



UNION INTERPARLEMENTAIRE

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INTER-PARLIAMENTARY UNION

# Constitutional & Parliamentary Information

*Half-yearly Review of the Association  
of Secretaries General of Parliaments*

Gender partnership in the Parliamentary Service

Relations between Parliament and Civil Society

Performing the Duties of Secretary General in a  
Country facing Physical Challenges such as Earth-  
quakes *{Hafnaoui AMRANI}*

The Parliament of Birds *(Ian HARRIS)*

# Inter-parliamentary Union

## Aims

The Inter-Parliamentary Union, whose international Statute is outlined in a Headquarters Agreement drawn up with the Swiss federal authorities, is the only world-wide organisation of Parliaments.

The aim of the Inter-Parliamentary Union is to promote personal contacts between members of all Parliaments and to unite them in common action to secure and maintain the full participation of their respective States in the firm establishment and development of representative institutions and in the advancement of the work of international peace and cooperation, particularly by supporting the objectives of the United Nations.

In pursuance of this objective, the Union makes known its views on all international problems suitable for settlement by parliamentary action and puts forward suggestions for the development of parliamentary assemblies so as to improve the working of those institutions and increase their prestige.

## Membership of the Union

Please refer to IPU site (<http://www.ipu.org>).

## Structure

The organs of the Union are:

1. The Inter-Parliamentary Conference, which meets twice a year;
2. The Inter-Parliamentary Council, composed of two members of each affiliated Group;
3. The Executive Committee, composed of twelve members elected by the Conference, as well as of the Council President acting as *ex officio* President;
4. Secretariat of the Union, which is the international secretariat of the Organisation, the headquarters being located at:

Inter-Parliamentary Union  
5, chemin du Pommier  
Case postale 330  
CH-1218 Le Grand Saconnex  
Genève (Suisse)

## Official Publication

The Union's official organ is the *Inter-Parliamentary Bulletin*, which appears quarterly in both English and French. The publication is indispensable in keeping posted on the activities of the Organisation. Subscription can be placed with the Union's secretariat in Geneva.

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## GENDER PARTNERSHIP IN THE PARLIAMENTARY SERVICE

**Mr Ian HARRIS, President** invited *Mrs Hélène PONCEAU* to open the debate on the partnership between men and women in the Parliamentary service.

**Mime Hélène PONCEAU (France)** said that the subject of the partnership between men and women had been at the centre of the thoughts and actions of the Inter-Parliamentary Union for several years.

The question of the role of women in the Parliamentary service raised wider questions which went beyond the Parliamentary service and included the place of women in public life, whether as elected officials or public servants.

The remarks which everyone could make about the current situation in their own country or Parliament had to be related to a wider process of evolution, because this was an area where considerable change had occurred in a very short time: apart from the force of public opinion, there had been international agreements — Universal Declaration of the Rights of Man of 1948 (which proscribed discrimination based on sex at the same time as discrimination based on language, race, religion or opinion), Convention on the Political Rights of Women of 1953, The New York Convention on the Elimination of all Forms of Discrimination with regard to Women of 1979 — and also European agreements — the Convention on the Council of Europe of 1950, the Charter of Rome of 1996 — and these agreements were being added to each day.

Nonetheless, there was a considerable problem in that the daily reality experienced by women was often very different from the principle of equality as set down in international agreements.

In the first instance, as far as public political life is concerned (that is to say equality between the sexes in elected office), as a general rule the situation appeared rather unfavourable. In France, the poor turnout had provoked change of ideas and laws: until quite recently only between 5% and 10% of Members of Parliament and about 8% of members in departmental assemblies had been women. Therefore, in France the question of the place of women had been the subject of lively debate around the idea of positive discrimination and the fixing of minimum quotas imposed on political parties for candidates. Such measures offended against Constitutional principles which forbade any separation of electors into categories, whatever the elections might be. As a result, a distinction between candidates based only on their sex was only possible after an amendment of the Constitution, which happened in 1999 at the end of the process of over one year of strong debate. The French Constitution now affirmed that "the law

favours the equal access of women and men to electoral mandates and elected office" and that "political parties contribute to the putting into action of this principle".

As a result, laws had been made which imposed on the lists presented to the electorate a strict alternation between men and women, that was to say an equal number of people of both sexes by groups of candidate. Furthermore, public money given to political parties was adjusted in proportion to the efforts made to present an equal number of men and women for election.

It was undeniable that these measures had had an effect in France, even though there was still opposition in principle to the authoritarian character of these measures: the evidence showed that only such affirmative action in elections where they had been put into effect had been able to produce such convincing results.

In the second instance, as far as the place of women in public as service was concerned (that is to say equality at work) the principle of equal access to employment in France was demonstrated by the rule establishing competitions which were open equally to men and women. The principle of equal pay was based on the existence of salary scales, which were identical for everybody.

In same way as elected office, the position was shown by the numbers — namely the proportion of men of women in different sectors of the administration on the one hand and the proportion of women in posts with responsibility on the other. The two proportions often were inverse to each other, and this was the case in France where there was often a concomitant strong presence of women in certain sectors but a weaker presence of women in the higher administrative levels.

