

# **Increasing women's political representation and participation in Cambodia through the implementation of gender quotas**

## **Executive Summary**

The overarching objective of this paper is to provide recommendations for the implementation of gender quotas in Cambodia.

The paper first considers why it is important to achieve gender equality in politics, and asks eight individuals, who are working in Cambodia to promote the role of women in politics, why they think it is necessary for women to be represented in politics. The most common response is that women comprise 52 percent of the Cambodian population and this should be mirrored in the gender composition of the National Assembly, the Senate and Commune Councils. In addition, women's decisions are highly-valued, as it is believed they will pay more attention to issues affecting their community and other women. It was also felt that women are integral to the future development of Cambodia, and women in decision-making roles can act as role models, encouraging others to participate in politics.

When it comes to gender equality, Cambodia's legislation and policies are fairly progressive, but there is a big gap between policy and practice, with women comprising 20 percent of the National Assembly, 15 percent of the Senate and just under 18 percent of Commune Councils. The paper found that although women remain underrepresented in Cambodian politics, there has been a distinct improvement in the number of women participating in politics since 1993, and they are increasingly active in voicing concerns relating to issues affecting them and their communities. However, there are a range of obstacles which prevent women from participating in politics in Cambodia, including economic barriers, social and cultural restrictions, and the nature of the country's political environment can deter women from wanting to become involved in politics.

Gender quotas are considered to be an effective way of increasing the number of female representatives in politics. Quotas have now been implemented in more than 100 countries, with impressive results: in countries with gender quotas, female representation, on average, stands at 22 percent, in contrast with countries with no gender quota, where female representation stands at just 13 percent. More specifically, in 2011, UN Women reported that 28 countries have reached or exceeded the 30 percent critical mass mark for women in parliament, and at least 23 of the 28 countries have used some form of quota to achieve that number.

In Cambodia, there is overwhelming support for gender quotas from local NGOs who see the implementation of such quotas as a vital mechanism to redress gender discrimination in politics. However, there is less support from political parties. FUNCINPEC are the only party who say they are implementing a 30 percent quota on their candidate lists prior to the July 2013 National Assembly Elections, however, there is no written policy on this. The other main parties, CPP, CNRP and LfDP maintain that they support women in politics, but see gender quotas as just one way of increasing women's representation. In addition, there are concerns that gender quotas are un-Constitutional, as they have been interpreted as discriminating against men.

Yet there are ways in which quotas could be implemented in Cambodia to avoid such criticisms. Fundamentally, it is recommended that quotas should be gender-neutral so they cannot be misconstrued as discriminating against men or women. Further recommendations for the implementation of gender quotas in Cambodia include:

**Recommendation One: Legislated Candidate Quotas**

As the Cambodian electoral system is Proportional Representation, the political parties control the list of nominations and the order in which candidates appear on the list. Consequently, they are referred to as the 'gatekeepers' to women's representation. Legislated candidate quotas would oblige political parties to either ensure that a minimum number of candidates are female, or if the quota is gender-neutral, the quota will demand, for example, no more than 60 percent and no fewer than 40 percent of either sex.

**Recommendation Two: Legislated Zipper System**

Legislated candidate quotas on their own will not suffice in Cambodia as it is common for female candidates to be placed at the bottom of the candidate list during elections at all levels.

As a result, it is recommended that the Cambodian government pass legislation for the zipper system to be utilised on candidate lists and this should specify that the name of candidates on the list should be alternated according to sex, so that two persons of the same sex cannot be subsequent on the candidate list. This will guarantee that the candidates listed at the top include both a man and a woman.

**Recommendation Three: Sanctions for Non-Compliance**

Sanctions are necessary to ensure gender quotas are adhered to. It is therefore recommended that the Royal Government of Cambodia have strict enforcement measures to oblige political parties to abide by legislated candidate quotas and the zipper system.

