currently provides that the credentials of a parliamentary delegation can be challenged by any member present if it does not comprise "one representative of each sex".
13. The list of the national delegations in question appears in the appended table.

| | PACE 2009 | | | National parliaments 2009 | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | Total | Lower or single house | | Upper house | |
| | **Women** | **Men** | **% women** | **% women** | **Seats** | **Women** | **Seats** | **Women** |
| Finland | 4 | 6 | 40.00 | 41.50 | 200 | 83 | | |
| Norway | 4 | 6 | 40.00 | 36.68 | 169 | 62 | | |
| Albania | 3 | 5 | 37.50 | 7.14 | 140 | 10 | | |
| Armenia | 3 | 5 | 37.50 | 9.20 | 131 | 12 | | |
| Lithuania | 3 | 5 | 37.50 | 17.73 | 141 | 25 | | |
| Austria | 4 | 8 | 33.33 | 27.75 | 183 | 52 | 62 | 16 |
| Latvia | 2 | 4 | 33.33 | 19.00 | 100 | 19 | | |
| Luxembourg | 2 | 4 | 33.33 | 23.33 | 60 | 14 | | |
| Slovenia | 2 | 4 | 33.33 | 10.00 | 90 | 12 | 40 | 1 |
| Switzerland | 4 | 8 | 33.33 | 27.64 | 200 | 58 | 46 | 10 |
| “The former Yugoslav Republic of Macedonia” | 2 | 4 | 33.33 | 31.67 | 120 | 38 | | |
| Denmark | 3 | 7 | 30.00 | 37.99 | 179 | 68 | | |
| Greece | 4 | 10 | 28.57 | 14.67 | 300 | 44 | | |
| Netherlands | 4 | 10 | 28.57 | 38.66 | 150 | 61 | 75 | 26 |
| Portugal | 4 | 10 | 28.57 | 28.26 | 230 | 65 | | |
| Serbia | 4 | 10 | 28.57 | 22.40 | 250 | 56 | | |
| Germany | 10 | 26 | 27.78 | 31.13 | 612 | 197 | 69 | 15 |
| Poland | 6 | 16 | 27.00 | 18.39 | 460 | 94 | 100 | 9 |
| Azerbaijan | 3 | 9 | 25.00 | 11.38 | 123 | 14 | | |
| Cyprus | 1 | 3 | 25.00 | 14.29 | 56 | 8 | | |
| France | 9 | 27 | 25.00 | 19.67 | 577 | 106 | 343 | 75 |
| Monaco | 1 | 3 | 25.00 | 25.00 | 24 | 6 | | |
| San Marino | 1 | 3 | 25.00 | 15.00 | 60 | 9 | | |
| Turkey | 5 | 19 | 20.83 | 9.11 | 549 | 50 | | |
| Georgia | 2 | 8 | 20.00 | 5.07 | 138 | 7 | | |
| Moldova | 2 | 8 | 20.00 | 21.78 | 101 | 22 | | |
| Romania | 4 | 16 | 20.00 | 9.76 | 334 | 38 | 137 | 8 |
| Italy | 7 | 29 | 19.44 | 20.27 | 630 | 134 | 322 | 59 |
| United Kingdom | 7 | 29 | 19.44 | 19.66 | 637 | 123 | 741 | 148 |
| Iceland | 1 | 5 | 16.67 | 36.50 | 63 | 23 | | |
| Malta | 1 | 5 | 16.67 | 8.70 | 69 | 6 | | |
| Montenegro | 1 | 5 | 16.67 | 11.11 | 81 | 9 | | |
| Ukraine | 4 | 20 | 16.67 | 8.22 | 450 | 37 | | |
| Ireland | 1 | 7 | 12.50 | 15.49 | 166 | 22 | 60 | 13 |
| Russian Federation | 4 | 32 | 11.11 | 11.47 | 450 | 64 | 169 | 8 |
| Slovakia | 1 | 9 | 10.00 | 19.33 | 150 | 29 | | |
| Belgium | 1 | 13 | 7.14 | 38.00 | 150 | 57 | 71 | 27 |
| Hungary | 1 | 13 | 7.14 | 11.16 | 385 | 43 | | |
| **Total** | **169** | **462** | **26.78** | **21.15** | | | | |