Access to public employment by competition and the existence of salary scales were the basis of professional equality, but by themselves they were not sufficient. As a result, legislation had been adopted to accelerate the rate at which women took on posts of responsibility, although the results of this legislation were yet to be seen, even though there had been some early progress, notably because of the law of the 9th May 2001 on professional equality (composition of appointment boards, establishment of long-term plans for harmonisation on the basis of types of employment, etc).

In the third instance (and finally) as far as women in Parliamentary administration were concerned, there was a noticeable difference in France between the Parliamentary administration and other areas of the public service. Although the Parliamentary assemblies had a lower proportion of women on their staff in comparison to the Government, nonetheless they had a far greater proportion of women in senior positions. The improvement of the position of women in the upper management in Parliament was explained by the determination of the political authorities who were interested in setting an example rather than any legal changes.

**Mme Hélène PONCEAU (France)** made the following presentation, entitled "*French Legislation on Parity Between Men and Women in Politics*":

## **I. A LONG DELAYED REFORM**

The French legislation on parity was preceded by a long debate which reached its climax in the middle of the 1990s.

There is unanimous agreement about the present situation:

- France is one of the least advanced countries regarding the position of women in public life, in particular in elected assemblies. The level of representation of women in the French parliament is lower than in all other European Union countries except one. Worldwide, according to *Men and women in politics: democracy still in the making*, an IPU report published in 1997, France ranks only 72nd in terms of the percentage of women deputies.
- Moreover, in no way do the available data support the optimistic notion that the situation is likely to improve with time.

While notable progress has been made, at the regional and local level only 22% of town councillors and 27% of regional councillors are women.

Meanwhile, in departmental councils the percentage of women councillors remains extremely low — at barely 8% — following the 1998 elections.

But nowhere are the persistence of inequality between women and men and the slow pace of progress more obvious than in Parliament.

## NATIONAL ASSEMBLY

Date of election	Women candidates to the National Assembly since 1945			Women elected to the National Assembly since 1945		
	Women	Men and women	% of women	Women	Men and women	% of women
21 October 1945 (*)	281	2,912	9.6	33	586	5.6
2 June 1946 (*)	331	2,762	12	30	586	5.1
10 November 1946 (*)	382	2,801	13.6	35	618	5.7
17 June 1951 (*)	384	3,962	9.7	22	627	3.5
2 January 1956 (*)	495	5,372	9.2	19	596	3.2
23/30 November 1958	65	2,809	2.3	9	586	1.5
18/25 November 1962	55	2,172	2.5	8	482	1.7
5/12 March 1967	70	2,190	3.2	10	487	2.1
23/30 June 1968	75	2,265	3.3	8	487	1.6
4/11 March 1973	200	3,023	6.6	8	490	1.6
12/19 March 1978	706	4,266	16.5	18	491	3.7
14/21 June 1981	323	2,715	11.9	26	491	5.3
16/23 March 1986 (*)	1,680	6,804	24.7	34	577	5.9
5/12 June 1988	336	2,896	11.6	33	577	5.7
21/28 March 1993	1,003	5,139	19.5	35	577	6.1
25 May/1 <sup>st</sup> June 1997	1,464	6,360	23	63	577	10.9

(\*) Election by proportional representation. For later elections, at first-past-the-post system, the numbers refer to first-round candidates.

## SENATE

Date of election	Total number of Senators	Number of women Senators	Percentage of women
June 1947	314 Councillors of the Republic	22	7.0 %
May 1949	317	12	3.78 %
July 1952	317	9	2.84 %
July 1954	317	9	2.84 %
November 1956	317	9	2.84 %
July 1958	314	6	1.91 %
October 1960	307	5	1.63%
December 1962	271	5	1.85%
October 1964	273	5	1.83%
October 1966	274	5	1.82%
September 1968	283	5	1.77%
September 1971	282	4	1.42%
September 1974	283	7	2.47 %
September 1977	295	5	1.69%
September 1980	304	7	2.30 %
September 1983	317	9	2.84 %
September 1986	319	9	2.82 %
September 1989	321	10	3.11 %
September 1992	321	16	4.98 %
September 1995	321	18	5.60 %
September 1998	321	19	5.92 %

Not only has progress been extremely slow — except, perhaps, in the 1997 legislative election, when the percentage of women elected rose from 6.1% to 10.9% — it has also been discontinuous: fewer women were elected to the National Assembly in 1968 and 1977 than in 1962 and 1967. As regards the Senate, the number of women elected dropped from 7% in 1947 to 1.42% in 1971, before slowly coming back up to 5.9% in 1998.

The great majority of political leaders and citizens agree that this under-representation of women is abnormal. But they differ on how to correct it.

Some expect change through the natural evolution of mindsets, arguing that the growing role played by women in municipal and regional councils is indicative of a "breeding ground" that will pave the way for future progress. They call for positive action from political parties, notably in terms of nominations, while ruling out any kind of positive discrimination. The concept of universalism in political representation, they argue, is too deeply rooted in the French psyche to allow any distinction among citizens, whether they are voters or candidates.

Others recommend positive discrimination, at least as a temporary step. Their number seems to be growing since France's President, Jacques Chirac, created in 1995 the "Observatoire de la parité", a body designed to monitor gender inequalities and report them to the Prime minister.