It is recommended that enforcement mechanisms go beyond financial penalties, and instead, sanctions should mandate that party lists that do not comply with the electoral law will not be approved

**Recommendation Four: Reserved Seats in the Senate**

It is recommended that reserved seats are introduced in a gender-neutral way in the Senate, so that it should not comprise more than 60 or 70 percent of either sex.

**Recommendation Five: Not a 'Quota', but a 'Special Measure'**

The word, 'quota' carries a negative stigma amongst Cambodian politicians and policy-makers. Therefore, it is recommended that gender quotas are not referred to 'quotas', but as 'special measures' designed to increase the number of women in politics.

**Further Recommendations:**

A number of risks are associated with the implementation of quotas and there are examples from around the world of quotas doing little to further the women's agenda overall. There is evidence of nepotism and cronyism amongst female politicians and there are concerns that the implementation of gender quotas does no more than pay lip service to women in politics. Yet there are a number of measures which can be taken to ensure women's participation in politics goes beyond numbers. This

paper argues that there are a number of factors which will affect the success of implementing gender quotas, namely the presence of political will, capacity support for women leaders, the re-shaping of patriarchal structures and support from grassroots movements.

The paper concludes that there are indeed a number of risks in implementing gender quotas in Cambodia, but measures can be taken to mitigate these risks; it is recommended that gender quotas should be implemented alongside other strategies so that the barriers which prevent women from entering the realm of politics are addressed.

#### **Recommendation Six: Innovative Lobbying by Local NGOs**

Firstly, it is important for NGOs to highlight the gap between policy and practice; there lies a big difference between government targets, contained within the CMDGs,<sup>1</sup> and the current percentage of female representatives in politics.

It is also key for local NGOs to demonstrate how quotas have been implemented in other countries, without affecting the democratic process. Most importantly, local NGOs need to be effective monitors of government's and political parties' commitment to promoting women in politics. In doing this, NGOs can refer to international human rights and gender equality conventions and agreements, but they should also develop and utilise indicators to measure progress on goals relating to gender equality.

#### **Recommendation Seven: Financial Support for Women in Politics**

High levels of poverty in Cambodia deter women from entering politics. In addition, lack of financial support for female candidates makes it hard for women to campaign on an equal platform with men.

It is therefore recommended that the Royal Government of Cambodia take action to increase the salary of Commune Councillors to ensure members have a 'live-able wage'.

In addition, it is recommended that financial support should be provided to assist female candidates throughout their electoral campaign, particularly those from disadvantaged areas.

#### **Recommendation Eight: Closer Monitoring and Dissemination of the Number of Women in Politics**

It is recommended that monitoring mechanisms are improved, and local NGOs and civil society organisations pay particular attention to positive or negative changes, achievements, challenges and new information that results from their actions in relation to women in politics.

#### **Recommendation Nine: Broader Awareness-raising on the Importance of Women in Politics**

It is recommended that the media play a greater role in promoting the status of women, particularly those who are already in power. Rather than portraying women as victims, we need positive examples in the media of women who are successful leaders; publicising stories of strong women can help to transform traditional gender stereotypes and lead to a wider acceptance of the role of women outside of the home.

It is also recommended that issues relating to democracy, women and gender issues are integrated into the school curriculum to ensure children, teenagers and adolescents have a comprehension of political processes, and also understand the importance of women in politics.

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<sup>1</sup> Cambodian Millennium Development Goals

**Recommendation Ten: Continue with Capacity Development**

Capacity development is key in ensuring women have all of the necessary competencies to participate in politics; competencies which vary from being confident in their ability to partake in politics issues to having the skills to successfully carry out the role. Consequently, it is recommended that capacity development is provided to female candidates as well as women who have already been elected to national and local level politics.

