

Equal and Inclusive Representation of Women in Decision-Making Systems:

A discussion on the Forthcoming Cedaw'S General Recommendation

Breakfast meeting - 21 April 2023, 9.00-11.00

OSCE Documentation Centre in Prague - Náměstí Borise Němcova 529/2 - 160 00 Prague

*Organized by OSCE Documentation Centre in Prague, the Institute of International Relations in Prague
and the World Trade Institute of the University of Bern*

*In the framework and with the support of the Horizon Europe project HRJust (States' Practice of Human Rights
Justification: a study in civil society engagement and human rights through the lens of gender and intersectionality)*

Background

At its 84th session - scheduled in Geneva from 6 to 24 February 2023 - the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) Committee held a half-day of general discussion on "Equal and inclusive representation of women in decision-making systems". The discussion constituted the first step in the drafting of a new General Recommendation on the equal and inclusive representation of women in decision-making systems (GR 40), which would provide guidance to States parties to the CEDAW Convention on the measures they should adopt to ensure full compliance with their obligations to respect, protect and fulfil women's human right to equal and inclusive representation in decision-making systems.

Indeed, when it comes to participatory rights, the CEDAW Convention includes two relevant provisions: Article 7, according to which "States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country [...]" (thus defining the internal dimension of participatory rights) and Article 8, which affirms that "States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations" (thus relating to the external dimension of participatory rights). The CEDAW Committee had already adopted two General recommendations (No. 23 and 25) in order to guide States Parties in the implementation of the relevant provisions.

As specified by the "Concept note on the future general recommendation on equal and inclusive representation of women in decision-making systems" prepared by the CEDAW Committee, "[t]he aim of the future General Recommendation, which shall complement and update General Recommendation No.23 (1997), is to give a decisive impetus to women's equal and inclusive representation in decision-making systems, based on a global and inclusive dimension [...]. More broadly, the future General Recommendation aims to initiate a comprehensive and harmonized analysis of all the articles of the Convention to address structural obstacles that prevent equal and inclusive representation of all women in decision-making systems [...]. The future General Recommendation aims at a new form of representation for women, notably to move away from mere participation and towards equal and inclusive representation".

The preparation of the forthcoming recommendation raises a number of questions regarding not only the current implementation of articles 7 and 8 of the CEDAW Convention, but also on the regulatory gaps that still exists when it comes to ensure equal and inclusive representation of women in decision-making systems at both the national and international levels.



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Accordingly, it is important to understand how the CEDAW Convention is currently implemented also the national level, but also what is the role of other international stakeholders in achieving this goal. Indeed, as reminded also in the CEDAW Committee's Concept note, "[a]ny response to these challenges must include and involve all stakeholders in the decision-making systems".

In this regard, OSCE plays an important role. Already in 2004, the OSCE Ministerial Council's Decision No. 14/04 (2004 OSCE Action Plan for the Promotion of Gender Equality) expressly "[e]ncourag[ed] participating States to submit more female candidates for positions in the OSCE, in particular at senior and policy-making levels" and recommended those States that "are parties to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) [...to] report regularly and on time to the respective bodies, and include women's organizations in the preparation of their reports". Additionally, in 2009, the OSCE Ministerial Council's Decision No. 7/09 (Women's Participation in Political and Public Life), "[c]all[ed] on the participating States to [...] consider possible legislative measures, which would facilitate a more balanced participation of women and men in political and public life and especially in decision-making".

Given the relevance and the importance of this topic, this meeting gathers experts from academia, international organizations, civil society and governments, in order to reflect on the issues at hand.

The meeting is held in the framework and with the support of the HRJust Horizon Europe project, a 36-month Research and Innovations Action (RIA), which falls under the call HORIZON-CL2-2022-DEMOCRACY-01 (Reshaping democracies), which aims to address significant and important gaps in human rights regulations and to develop a theory of human rights justifications.

Human Rights Justifications (HRJ) as envisioned in the HRJust Horizon Europe project are when States use human rights to justify decisions. Human rights regimes in contrast operate on the presumption that only individual persons can be in possession of human rights. The regulatory gaps occurring when the States use HRJ for their actions are two-fold, one in the regulation of the States' use of HRJ and one in the individual human rights protection when States use HRJ.

HRJust aims to develop a theory of HRJ and a process for Systematic Ongoing Civil Society Engagement as a tool for a gender and intersectional inclusive Civil Society engagement. HRJust is to identify gaps in human rights regulations and protection, serving as underpinning data for our recommendations to EU in support of a multinational human rights system and promotion of transnational democratic governance.

The HRJust project is coordinated by the University of Gothenburg (SE) and involves 15 partners, including the World Trade Institute of the University of Bern (CH) and the Institute of International Relations in Prague (CZ).

More info on HRJust are available [here](#).



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Agenda

9:00 - 9:20

*Arrival, registration and seating of participants**

*All participants must present an ID with photo at the reception

9:20 - 9:40

Welcome speech - H.E. Ambassador Irena Krasnicka (Head of the OSCE Documentation Centre in Prague)

Introductory speech – Dr Lara Scarpitta (Senior Adviser on Gender Equality, OSCE)

9:40 – 10:20

Chair: Dr Pelin Ayan Musil (Institute of International Relations in Prague)

Introduction to CEDAW Recommendations: a focus on the Czech Republic – Dr. Zuzana Fellegi (Anglo-American University, Prague)

The CEDAW Draft General Recommendation on equal and inclusive representation of women in decision-making systems
- Prof. Elisa Fornalé (World Trade Institute, University of Bern, Switzerland)

10:20-10:50

Discussion

10.50-11.00

Concluding remarks and presentation of the Horizon Europe HRJust project - Dr Federica Cristani (Institute of International Relations in Prague)



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