In June 1996, ten prominent women politicians from both sides of the political spectrum — all of them former government ministers — published a highly-publicised manifesto calling for 1)

determined action from the government and political parties, 2) a strict limit to the number of mandates that may be held concurrently by elected officials, and 3) positive discrimination. The signatories also said that the level of public financing awarded to political parties should reflect their record in terms of providing equal opportunities to both sexes.

In Parliament too, the issue of parity has been on the agenda. In early 1997 the Senate set up a fact-finding mission on the position and role of women in politics. In March of the same year, the National Assembly held a debate on this topic, which revealed a certain amount of agreement among all major political parties.

In particular, the party of Prime Minister Alain Juppé, the *Rassemblement pour la République* (RPR), which until then had held that the promotion of women in politics should result solely from voluntary action by political parties, decided to launch a "decade for parity" that would include binding regulations aimed at guaranteeing equal opportunities for women in public life.

This, however, required amending France's constitution, since two previous attempts by lawmakers to impose greater parity had been rejected by the Constitutional Council. One was a 1982 bill stipulating that lists of candidates for municipal elections in towns of more than 3,500 should not "include more than 75% people of the same sex".

The second attempt, aimed at imposing parity between men and women on lists of candidates for regional elections, was rejected by the Constitutional Council in 1999.

In June 1998, the Government therefore tabled a constitutional reform bill on equal rights for men and women. It took over a year of lively debate and three readings by the National Assembly and Senate before Parliament, convened in Congress (a joint session of the two chambers) passed the bill by a large majority. It was finally promulgated on July 9, 1999.

The revised French constitution formally declares that "statutes should promote equal access by women and men to elective office and elected positions", and that political parties are "to contribute to the implementation of this principle".

## **II. A SYSTEM THAT COMBINES INCENTIVE AND CONSTRAINT, WITH MIXED RESULTS**

Once the constitutional hurdle was lifted, a new bill was passed on June 6, 2000, creating a system aimed at favouring equal access for women and men to nominations for election and elected positions. This system includes two mechanisms.

One makes men/women parity compulsory in all elections held by proportional representation, with the manner of implementation dependent on the kind of election:

- For elections to the Senate by proportional representation (this is the case in certain departments) and for European elections, lists of candidates must strictly alternate between men and women. A bill passed on April 12, 2000, sets the same rule for regional elections.
- For municipal elections in towns of more than 3,500 people, the system is more flexible: parity is ensured by dividing each list, from top to bottom, into blocks of six candidates of whom three must be women.

The second mechanism provides a financial incentive, by linking public financing for political parties to their record in nominating equal numbers of men and women as candidates for legislative elections. If a party exceeds by more than a set proportion the equal number of male over



female candidates, its public financing, which normally reflects its share of the vote, is reduced by a percentage equal to half the gap.

An early appraisal of this set of measures points to mixed results.

Compulsory alternating of men and women on lists of candidates turned out to be very effective in terms of promoting parity both times it was used.

In the first instance, in the March 11 and March 18, 2001 municipal elections, the percentage of women elected as town councillors in towns of more than 3,500 people rose to 47.4%, from 25.7% previously. The impact was similar in smaller municipalities, where parity was not compulsory: the proportion of women elected increased by nearly ten percentage points. Regarding executive positions, the proportion of female mayors also rose, albeit more modestly, to 10.9% from 7.5% in 1995.

An election held on September 23, 2001, to renew 102 of the Senate's members, or one-third of the total, confirmed the effectiveness of the new rules.

The number of women elected more than quadrupled, to 22 women senators compared with five in a previous poll in 1992. The overall proportion of women among senators almost doubled, to 10.9% from 5.92% in 1998.

Quite obviously, the positive impact of having to alternate men and women is much stronger in large departments than in smaller ones, where elected officials are sometimes tempted to draw up separate lists in order to avoid facing the consequences of this obligation.

On the contrary, the financial incentive, created by a bill passed on June 6, 2000, has yielded extremely disappointing results in terms of parity - although it has been applied only once so far.

In the legislative election held on June 6 and June 9, 2002, the two leading parties, the Union pour la majorité présidentielle (UMP) and the socialist party, made a significant effort compared with the previous election in 1997: the proportion of women candidates increased to 19.93% from 7.7% for the UMP and to 36.13% from 27.8% for the socialist party.

This, however, left both parties still falling far short of parity. Besides, because of party leaders' propensity to present women in the most difficult constituencies, the proportion of women elected was even lower than that of female candidates.

The big parties faced major financial penalties for their lack of enthusiasm in nominating women: the UMP forfeited 4.26 million euros as a result, and the socialist party 1.65 million euros.

Those political parties that did enforce parity between women and men were mostly small groups aware that they were likely to win few — if any — seats.

As a result, the number of women elected to the National Assembly did not increase significantly: out of 577 deputies elected in 2002, only 71 were women, compared with 63 in the previous chamber.

## **PARITY BETWEEN MEN AND WOMEN IN THE SENATE ADMINISTRATION**

The application of the principle of parity between men and women in the French administration displays certain characteristics when compared with the private sector. The issue of equality be-

tween women and men focuses on access to certain professions traditionally seen as either male or female, and access to senior positions, rather than on remuneration and salary levels.

In order to better understand the Senate's own situation, it is a good idea to start with an outline of the overall situation in the French administration.

