

ADVOCACY CAMPAIGN TO SUPPORT THE ADOPTION OF TEMPORARY SPECIAL MEASURES TO PROMOTE WOMEN'S REPRESENTATION IN ELECTED OFFICES IN GEORGIA



In Georgia, significant steps have been taken to strengthen women's political participation. However, the analysis of the legislative framework and analysis of related qualitative studies have shown that additional reforms are needed to sustain progress in this area and to achieve substantive gender equality in the country.

Georgia's constitution of 1995 (with amendments through 2018) provides for the principle of equality before the law among all persons without discrimination including on the grounds of sex (Article 11 Paragraph 1). It asserts that the State shall provide equal rights and opportunities for men and women and shall take special measures to ensure the essential equality of men and women and to eliminate inequality (Article 11 Paragraph 3). In terms of political participation and representation in elected offices, the constitution uses a gender-neutral language to provide for the right to form a political party and participate in its activities (Article 23 Paragraph 1), to participate in referendums and elections (Article 24 Paragraph 1), to hold any public office (Article 25 Paragraph 1) and to get elected as a Member of Parliament (Article 37 Paragraph 4) to all Citizens of Georgia as long as the individuals meet the requirements established by legislation.

Since 2002, numerous efforts have been made to implement a mandatory gender quota in the Georgian parliament. The initial move toward legislated gender quotas came with an amendment to the Law on Political Associations of Citizens. This introduced a financial incentive system for political parties: a party that nominated two female candidates for every ten on the proportional list would be rewarded with a 10 percent increase in basic funding. This incentive was later boosted, specifying that a party

would receive a 30 percent supplementary budget funding if it placed a candidate of the opposite sex within every trio on the list. These provisions entered into force right after the proclamation of the final results of the local elections in 2014. Unfortunately, this incentive did not have sufficient effect for Georgian political parties, and therefore the necessity of introducing gender quotas remained at the forefront of the political agenda.

UNDP's role in the adoption of TSMs

For over two decades, UNDP has been assisting Georgia to achieve its gender equality goals. This assistance has notably centred on women's political empowerment at both national and local levels, as well as fostering a legal framework that champions equality across various spheres of life. In line with this mission, UNDP and the U.S based National Democratic Institute (NDI) supported in 2014 the creation of the Task Force on Women's Political Participation. The task force is co-chaired by UNDP and NDI and is a temporary, informal coalition, with the goal to increase women's political participation, including by advocating for mandatory gender quotas. The coalition included upon its formation more than 20 local and international organizations and has pushed since then for the adoption of legislative gender quotas.

To improve its lobbying effectiveness, the Task Force created a special "Group of Supporters." The Group consists of legislative and executive authority representatives, and parliamentary and non-parliamentary political parties' representatives who support the idea of increasing women's political participation in Georgia and their role is to assist the task force building on the competences, access, influence each member brings.

In 2015, the Task Force crafted and presented a legislative proposal to the parliament. This proposal advocated for a 50 percent quota within the proportional representation system, effectively translating to 25 percent of the total MPs. Unfortunately, this legislative initiative failed due to insufficient political will and support. In September 2017, the Task Force elaborated another legislative proposal with a coalition of local and international organizations. The proposal was submitted to the Parliament with 37,000 signatures and included the introduction of the so called "zipper" system¹ for the parliamentary and municipal (local) elections. It also proposed that if an elected member resigned from the post for any reason, a vacant seat would be filled by the next candidate of the same gender. Unfortunately, despite expressed readiness for support from several political parties, this third legislative initiative also failed in the Georgian Parliament. Not enough votes were collected at the plenary session.

Constitutional amendments in 2017 moved the country to a parliamentary system of governance. Consequently, the reform introduced an indirect election of the president starting from 2024, reduced the powers of the newly elected president and enhanced the powers of the prime minister and the Parliament. The 2018 presidential elections were the last direct presidential vote and in view of these changes, the President was elected for a term of six years (2018- 2024).

1 The zipper system, also known as "vertical parity" or the "zebra system", is a type of gender quota for party lists in proportional representation electoral systems. It requires that parties alternate between women and men on their candidate lists, meaning that 50 percent of the candidates are women and 50 percent are men.



In 2018, Georgia elected its first woman President, Ms. Salome Zourabichvili. International and domestic observers declared that the presidential election was competitive and free but highlighted many irregularities and accordingly raised recommendations to improve the electoral process to bring it further in line with international obligations and standards for democratic elections. Among the priority recommendations was the reform of the electoral legislation.

The political crises that followed the presidential election led the Georgian Dream ruling party to establish a working group under the Georgian Parliament with the mission to come up with recommendations to amend the electoral code. The working group included parliamentarians from the ruling party and the opposition parties, civil society organizations working on democratic governance reform as well as international partners.