**Appendix 2 – Women representation in national parliaments and in Parliamentary Assembly national delegations – Updated statistics (as at 21 April 2010)**

| | PACE 2010 | | | National parliaments 2010 | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | Total | Lower or single house | | Upper house | |
| | Women | Men | % women | % women | Seats | Women | Seats | Women |
| Iceland | 4 | 2 | 66.66 | 42.85 | 63 | 27 | | |
| Norway | 6 | 4 | 60.00 | 39.64 | 169 | 67 | | |
| Sweden | 7 | 5 | 58.33 | 46.42 | 349 | 162 | | |
| Liechtenstein | 2 | 2 | 50.00 | 24.00 | 25 | 6 | | |
| Albania | 3 | 3 | 50.00 | 16.43 | 140 | 23 | | |
| Lithuania | 4 | 4 | 50.00 | 19.15 | 141 | 27 | | |
| Czech Republic | 7 | 7 | 50.00 | 16.01 | 200 | 31 | 81 | 14 |
| Greece | 7 | 7 | 50.00 | 17.33 | 300 | 52 | | |
| Spain | 10 | 14 | 41.66 | 34.09 | 350 | 128 | 263 | 81 |
| Finland | 4 | 6 | 40.00 | 40.00 | 200 | 80 | | |
| Croatia | 4 | 6 | 40.00 | 23.53 | 153 | 36 | | |
| Bosnia and Herzegovina | 4 | 6 | 40.00 | 17.54 | 42 | 8 | 15 | 2 |
| Germany | 14 | 22 | 38.88 | 31.69 | 622 | 204 | 69 | 15 |
| Armenia | 3 | 5 | 37.50 | 9.16 | 131 | 12 | | |
| Moldova | 3 | 5 | 37.50 | 23.76 | 101 | 24 | | |
| Portugal | 5 | 9 | 35.71 | 27.39 | 230 | 63 | | |
| Austria | 4 | 8 | 33.33 | 28.28 | 183 | 51 | 61 | 18 |
| Suisse | 4 | 8 | 33.33 | 27.64 | 200 | 58 | 46 | 10 |
| “The former Yugoslav Republic of Macedonia” | 2 | 4 | 33.33 | 32.50 | 120 | 39 | | |
| Estonia | 2 | 4 | 33.33 | 22.77 | 101 | 23 | | |
| Latvia | 2 | 4 | 33.33 | 22.00 | 100 | 22 | | |
| Luxembourg | 2 | 4 | 33.33 | 20.00 | 60 | 12 | | |
| Slovenia | 2 | 4 | 33.33 | 10.77 | 90 | 13 | 40 | 1 |
| Denmark | 3 | 7 | 30.00 | 37.99 | 179 | 68 | | |
| Netherlands | 4 | 10 | 28.57 | 39.55 | 150 | 63 | 75 | 26 |
| **Serbia** | 4 | 10 | 28.57 | 21.60 | 250 | 54 | | |
| France | 10 | 26 | 27.78 | 20.00 | 577 | 109 | 343 | 75 |
| Azerbaijan | 3 | 9 | 25.00 | 11.38 | 123 | 14 | | |
| Andorra | 1 | 3 | 25.00 | 35.71 | 28 | 10 | | |
| **Cyprus** | 1 | 3 | 25.00 | 12.50 | 56 | 7 | | |
| **Monaco** | 1 | 3 | 25.00 | 26.08 | 23 | 6 | | |
| **San Marino** | 1 | 3 | 25.00 | 16.66 | 60 | 10 | | |
| Poland | 5 | 18 | 21.73 | 17.85 | 460 | 92 | 100 | 8 |
| Turkey | 5 | 19 | 20.83 | 9.11 | 549 | 50 | | |
| Slovakia | 2 | 8 | 20.00 | 18.00 | 150 | 27 | | |
| Georgia | 2 | 8 | 20.00 | 6.52 | 138 | 9 | | |
| **Romania** | 4 | 16 | 20.00 | 9.76 | 334 | 38 | 137 | 8 |
| Italy | 7 | 29 | 19.44 | 20.27 | 630 | 134 | 322 | 59 |
| Bulgaria | 2 | 10 | 16.67 | 20.83 | 240 | 50 | | |
| United Kingdom | 6 | 30 | 16.67 | 19.80 | 646 | 126 | 733 | 147 |
| **Montenegro** | 1 | 5 | 16.67 | 11.11 | 81 | 9 | | |
| **Malta** | 1 | 5 | 16.67 | 8.70 | 69 | 6 | | |
| Ukraine | 4 | 20 | 16.67 | 8.00 | 450 | 36 | | |
| **Belgium** | 2 | 12 | 14.28 | 38.91 | 150 | 57 | 71 | 29 |

| | PACE 2010 | | | National parliaments 2010 | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | Total | Lower or single house | | Upper house | |
| | **Women** | **Men** | **% women** | **% women** | **Seats** | **Women** | **Seats** | **Women** |
| Ireland | 1 | 7 | 12.50 | 16.07 | 165 | 23 | 59 | 13 |
| Russian Federation | 4 | 32 | 11.11 | 11.47 | 450 | 63 | 169 | 8 |
| **Hungary** | 1 | 13 | 7.14 | 11.14 | 386 | 43 | | |
| **Total** | **180** | **450** | **28.57** | **21.43** | | | | |

**Name of the country:** delegations where members of the under-represented sex are appointed as Substitutes only.