## I. APPLYING THE PRINCIPLE OF PARITY BETWEEN MEN AND WOMEN IN THE FRENCH ADMINISTRATION

It is often observed that, while women make up a large proportion of those employed by the French state, at the level of senior civil servants their number drops off steeply. Active steps have been taken recently to promote equal opportunities for men and women in the civil service.

### A. A twofold situation

#### 1. *A high proportion of women in the civil service*

The French administration is characterised by a high proportion of women employees, who make up 57% of the total workforce.

In some professions, the proportion of women is particularly high, and has been so for a long time (for instance in nursing); in other occupations (such as teaching) the dominance of women is more recent yet just as strong.

Moreover, many traditional male preserves are opening up: women now make up 12% of the workforce of the ministry of defence, compared with 6% in 1995; some women have been appointed prefects, now accounting for 5% of the total; an increasing number of women are joining the prison administration, where they now represent 13.3% of ranking staff and warders.

#### 2. *Few women at senior levels*

Secondly, few women are appointed to the most senior positions in the civil service. Several statistics bear this out:

- women make up 53% of middle management (*cadres*) and the higher intellectual professions (38% excluding researchers and teachers). Yet they account for less than 15% of senior civil servants. Ministries responsible for social affairs traditionally employ the highest numbers of female senior civil servants;
- women constitute only 18% of the *grands corps de l'Etat* (the senior branches of the civil service)
- and 18% of the *grands corps* and in the body of territorial administrators;
- while the proportion of women among hospital directors is higher, at 30%, surveys have shown that they usually hold assistant director positions; only rarely are they in charge of the largest hospitals.

The medium term trend, however, is favourable to women: in 1998, women represented only 15.3% of the *grands corps*, compared with nearly 18% today.

In this context, the fact that women, while making up 57% of the total workforce, only account for 15% of senior civil servants, should be interpreted not so much as an instance of discrimina-

tion as an indication of a cultural evolution which is gradually encouraging women to pursue the same studies, and hence aim for the same carriers, as men.

## **B. Active steps to speed up the rise of women to senior positions**

To speed up the ascent of women, active steps have been implemented:

- a steering committee to promote equal access to senior positions in the civil service for women and men was created (in November 2000); its role is to commission studies, to publish reports and to make recommendations;
- a bill on equal professional rights, some of whose provisions directly concern the civil service, was passed on January 9, 2001; this bill provides for greater representation of women on juries presiding over competitive entrance examinations as well as *organismes paritaires*, the bodies on which management and unions are equally represented (a decree set the minimum proportion of women at 30%); it also reinforces protection against sexual harassment and reaffirms the banning of any discrimination based on gender;
- an instruction from the Prime minister issued on March 6, 2002, announcing multi-year plans to increase the proportion of women in government departments and setting 3 to 5 year targets for each category of management and senior management positions;
- the ministry in charge of the civil service now breaks down by gender the data it publishes in order to improve follow-up;
- a network of coordinators in charge of promoting the position of women in the civil service has been set up in order to facilitate the exchange of experience and good practice.

## **II. THE APPLICATION OF THE PARITY PRINCIPLE IN THE SENATE ADMINISTRATION**

The employees of the two houses of Parliament are civil servants; as such they are recruited through specific competitive examinations that are open to both men and women, whatever their category, in line with the general principle of French law that there should be equal access to State administrative positions, with no distinction other than knowledge and ability.

### **1. The number of women in the civil service is still low**

Compared with the overall civil service, the Senate Administration includes traditionally fewer women: only 32% of all Senate staff are women. This figure however covers wide variations, since many professions at the Senate were traditionally staffed solely by men:

- some occupations are traditionally female: for instance, secretaries of departments, of whom 152 are women for only one man; similarly, only one of the laundry's eight staff is male;
- on the contrary, 100% of palace overseers are men, as are a majority of gardeners (95%), grounds overseers (94%), gardeners' helpers (93%) and agents (87%).

However, with each new wave of recruits, all fields of employment are increasingly opening up to both sexes:

- the proportion of women overall has risen from less than 25% in 1986 to 32% today;

- in recent years, the number of women has increased at almost all staff levels, sometimes very quickly: in 1986, 98% of agents were men, compared with only 87% today; at the last competitive examination to recruit general staff, 10 of the 35 successful candidates admitted on the principal and additional lists were women, making up nearly 30% of the total;
- the first female gardener was recruited in 1999, the first female grounds overseer in 2000;
- one staff category - assistant administrators - consists of a majority of women (more than 57%) although there is nothing about their duties that could be construed as "feminine".

## 2. Women in senior positions

The proportion of women within the top ranks of the Senate's staff is high. The many women holding senior positions include:

- 1 of 2 secretaries general (50%);
- 5 of 22 directors (23%);
- 3 of 6 heads of Committee secretarial staff (50%).

In total, 27% of the Senate's management positions are held by women, or twice the overall percentage for the French civil service.

This percentage is due to rise even further since many women who have reached a rank sufficiently high to be eligible for the most senior positions: today, of 29 administrators eligible for appointment as directors (i.e. who have held the rank of councillor four years or longer), 14 are women, or 48% of the total. This means that the number of women holding senior administrative positions at the Senate is likely to rise even higher in the short term.