In 2018, UNDP and NDI through the Task Force and specifically through the affiliated women's organizations supporting gender equality succeeded to make their way to the working group established under the Georgian Parliament. In doing so, they directly lobbied the MPs –mostly men- for the adoption of legislative gender quotas in the new electoral code as part of the reform process of the electoral code. Women CSOs stressed throughout the working group sessions that women's participation in politics is a critical factor for the democratic development of the country. The Task Force's "Group of Supporters" also played an important role to push towards the inclusion of legislated gender quotas in the recommendations for the electoral code reform.

Despite several political crises and deadlocks, the Task Force continued working with individual parties and women politicians at the national and local levels to raise the awareness of political parties about the advantages of inclusive democracy and the importance of gender quotas. It also sought to equip already elected women politicians at national and local levels with knowledge and resources to enhance their meaningful participation in decision-making and to allow them to create a network of future women politicians, who could participate in future elections.

In addition to supporting gender quotas in the country, UNDP has provided technical support to the government of Georgia and other stakeholders to generate evidence, develop policies and legal frameworks that promote gender equality and women's political participation. UNDP conducted research and analysis on the barriers to women's political participation in Georgia and the benefits of gender quotas and organized various forums, workshops, and other events to promote dialogue and raise awareness about the importance of gender quotas and women's political participation among policymakers, political parties, civil society organizations young people, and the public. Training and capacity building support was provided to political parties to increase their knowledge and understanding of gender equality and to help them implement gender quotas effectively.

Georgia Dream and several other parties across the political spectrum supported gender quotas as part of their broader agenda to promote gender equality and women's empowerment in Georgia. The parties recognized that women were underrepresented in political decision-making and that gender quotas could be an effective tool to increase women's participation in politics.

In July 2020, the parliament of Georgia adopted a number of amendments to the Electoral Code, including instituting legislative gender quotas effective through 2032. The implementation of these gender quotas is outlined as follows:

Parliamentary Elections of 2020 to 2028:

- ◆ Political parties must structure their proportional party list in such a manner that a minimum of one in every four candidates on the list submitted to the Chairman of the Central Election Commission (CEC) represents a different gender.

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Parliamentary Elections were held in October 2020 and the legislative gender quotas were implemented for the first time after their adoption three months earlier on 2 July 2020. All 50 registered electoral subjects who participated in the parliamentary elections agreed to adopt the gender quota, with 29 qualifying for 30-percent additional state funding for having exceeded the requirement. 30 women were elected to the Parliament of Georgia, constituting 20 percent of women's representation, which later declined to 19.3 percent as one woman MP joined the government and left the Parliament without a possibility of substitution.² Before the gender quota, women's representation in parliament was lower. For example, 16 percent in 2016 parliamentary elections, 12 percent in 2012's parliamentary elections and 6 percent in 2008's parliamentary elections.³

The adoption of the legislative gender quotas for the parliamentary elections gave momentum to the advocacy efforts to influence the negotiations in the parliament on the Local Self-Government Code. In preparation for the 2021 Local Self-Government Elections (Sakrebulo elections),⁴ the Task Force scaled up the capacity building activities targeting ruling party MPs with the objective to provide them with knowledge and expertise to ensure legislative gender quotas are included in the Local Self-Government Code which was under review in the parliament.

In parallel, UNDP and NDI supported the provision of platforms for exchange between women ruling party MPs, other political parties and CSOs. These platforms allowed CSOs as well as political parties to discuss their positions on the issue of underrepresentation of women at the local government level.

2 <https://localgov.unwomen.org/country/GEO>

3 UNDP and NDI (2022) "Mandatory Gender Quota in Georgia: Practice of the 2020 and 2021 Elections". <https://www.undp.org/sites/g/files/zskgke326/files/2022-12/undp-georgia-gender-quotas-2022-eng.pdf>

4 In Georgia, there are 3 spheres of government: central, intermediate (the Autonomous Republic of Abkhazia and the Autonomous Republic of Adjara), and local. Local government is organized into one tier of 70 municipalities, consisting of 64 self-governing communities and 5 self-governing cities. The Autonomous Republic of Abkhazia is divided in 6 municipalities; the Autonomous Republic of Adjara is divided in 5 municipalities and 1 self-governing city. Cf to: <https://localgov.unwomen.org/country/GEO>

UNDP also launched the *First Time Voters Programme* to enhance youth participation in democracy building and electoral processes and build knowledge among first-time voters.⁵

Key Findings from the UNDP and NDI Study on Mandatory Gender Quotas in Georgia (2022)

In 2022, UNDP and NDI published a study which examined the mandatory gender quota mechanism in Georgia and its enforcement in practice by using the examples of the 2020 Parliamentary and 2021 Local Self-Government Elections. The following are the key findings:

Effectiveness of mandatory gender quotas:

- ◆ The introduction of mandatory gender quotas has proven to be effective.
- ◆ Political parties generally support the concept of gender quotas.
- ◆ The mechanism has brought forward many new and proactive women who had previously been limited to internal party activities.