## **Introduction:**

At the Fourth World Conference on Women in 1995, it was agreed that “without the active participation of women and the incorporation of women’s perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved.”<sup>2</sup> Yet almost two decades after this statement was made, women’s visibility within politics is still limited and the Inter-Parliamentary Union (IPU) puts the percentage of women in parliament worldwide at just 20.4 percent.<sup>3</sup>

Although gender parity is still a long way off, there have certainly been improvements since IPU records began in 1997. At that time, the percentage of women in parliament worldwide stood at just 11.7 percent.<sup>4</sup> This improvement could be attributed to a number of factors, including the adoption of gender quotas. Gender quotas help to increase female representation in politics and now exist in more than 100 countries and the majority of quotas have been implemented over the last 15 years.<sup>5</sup> Although quotas are not the sole reason for an increase of the number of women in parliament worldwide, there is certainly a correlation between the two: 20 of the top-ranked 26 countries (for the largest share of women in parliament) use some form of gender quota.<sup>6</sup> Further, in countries with gender quotas, female representation stands at 22 percent in contrast with countries with no gender quota, where female representation is just 13 percent.<sup>7</sup>

In Cambodia, gender quotas do not exist and in 2012 the percentage of women in Parliament stood at 20 percent, increasing from 16 percent in 2008, but decreasing from 21 percent in 2011.<sup>8</sup> Despite assertions from government officials, including Deputy Prime Minister Ms. Men Sam An, that “the Royal Government of Cambodia has been taking steps to increase to the maximum proportion of women’s participation in all levels of national institutions,”<sup>9</sup> there remains a big gap between policy and practice.

The implementation of gender quotas in Cambodia could go some way to increase women’s representation in politics, but the question is: how should such quotas be implemented and enforced to ensure women’s fair and equal participation and representation in politics?

## **Aims and objectives:**

This paper has been written to support the work and future strategy of one of Heinrich Boell Foundation’s (HBF) partners, the Committee to Promote Women in Politics (CPWP). The overarching purpose is to provide a practical and meaningful examination of the effectiveness of proposed gender quotas in Cambodia and provide recommendations for the implementation of such quotas.

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<sup>2</sup> Beijing Declaration and Platform for Action. Paragraph 181. Available online at : <http://www.un.org/esa/gopher-data/conf/fwcw/off/a--20.en> Accessed on January 9th 2013.

<sup>3</sup> Available online at: <http://www.ipu.org/wmn-e/world.htm> Accessed on December 1st 2012.

<sup>4</sup> Available online at : <http://www.ipu.org/wmn-e/arc/world010197.htm> Accessed on December 1st 2013.

<sup>5</sup> Krook, M. (19<sup>th</sup> June 2010) ‘Gender Quotas and Women’s Political Empowerment’ Available online at: <http://www.e-ir.info/2010/06/18/gender-quotas-and-women’s-political-empowerment/> Accessed on 13<sup>th</sup> December 2012.

<sup>6</sup> Ballington, J. (2010) ‘Implementing Affirmative Action: Global Trends’ *IDS Bulletin* 41 (5) p. 14.

<sup>7</sup> Pande, R. and Ford, D. (2011) ‘Gender Quotas and Female Leadership: A Review’ *Background Paper for the World Development Report 2012 on Gender Equality and Development* p. 13.

<sup>8</sup> Available online at: <http://data.worldbank.org/indicator/SG.GEN.PARL.ZS> Accessed online on 13<sup>th</sup> December 2012.

<sup>9</sup> Available online at: [http://www.un.org.kh/index.php?option=com\\_content&view=article&id=355:women-take-their-place-in-parliament&catid=43:latest-press-releases&Itemid=76](http://www.un.org.kh/index.php?option=com_content&view=article&id=355:women-take-their-place-in-parliament&catid=43:latest-press-releases&Itemid=76) Accessed online on 13<sup>th</sup> December 2012.

The paper also aims to draw attention to a policy gap in guaranteeing women's participation in politics in Cambodia, a gap that the government could easily fill if there is a genuine willingness to promote women in politics.