In the longer term, a growing number of the French Senate's management positions should be held by women, since they make up an increasing proportion of the corps of administrators. Today, 67% of administrators are men. Yet in the competitive examinations held in 1997-1998, 1999-2000 and 2001-2002, respectively 60%, 43% and 43% of the successful candidates were women. (These rates are higher than those of the *Ecole nationale d'administration*, ENA, which recruits and trains senior civil servants working for the central government).

## 3. The presence of women in the Senate's management/union bodies {*organismes paritaires*} and competitive examination juries

Women also play an important role in bodies where both management and union representatives are represented, sometimes beyond their actual weight within the Senate's workforce (32%).

Women also sit on juries presiding over competitive entrance examinations for Senate posts. For instance, four of the nine members of the jury for a competitive exam now open to recruit gardeners are women, making up nearly 45% of the total. Predominantly male juries cannot be accused of discriminating against women: the all-male jury for the latest competitive examination for the post of verbatim records keeper for the Senate's sittings nominated three women in the main and additional lists.

The proportion of women jurors in these examinations is also increasing. A survey of competitive examinations for Senate administrative staff held since 1964 shows that the first woman juror was appointed in 1974. Between 1974 and 1989, every other jury on average included one

woman. The number of women jurors then rose to three in the 1991-1992 exams, and to eight (out of 27 jurors) in 2001-2002.

#### 4. Regulatory measures in favour of women

The French Senate has also adopted **many regulations** (as has the civil service overall) in order to improve the career prospects of women; these rules sometimes amount to positive discrimination:

- for women who are raising or have raised a child, the age limit for entering a competitive examination is 45 instead of the usual 35 (men, meanwhile, are granted at most one extra year for each dependent child);
- there is no age limit for mothers of three or more children, widows and divorced women who have not remarried, legally separated women, and for single women with at least one dependent child who need to work to support themselves. For men, the age limit is removed only if they are single with at least one dependent child and if they have to work to support themselves.

Women taking sports tests as part of competitive examinations for Senate posts are marked separately, and a lower height is required for those applying for agents, grounds overseer and palace overseer positions: 1.57 metre (5.15 foot), instead of 1.67 metre (5.48 foot) for men, according to article 34 of the Standing Rules.

To promote reverse parity, the Senate also offers paternity leave to men with new born children. Both men and women are entitled to adoption leave and parental leave in order to bring up children, and to work part time after the birth of a child.

It is also interesting to look at how the principle of parity is implemented within the Senate's pension fund and its system of social security for staff. Some legal changes have been made, in particular to reflect new legislation from the European Union.

The Senate's managing board has recently adopted two measures to ensure that its pension fund regulations conform with case law from the European Union's Court of Justice. The Court has laid down that pensions paid by civil service pension funds amount to remunerations, as defined in the Treaty of Rome; both sexes must therefore receive the same treatment.

The Senate has therefore aligned its survivors' pension scheme for widowers on its scheme for widows, which in the past had been more advantageous because widows were likely to have had no professional activity, and hence no resources.

The Senate's managing board also took advantage of a new pension reform bill passed on August 21, 2003, to significantly change its family benefits scheme.

In line with rules for the overall civil service scheme, both male and female Senate staff who have raised three children or more have always benefited from the same supplementary pension.

To implement the principle of equal treatment for men and women, the French Senate has decided to grant the same bonus for children to both men and women. Women receive an additional bonus for the period corresponding to child delivery, and for the periods when they stop working or work part time in order to bring up a child, up to a maximum of three years.

As regards social security, the removal in 1986 of the notion of "head of family" enables female staff to obtain benefits from the Senate's social security scheme for their children, even if their husbands come under a different scheme.

In conclusion, while women are still relatively few in what remains a traditionally more male-oriented administration, they are already acceding to senior positions on the same terms as men. Without any internal demands, a "natural" move towards greater parity in the Senate Administration has got under way — smoothly, and without any restrictive regulations.

## PARLIAMENTARY DELEGATIONS FOR WOMEN'S RIGHTS AND EQUAL OPPORTUNITIES FOR MEN AND WOMEN

Parliamentary delegations for women's rights and for equal opportunities for men and women in both the Senate and the National Assembly were created by the July 12, 1999, bill.

This law, drafted from private bills tabled by Socialist and Communist senators and deputies, finds its origin in the following statement made during public debate: « *Equality before the law, established by the Constitution, has not sufficed to establish full equal opportunities between men and women* ». The legislator therefore decided to create a permanent delegation in each house of parliament to monitor the enforcement of equal rights in every field.

The **composition** of the delegations for women's rights reflects the overall chamber's political balance as well as its members' diverse technical competences. Each delegation is made up of 36 parliamentarians, reflecting the respective weight of the political parties. The National Assembly's delegation is appointed at the beginning of each term of office, while the Senate's delegation is appointed every three years, after each partial renewal of its membership. Law-makers also wanted to ensure a variety of technical competences within the delegations. For this reason the different parliamentary committees must be "*represented in a balanced way*" within the delegations. Women too must be represented: for this reason, the Senate's delegation today includes 16 men and 20 women, while the National Assembly's delegation has 10 men and 26 women.