Representation discrepancies:

- ◆ Despite women comprising over half of Georgia's population, their representation in the Parliament stands at just 19.1%.
- ◆ The international benchmark for women's representation in politics is 50%, but the proportion defined by Georgia's Election Code fails to promote genuine equality or ensure appropriate women's representation in the legislature.

Quota adequacy for substantive equality:

- ◆ For significant female representation in politics and policy-making, both centrally and locally, it's vital that the set quota adequately reflects the desired representation.

Duration of quotas:

- ◆ The stipulated time frame for the gender quotas poses challenges.
- ◆ To ensure long-term gender equity in political representation, there's a need to revisit the legal framework and prolong the application of these quotas.

Source: <https://www.undp.org/sites/g/files/zskgke326/files/2022-12/undp-georgia-gender-quotas-2022-eng.pdf>

The Task Force scaled up its awareness raising activities targeting the general public on the role local elected women can play to address local policy issues affecting women and improve local development. On June 28, 2021, the parliament of Georgia voted for the adoption of legislative gender quotas for the Local Self-Government Elections. The Local Self-Government Code as amended includes legislative gender quotas until 2028 and efficient enforcement measures to be implemented as follows:

- ◆ The procedure for drawing up the party proportional list for the Self-Government Elections⁶ until 2028 is determined by the political party in such a way that at least one out of every three candidates on the party list must be a representative of a different sex.

5 See <https://www.undp.org/georgia/stories/shall-we-go-vote> and <https://www.undp.org/georgia/press-releases/young-people-advocate-voting-local-elections>

6 Municipal council elections are held on the basis of proportional and majoritarian electoral systems; a voter has one vote based on the proportional electoral system and one vote based on the majoritarian electoral system. <https://localgov.unwomen.org/country/GEO>

- ◆ The party which does not comply with this condition following the CEC/Chairman of the respective District Election Commission's warning to do so, is eliminated from the elections.
- ◆ If the term of office of a Member of Sakrebulo (Local Council) elected by the proportional election system is terminated, a representative of the same sex will take place. If there is no candidate of the same sex in the party list submitted, the mandate is cancelled.

Mandatory gender quotas adopted for the local elections were implemented for the first time in the 2021 local self-government elections. The number of women elected reached a historical 24 percent.⁷ Before the gender quota, women's representation in local governments was low: 11.1 percent in 2010,⁸ 11.6 percent in 2014⁹ and 13.8 percent in 2017.

While recognizing a significant improvement in women's representation past parliamentary and local elections, the Task Force continued to advocate for increasing the duration and proportion of the mandatory gender quotas enshrined for the parliamentary Elections. Moreover, the task force intensified its awareness raising activities on the importance of women's representation in elected offices, on gender sensitive legislation and policies, etc. According to an NDI public attitude survey of 2021, about half of the population supported an equal representation of women and men in Parliament.¹⁰

On 9 February 2023, in its third and final reading, the Georgian Parliament approved the amendments to the electoral code on gender quotas with 88 votes in favour and 3 against. The amendments were adopted under a fast-track procedure. The following new provisions were adopted for the parliamentary elections:

- ◆ The period of validity of gender quotas for the parliamentary elections in proportional party lists is extended until 2032: gender quotas will be in place not until but including 2032 elections.
- ◆ The procedure for drawing up the party proportional list for the Parliamentary Elections scheduled for October 26, 2024, as well as for the next parliamentary elections scheduled before 2028, is determined by the political party in such a way that every fourth person should be a woman (not, as it was specified before, "a person of another sex").
- ◆ The procedure for drawing up the party proportional list for next Parliamentary Elections is determined by the political party in such a way that there is a woman in every third position.

UNDP is also supporting political parties to define rules for attracting, recruiting, engaging and promoting their women's members, particularly through parties' women wings. Currently, political parties did not commit to making any internal change to adopt voluntary quotas, however, their endeavours to establish and support their women's wings as well as a number of testimonies raised by political leaders, gives hope that a number of political parties are foreseen to establish voluntary quotas after the duration of the mandatory gender quotas 2032.

7 <https://localgov.unwomen.org/country/GEO>

8 UNDP and NDI (2022) "Mandatory Gender Quota in Georgia: Practice of the 2020 and 2021 Elections". <https://www.undp.org/sites/g/files/zskgke326/files/2022-12/undp-georgia-gender-quotas-2022-eng.pdf>

9 UNDP and NDI (2022) "Mandatory Gender Quota in Georgia: Practice of the 2020 and 2021 Elections". <https://www.undp.org/sites/g/files/zskgke326/files/2022-12/undp-georgia-gender-quotas-2022-eng.pdf>

10 UNDP and NDI (2022) "Mandatory Gender Quota in Georgia: Practice of the 2020 and 2021 Elections". <https://www.undp.org/sites/g/files/zskgke326/files/2022-12/undp-georgia-gender-quotas-2022-eng.pdf>





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