Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 13037
01 October 2012

For more democratic elections

Committee Opinion[1]
Committee on Equality and Non-Discrimination
Rapporteur: Ms Marietta de POURBAIX-LUNDIN, Sweden, Group of the European People's Party

A. Conclusions of the committee

The Committee on Equality and Non-Discrimination supports the report of the Committee on Political Affairs and Democracy.

In its view, there are several ways in which the democratic character of elections can be improved. One is addressing long-standing representation shortcomings, including the unbalanced representation of women and men and the limited representation and participation of national and/or linguistic minorities in the political process.

If a positive reply was found to these concerns, democratic institutions would be stronger and based on a wider and more solid electoral support. In a nutshell, they would be better equipped to lead European countries out of the current economic and political crisis.

B. Proposed amendments

Amendment A (to the draft resolution)

In paragraph 5, after the words “vote buying”, insert the words “, family voting”.

Explanatory note: Family voting is a rather common irregularity, which affects in particular women’s right to their individual vote. It has raised concern in the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe. It deserves to be mentioned.

Amendment B (to the draft resolution)

Rephrase paragraph 8.1.5 as follows:

> *“opting for an electoral system which ensures that the final results are representative of the electorate in terms of political views, gender, geographic distribution and the existence of national and/or linguistic minorities”.*

Explanatory note: This amendment aims to clarify the original text. It also puts gender as the second element to be taken into account. It refers to national or linguistic minorities as, in civic States, their existence and not mere ethnicity should be relevant in the design of the electoral system.

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1. Reference to committee: Doc. 13021, Reference 3629 of 25 January 2010. Opinion approved by the committee on 1 October 2012.

Amendment C (to the draft resolution)

Rephrase paragraph 8.1.6 as follows:

> *"introducing in their electoral legislation mechanisms to promote the balanced representation of women and men in elected bodies at all levels as well as encouraging political parties to introduce internal regulations, policies and affirmative actions so as to promote women's participation and representation in politics;"*

Explanatory note: States have a responsibility in the area of legislation, but only in exceptional circumstances should they interfere with internal party regulations. However, States can encourage political parties to introduce voluntary measures, as described in Ms Stavrositu's report.

C. Explanatory memorandum by Ms de Pourbaix-Lundin, rapporteur for opinion

1. Introduction

1. I would like to congratulate the rapporteur of the Committee on Political Affairs and Democracy, Mr Jean-Charles Gardetto, on his thorough and comprehensive report.

2. As a member of the Committee on Political Affairs and Democracy, I had the opportunity to take part in the discussions that led to the adoption of Mr Gardetto's report. I am pleased to say that many issues falling under the remit of the Committee on Equality and Non-Discrimination were incorporated in Mr Gardetto's report, including women's representation and the political participation of minorities.

3. In the present opinion, I will limit myself to highlighting some issues of special concern for the Committee on Equality and Non-Discrimination. I would also like to mention that some of my concerns have been adequately addressed by my colleague Ms Maria Stavrositu (Romania, EPP/CD) in her report on "Political parties and women's political representation".[2] I would also like to recall the relevance of the recent Conference of Speakers and Presidents of Parliament of Council of Europe member States (Strasbourg, 20-21 September 2012) which examined, in one of its sessions, the state of health of representative democracy.[3]

2. Representative democracy is not in a crisis but can be improved

4. When speakers and presidents of parliaments, gathered in Strasbourg last week, were asked whether representative democracy was in a crisis, opinions were divided. Some acknowledged the existence of a crisis while others rejected it outright. In any case, the audience was unanimous in recognising the validity of the model of representative democracy and that there is scope for improving its practical implementation.

5. I agree with the general line held by the Committee on Political Affairs and Democracy, which puts representativeness at the core of the democratic character of elections. However, I would like to propose an amendment to highlight that:

– aptitude to reflect the gender composition of the electorate should be an essential element to be taken into account in the design of electoral systems, immediately after the need to reflect political views;

– in civic States, in which the fundamental criterion for participation in politics is citizenship, 'ethnicity' per se should not be an element to be taken into account in the design of electoral systems. On the contrary, the presence of national or language minorities should be an element to be taken into account, as recommended at paragraph 8.1.7.

6. In the light of these considerations, I would like to propose Amendment B.

2. Doc. 13022.
3. http://assembly.coe.int/Conferences/2012Strasbourg/Pdf/ConclusionsPresidentE.pdf.

3. Women's unbalanced representation in politics

7. The unbalanced representation of women and men in elected bodies – at national, regional and local level – is a long-standing shortcoming affecting the representativeness of European democracies. Although the overall presence of women in elected bodies has been increasing for several decades, progress is at the same time slow and not uniform amongst Council of Europe member States.

8. I generally agree with the concept expressed in paragraph 8.1.6 of the draft resolution but I think that it should be reworded.

9. First of all, it is not advisable to suggest that States should combine mechanisms relating to electoral systems and internal party functioning to promote increased representation of women in politics because States should not interfere with internal party regulations (except in exceptional circumstances). It would therefore be wiser to ask States to put in place electoral mechanisms that promote women's representation – as already recommended by the Assembly in a number of texts, the most recent being Assembly Resolution 1706 (2010) on increasing women's representation in politics through the electoral system – while encouraging political parties to introduce voluntary measures to the same end.

10. Furthermore, what is important is not so much encouraging the electorate "to vote for women" but giving women the same opportunities to be elected as men. This means that both States and political parties, in their respective realms, should take measures to ensure that women are not discriminated against in their political work, and that they are given the same chances as men to reach leadership positions, appear in the media and be visible to the electorate.

11. As a result, I would like to propose Amendment C.

4. Family voting

12. Family voting is an irregularity which has been detected on several occasions during election observation missions by the Parliamentary Assembly and other bodies. As summarised by the Assembly in its Recommendation 1676 (2004) on women's participation in elections, "'Family voting' occurs in three ways: in group voting, where a male family member accompanies one or more women relatives into a polling booth; in open voting, when family groups vote together in the open; and in proxy voting, where a male family member collects ballot papers belonging to one or more women relatives and marks those papers as he sees fit. 'Family voting' is an undemocratic practice which disenfranchises women voters and should not be tolerated."

13. In addition to the above-mentioned Assembly recommendation, family voting is the subject of Recommendation 111 (2002) "Women's individual voting rights: a democratic requirement", by the Congress of Local and Regional Authorities.

14. I believe that this irregularity should be mentioned in the draft resolution. Therefore, I propose Amendment A.

5. E-participation

15. A number of Assembly committees have been seized for opinion on the report of the Committee on Political Affairs and Democracy. I do not wish to overlap with some considerations that may be raised by their rapporteurs for opinion. However, in my conclusion, I wish to mention that democracy has also to keep pace with modernity.

16. On the one hand, it is necessary for parliaments and governments to engage with the electorate through new media and social networks as, while the turnout in polling stations has fallen, political participation has not necessarily decreased but has found new ways to express itself. This would also allow for a stronger involvement of youth in political life.

17. On the other hand, the advent of e-democracy may lead politicians to accept "a broader understanding of citizenship, encompassing persons and groups of persons permanently residing and integrated in a political entity, irrespective of nationality".[4]

4. Committee of Ministers Recommendation CM/Rec(2009)1 on electronic democracy.