Each delegation has adopted Standing Rules, which, among other things, specify the make-up of its managing board, which is also expected to ensure the proportional representation of political parties.

The parliamentary delegations for women's rights have the following distinct **missions**:

— First, they monitor bills tabled in Parliament.

The delegations monitor bills and private bills as well as EU legislation submitted to Parliament in line with Article 88-4 of the Constitution, looking at their impact on women's rights and equal opportunities for men and women.

To this effect, the delegations may be asked to intervene by:

- the managing board of their respective chamber;
- any one of the chamber's Committees, as long as the bill or private member's bill falls under its sphere of competence;
- the delegation for the European Union, concerning EU legislation submitted to each house of parliament, in line with Article 88-4 of the Constitution .

When either of the two delegations wishes to be seized of a bill, its chairperson must send a request to that effect to the chairperson of the Committee competent for the bill or private bill's core issue, or to the chairperson of the delegation for the European Union.

This mission of monitoring legislation must be carried out *"without prejudice of the competences of standing committees or the delegations for the European Union"*.

Therefore the intervention of the delegations for women's rights and equal opportunities for men and women in no way modifies the current procedure for examining legislation, whether at Committee meetings or in a public session, but simply complements it. The delegations as such have no right to amend legislation: they simply make recommendations. The delegations' rapporteurs present their report and the recommendations therein to the Committee competent for the core issue at the opening of the committee sitting devoted to examining the bill at stake. Similarly, if the delegations' rapporteurs present their recommendations during a public session; they speak just after the rapporteurs of the competent Committee(s).

It should be noted, however, that if the delegations have no right of amendment, any one of their members is free to draft an amendment based on any of the delegations' recommendations and table it in his or her own name.

— Secondly, the delegations inform Parliament of the Government's action.

The delegations for women's rights and equal opportunities must also inform their respective chamber of the Government's policies in all fields related to women's rights and equal opportunities, including professional opportunities.

In order to fulfil this mission, the delegations may hear ministers and they receive all information likely to facilitate their mission.

Aside from reporting on any issues that have been referred to them, the delegations publish annual reports reviewing their action and including, if need be, proposals to improve legislation in their field of competence. In the Senate, it is the delegation's chairperson's responsibility to draw up this report. In the National Assembly, at the beginning of each ordinary session or each time its membership is renewed, the delegation appoints one of its members to draft the annual rapport.

The topics chosen by the National Assembly's delegation for women's rights since its inception for its annual report are: contraception, the enforcement of the law on the termination of pregnancy and the monitoring of the May 9, 2002, bill on equal professional rights. The topic chosen this year is part-time work.

The Senate delegation meanwhile has dealt with the following topics: public policy on prostitution, and implementation of programmes aimed at ensuring steady employment and equal pay for troubled youths through training and professional integration. The next report will be devoted to equal opportunities for both sexes in France today, particularly at school."

**Mr. Petr TKACHENKO (Russian Federation)** presented the following contribution, entitled *"Gender Partnership in the Federal Assembly of the Russian Federation"*:

The main feature of the 21 st century is the formation of the new social relationships based, *inter alia*, on the principles of gender partnership.

It is known that at the Millennium Summit the leaders of the countries of the world adopted the UN Millennium Declaration, wherein the equality of men and women is defined as simultaneously a goal in itself and a means to reach the aims that the world community has set for itself.

The theme of the gender partnership in the parliamentary activities is not new to the Council of Federation of Russia. Those issues more or less correspond to the field of competence of a whole number of the leading committees of the chamber, such as the committees on social policies, science, culture, public health, education and environmental protection, youth affairs and sports.

Presently the quality of the legislation to be passed, its systemic nature and its lack of intra-controversies is a matter of principle for the supreme law-making body of the country. One may dare to call its conformity to the principles of gender partnership a feature determining the quality of the legislation. To that end the gender-relevant examination of draft laws has been carried out at the Council of Federation. A significant work has been carried out to examine the labour and family legislation in a close contact with the women's non-governmental organisations.

The gender problems have become a directions of interaction between the civil society institutions and the Russian parliament. With an active support of non-governmental organisations the women parliamentarians have been rendering an active influence on the political process and the shaping up of the public opinion as regards the women's participation in the political life and the representative authority bodies.

The activities of the Public Commission to ensure equal rights and equal opportunities for men and women in Russia, created within the Council of Federation under the auspices of its Chairman, have become a real result of such interaction. The Commission has been joined by members of the Council of Federation, representatives of legislative bodies of the subjects of the Russian Federation, scholars, experts, as well as leaders of non-governmental organisation. There is a growing awareness in Russia today of the necessity of a transition from simply ensuring women's rights toward a parity-based democracy, an understanding of the necessity to consider the gender asymmetry from the positions of interests of not solely women, but men as well.

As an important element of the national mechanism to promote human rights, the Public Commission carries out a wide negotiating and consultative process with women's non-governmental organisations and representatives of business circles and civil society institutions. In accordance to the division of the Russian Federation into the seven federal districts the Public Commission has established seven sections that hold their meetings and do their work directly in the federal districts, as well as at the regional parliaments. Following the example set by the Council of Federation many regional bodies of legislative authority create similar commissions.

