



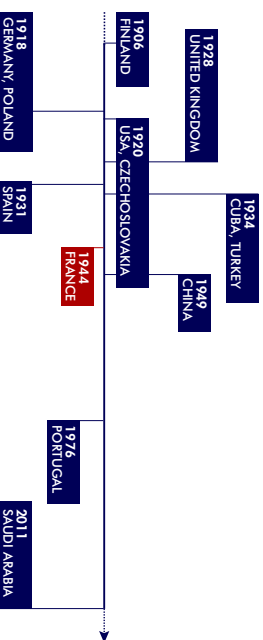
# Parity: A democratic horizon yet to be reached, in the political, professional and social spheres

## Parity democracy: from the international to the national level, from the political to the economic stage

The word "parity" is used as meaning both the international and european claim for a **gender equal power sharing**, along with its national regulators enforcing or encouraging a gender equal distribution of candidatures or seats in any decision-making Assembly, be it **political, economic or social**.

In France, women only won the right to vote in 1944 (Decree, 21 April 1944) and the proportion of male Members of Parliament still stood at 73% in 2016. Yet, France has been the first country which adopted a legislation aiming at electoral gender parity, in 2000. Since 2008, gender parity has extended beyond politics, and is now enforced in the professional and social fields, where power issues are also significant.

### Chronology of Women's fight to vote and stand for election: the French delay



In 2017, France ranks 15<sup>th</sup> out of 191 countries, in terms of gender parity in the Lower (or Unique) Assembly, in a decreasing order

1	Rwanda	61,3%
2	Bolivia	53,1%
3	Colo	48,9%
6	Sweden	43,6%
7	Mexico	42,8%
8	Finland	42%
9	South Africa	42%
10	Senegal	41,8%
13	Norway	39,6%
14	Spain	39,1%
15	France	39%
17	Ethiopia	38,9%
56	Peru	27,7%
99	Saudi Arabia	19,2%
101	United States of America	19,4%

Source : Inter-Parliamentary Union, on September 1<sup>st</sup> 2017.

## Key Acts on gender parity

**Constitutional amendment 1999 (6/7/1999):** Articles 3 and 4 of the French Constitution were modified: The Article 3 was complemented with "The Law encourages equal access by men and women to electoral mandates and elected positions"; Article 4 specified that "political parties and groupings contribute to the implementation of this principle".

**Act 2000 (6/6/2000):** established the legal obligation of submitting gender equal lists of candidates for **plurinominal polls**; set up a financial penalty (withholding part of the public financial support) for political parties whose list of **Parliamentary candidates** does not comply with the parity obligation (the differential among both sexes shall not exceed more than 2%).

**Act 2007 (31/1/2007):**

- It established a rule of strict alternation by sex in the order of presentation for the lists candidates to local elections (> 3 500 inhabitants) and introduced the legal obligation of gender parity in local and regional executive Councils.
- It also increased the financial withholding for those political parties escaping the obligation of designating a gender equal number of candidates to the Parliamentary elections of 2012.

**Constitutional Amendment 2008 (23/7/2008):** Includes in the First article of the Constitution "the Law encourages equal access by men and women to electoral mandates and elected positions, as well as to positions of responsibility in the professional and social areas"

**Copé-Zimmermann Act 2011 (27/1/2011):** Set an objective of reaching by 2017 a minimum membership of 40% representatives of one sex to the **Board of Directors and supervisory Board** of listed companies, or companies employing more than 500 persons and whose turnover is over 50M€. **Sauvadet Act 2012 (1/2/3/2012):** Sets a double target for the public service due to be reached by 2018:

- 40% of women among civil servants designated for the first time to positions of responsibility/management, based on an initial target of 20% in 2013.
- 40% in all Boards of Directors/Supervisory Board or equivalent organs in public corporations, selection panels, industrial relations bodies.

**Forcasso Act 2013 (22/7/2013):** enlarged the objective of gender parity to the lists of candidacies and designation to **decision-making bodies in the field of higher education and research**.

**Electoral Act 2013 (1/7/5/2013):**

- Set up a binominal list system (one woman and one man as paired candidates) for **Departmental elections**
- Expanded the rule of strict alternation by sex to local and intercommunal elections in order to reinforce parity: it shall apply on lists of candidates to local polls in cities above 1.000 inhabitants, as well as to intercommunal council elections.

**Yallaud-Belkacem Act 2014 (4/8/2014):**

- Doubled the financial penalty for political parties escaping parity rules (legislative polls)
- Enlarging or accelerating the enforcement of the rule for a gender balanced representation in a number of public corporations, private companies or sports federations:
  - Board of Directors and Supervisory Board of public corporations and companies
  - Chambers of Commerce and Industry; Economic, social and environmental regional Councils; consultative bodies...
- Board of Directors of companies whose workforce ranges above 250 employees
- Sports federations
- Public institutions in the field of cultural cooperation.

1 - The Prime Minister, by a circular dated 23/6/2012, moved the deadline as relates to first designations to positions of responsibility to 2017.

## Challenges and prospects

More than a decade after the enforcement of the first gender parity Acts, major issues remain at stake today:

- Encourage and obtain the enforcement of gender parity in those decision-making bodies where it is not yet rooted (professional, economic and social bodies)
- Achieve a genuine power-sharing articulating both "quantitative" and "qualitative" parity. Beyond the 50/50 representative power-sharing among women and men, one must assess the effective roles and positions shared among women and men. Who is the President or the Secretary of an Association? Who holds the portfolio of Finance of Family Affairs in a Town council? ...

In the context of the law on real equality between women and men of 4 August 2014, the High Council for Gender Equality provided recommendations to the Government in order to achieve quickly the parity requirement.

### Implementing provisions for parity rules by election and voting system

	Elections	Candidates	Executive Councils
	Local and intermunicipal (less than 1.000 inhabs)	No legal constraint	No legal constraint
	Local and intermunicipal (above 1.000 inhabs)	Zipser system (one man/one woman) <sup>2</sup>	Majority: no legal constraint Deputy mayors: equal number of women and men Intermunicipal president and deputy presidents: No legal constraint
List system	Regional	Zipser system (one man/one woman) <sup>2</sup>	Presidency: No legal constraint Standing Committee: Strict alternation by gender <sup>1</sup> Vice-Presidencies: women-men equality
	European	Zipser system (one man/one woman) <sup>2</sup>	-
	Senate – Departments returning 3 or more Senators (73% of the number of Senators)	Zipser system (one man/one woman) <sup>2</sup>	-
Voting for a single candidate	Senate – Departments returning one or two Senators (27%)	No legal constraint	-
	legislative	Financial penalties: i.e. withholding public support to non-compliant parties (number of candidates by sex exceeding a 48/52% range)	Presidency: No legal constraint Standing Committee: Strict alternation by gender <sup>1</sup> Vice-Presidencies: women-men equality
Binominal system	Communal/Departmental	Paired candidates (woman and man) per canton	-

Source 1 : "High Council for Gender Equality – 2014, introduction of a strict alternation by gender by the laws of 11 April 2003 and of 31 January 2007".