The holding of large-scale events with the participation of representative delegations from all subjects of the Russian Federation, at which the theme of gender partnership is the priority, has become a remarkable phenomenon in the country's public life. Those have included the All-Russia Women's Forum dedicated to the Mother's Day, the "Russian Family" International Congress dedicated to the 10th anniversary of the International Year of Family and a conference of the theme "Integration of the gender partnership policies into activities of the legislative authority bodies of the subjects of the Russian Federation and the regional ombudsmen".



Following the strategy elaborated by the United Nations Organisation to promote women to all decision-making levels, the Russian parliament has been pursuing consistent policies to implement the gender equality.

Despite the fact that there are fewer women in the Russian parliament than we wish there were, they hold key positions in it and make substantial contribution to the work of both chambers.

A woman has been elected one of the three deputies to the Chairman of the chamber. Women preside over or are members of the ruling bodies of 4 committees and commissions of the Council of Federation.

Talking about the composition of the Administrative Staff of the Council of Federation in terms of the problem under the discussion, I feel entitled to say that as a result of balanced personnel policies we have managed to achieve optimal indices. Thus, the women working in the Administrative Staff of the Council of Federation account for 56% of the staff, with 81% of them having higher education diplomas and 10% having academic degrees and academic ranks. Given that, the women hold dominating positions in the leading departments of the apparatus, such as the Legal Department and the Analytical Department, wherein they account for 75% and 50% of the employees respectively. There is a high share of women among the chiefs and deputy chiefs of the administrative staff of the committees and commissions of the chamber, as well as among the chiefs and deputy chiefs of the divisions of the departments of the Administrative Staff of the Council of Federation.

Nowadays both Russia and the other countries, including those which have attained the greatest successes in the promotion of gender equality, have to admit that there is still a lot to be done on the path to equality, without which the full-fledged partnership is impossible.

The Inter-Parliamentary Union has been elaborating new initiatives to enlarge the partnership. The Meetings of Women Parliamentarians have become a special institution within the framework of the Inter-Parliamentary Union. The national parliaments keenly respond to the new ideas proposed by the world community. I wish to stress that in Russia all prerequisites have been created to realise the principle of gender equality in the majority of political institutions and the parliament has assumed the leading role in the promotion of that principle and putting it into practice."

**Mr Arie HAHN (Israël)** said that Secretaries-General of Parliaments were all very careful to promote equality between the sexes within their services.

In the Knesset, women were in the majority and held down the most important jobs: most of the departments were directed by women, such as human resources, protocol, the stenographers, research et cetera. Therefore there was no particular policy necessary to favour equality.

**Mr Hafnaoui AMRANI (Algeria)** said that in Algeria a woman had presented herself as a candidate for head of state for the first time at the presidential election of 8th April 2004. It was symptomatic that all the candidates at the election had had a policy on equality between men and women.

In Parliament women were not well represented — there were only four women among the 144 members of the Council of the Nation — which was different from the administration where the proportions were much more equal — 44% of the staff were women.

**Mrs Valeria AGOSTINI (Italy)** presented the following contribution, entitled "*Committees promoting equal opportunities in the Italian Parliament*":

In the past parliamentary term, each of the two Houses of the Italian Parliament established a committee on equal opportunities composed of MPs and parliamentary staff. Significantly, the date chosen to create the Senate Committee on Equal Opportunities was 8 March 1999 (i.e. Women's Day).

In both Houses, membership of such bodies ensures representation of all political, administrative and union components. The Committee on Equal Opportunities of the Chamber of Deputies includes 4 women MPs, 4 female employees designated by the Secretary General, who acts as secretary to the committee and represents the Administration. The Committee on Equal Opportunities of the Senate is composed of 3 women Senators, 3 female employees and 1 female parliamentary official, appointed by the President of the Senate, who acts as secretary to the committee and represents the Senate Administration.

In order to promote and ensure equal opportunities for men and women in the workplace, the Committees of both Houses submit proposals and opinions to the respective Bureaux concerning work organisation, working hours, training programmes and support services. The Committee on Equal Opportunities of the Senate - I shall refer to it because I know it better - started its activity by sending a questionnaire to all female employees containing 25 questions on their work experience in the Senate. The questionnaire results were then assessed by the Senate Administration and Bureau.

Among the initiatives taken by the Committee during its first years of activity, one of the most significant has been a request to the Bureau to apply to the Senate Administration a law that came into force in Italy in 2000, entitled "New rules on the protection of parenthood" and concerning both fathers and mothers. Personally, I believe that this law is far more effective in promoting equal opportunities than previous measures specifically meant to women. It broadens existing legislation and extends some provisions on the protection of parenthood to working fathers. In particular, it established that fathers too may take parental leave, for limited periods, in order to take care of their children under 3 or 8 years of age, depending on circumstances.

Both parents are thus placed on an equal footing. On the one hand, fathers can - if they so wish - establish a stronger bond with their children during their early childhood; on the other, women are not necessarily the only ones whose career is affected by parental leaves. According to statistics, in Italy the female component of the labour force has strongly increased, but men still largely outnumber women in the most demanding jobs and in top positions. At the Senate, women employees account for 41% of total staff, but only 25% are senior officials.

Following the request addressed to the Bureau by the Committee on Equal Opportunities, the above-mentioned law on the protection of parenthood has been applied to the Senate Administration, with some modifications aimed at preserving the most favourable conditions, through an amendment to art. 39 of the consolidated text of Administration Rules on the Senate Staff.

It is worthwhile noting that since the introduction of the above amendment the number of male employees taking parental leave to look after their children has strongly increased. Their percentage, previously negligible, had already reached 20% in 2001 and has constantly grown, reaching 28% early this year."

**Mr Ian HARRIS, President** *thanked the speaker for her contribution and invited members to ask questions.*

**Mrs Marie-Andrée LAJOIE (Canada)** said that in the House of Commons there were 55% men and 45% women among the non-political staff, that proportion being 60% 40% for managerial staff and 50% 50% at the level of secretary-general.

The policy followed was based on the law on equality at work, which was aimed also at protection minorities, disabled et cetera. The Parliamentary administration was not formally subject to that law, but it respected the spirit of it.

**Ms Heather LANK (Canada)** said that the Canadian Senate was not elected, but nominated by the Governor General on the recommendation of the Prime Minister. A policy of nomination in favour of women had been deliberately followed in the course of the last few years.

In terms of staff management, the administration tried to reconcile equality between men and women and the necessity to promote on the basis of merit. On this basis there were advantageous rules for parents, which allowed them to have up to 12 months parental leave on 93% of their salary, and therefore to have an easier family life.

**Mrs I Gusti Ayu DARSINI (Indonesia)** said that progress could only be said to have been made from the moment when proper strategies based on the partnership between men and women were put in place. The Indonesian election law reserved 30% of seats for women but that was not always put into application. In recruitment, no discrimination was possible in theory, but in fact inequality persisted.

**Mr Emmanuel BAKWEGE (Uganda)** said that in Uganda the strong inequality in favour of men had led to the adoption of vigorous measures, as for example the quotas for women in political elections. In civil service competitions, female candidates were deliberately given an advantage over men in the form of a bonus number of points.

At the current moment 40% of the parliamentary staff were women. It would be difficult to increase that proportion in the short term, because recruitment had to be based on ability and qualifications of candidates rather than their sex.

**Mr Khondker Fazlur RAHMAN (Bangladesh)** said that in Bangladesh equality between men and women was recognised by the Constitution, the law and in all spheres of public life. In 1973 15 seats in Parliament out of 315 were reserved for women, which had not at that time been acted upon; in 1986 32 women had been elected. In the near future the Constitution would be amended to reserve 45 seats for women, which would be near the 10% of seats reserved for women within the Government.

**Mr Yogendra NARAIN (India)** said that in India there were various constitutional provisions in favour of women, which applied to the parliamentary service. In particular, the Constitution allowed discrimination in favour of women, and also set down the principle of absence of any discrimination into terms of hiring or pay.

In 1990 a Parliamentary Committee on the Rights of Women had been established. In 1993 India had ratified the Convention prohibiting any discrimination against women, as well as other international agreements.

**Mrs Lulu MATYOLO (South Africa)** said that equality between men and women was laid down in the South African Constitution, and that within the framework of affirmative action it

was possible to put in place positive discrimination in favour of women. Nonetheless it was true that apart from the sex of the person who was a candidate for a job merit should be the criterion.

In Parliament, where the Council of Provinces was directed by women, every manager had to ensure the equality of men and women within his or her service and was checked on that point by an audit of who had been hired. Managers were also educated in the necessity of discouraging sexual harassment

The situation in South Africa showed that in addition to a simple headcount and a policy based on quotas, voluntary practices existed in favour of women and these were put into effect with determination.

**Mr Anicet HABARUREMA (Rwanda)** said that the approach to the question of equality was necessarily different in rich countries and developing countries. In developing countries difficulties frequently arose because of national culture, but also because of differences in education linked, among other things, to the colonial past.

Nonetheless, in Rwanda equality of men and women was a fact.

**Mrs Panduleni SHIMUTWIKENI (Namibia)** said that Article 10 of the Namibian Constitution laid down equality before the law, and that various laws had been agreed to which specifically dealt with these questions (the law on civil service, the law on employment et cetera). At the present moment a third of candidates at elections had to be women.

A Bill was being discussed on the problem of rape and the struggle against domestic violence.

She added that an entire section of the National Development Programme dealt with women and the struggle against illiteracy.

**Mr Michael POWNALL (United Kingdom)** said that in United Kingdom men remained in the majority in key posts. Nonetheless, the situation was rapidly changing thanks to a voluntary policy on recruitment of women.

One issue arose from spouses working together in the same office. Official guidance had been established to apply in these circumstances. Amongst other things, this would prevent situations arising in which a married couple or partners worked closely together or where an individual supervised and reported on his or her spouse or partner.

**Mrs Hélène PONCEAU (France)** summed up the debate by saying that three main points seem to have emerged:

- the first was the contribution of the law in the widest sense in bringing about change in political life (access to electoral mandates), as well as in professional life;
- the second was that parliamentary administrations seemed to be privileged areas; this was linked with a desire on the part of political authorities to show an example and go beyond the letter of the law;
- the third was the importance of public opinion in solving problems and the view of society on the role of women.

**Mir Ian HARRIS, President,** *thanked Mme Hélène PONCEAU and all participants in the debate.*