Further aims of the paper are as follows:

- To understand the barriers facing women who wish to enter politics in Cambodia;
- To understand the different types of gender quotas which can be implemented;
- To provide recommendations for the implementation and enforcement of gender quotas in Cambodia, using best practice cases from other countries;
- To provide recommendations which ensure women's presence in politics is substantive and more than just a numbers game; these recommendations will help to promote the qualitative impact of gender quotas; and
- To promote debate, discussion and constructive dialogue on gender quotas among legislators, policymakers, NGOs and civil society in Cambodia

### **Methodology**

This paper incorporates desk research to examine best practice examples for the implementation and enforcement of gender quotas from countries around the world. In addition, information will be drawn from previous studies conducted by HBF on women and leadership in Cambodia. Roundtable discussions hosted by CPWP (on 'Successes and Challenges Experienced by Women in the Recent Commune/Sangkat Election in Cambodia') and Cambodian Centre on Human Rights (CCHR) (on 'Role of Women's Political Participation at National Level') will also be of use in understanding both the current Cambodian context and issues which prevent women's full and equal participation in politics.

In order to understand whether gender quotas would be beneficial to Cambodia and to gain an insight into the current situation 'on the ground', it is important to share experiences with people working within the field of promoting women's political participation. As a result, interviews will comprise a significant part of this research paper and I will speak with eight individuals.

These individuals include:

- Ms Chor Thyda (Project Coordinator, (Project to Promote Women's Political Representation in Cambodia), Cambodian Centre on Human Rights [CCHR])
- Ms Khus Thida (Executive Director, SILAKA)
- Mr Koul Panha (Executive Director, Committee for Free and Fair Elections in Cambodia [COMFREL])
- Ms Men Vannavy (Programme Coordinator, Committee to Promote Women in Politics [CPWP])
- Ms Nhean Sochetra (Director, Gender Equality Department at Ministry of Women's Affairs [MoWA])
- Ms Ros Sopheap (Executive Director, Gender and Development in Cambodia [GADC])
- Ms Sorn Chantha (Youth Activist (Sam Rainsy Party) and Assistant to H.E Mu Sochua)

- Ms Yim Sokunmealea (Program Coordinator (Women's Leadership Program), International Foundation for Electoral Systems [IFES])

## **Outline**

This paper will first discuss why it is important for women to be represented in politics.

Chapter One will consider the role of women in politics; why is it important for women to be equally represented? The answer to this question will be explored using the dominant theoretical discourse as well as answers from the interviews.

Chapter Two will then go on to examine barriers to women's full and equal political participation, both worldwide and in Cambodia. The current situation in Cambodia will also be reviewed and this section will pay particular attention to Cambodian legislation and policies which promote women's political participation; examination of this area enables us to identify the gap between policy and practice.

Chapter Three introduces the concept of gender quotas, explaining the different types of quotas which can be implemented and outlining the impact gender quotas have had worldwide.

Chapter Four then considers how gender quotas could be introduced in Cambodia. This section will provide recommendations for the implementation and enforcement of gender quotas in Cambodia after an examination of 'best practice' examples from around the world. This section also questions whether gender quotas can work in Cambodia and provides further recommendations for ensuring women's participation in politics goes beyond numbers.

## **Chapter One: The Role of Women in Politics**

### **1.1 International commitment to promoting women in politics**

The first-wave of feminist thought on gender and development emerged in the 1970s and became known as 'Women in Development' (WID). In looking at the position of women in developing countries, the WID perspective was based on the premise that women were being 'left behind', in comparison to men, because they were absent at all levels of development, from conception to implementation; they were neglected as beneficiaries and they were excluded from decision-making roles. Since then, efforts have been made to integrate women into areas where they had traditionally been excluded, including politics, to ensure women and men benefit equally from development initiatives.

The CEDAW Convention, adopted in 1979, and ratified by Cambodia in 1992, compelled countries around the world to commit to creating an environment where barriers to women's full and equal participation in the public sphere, including in politics, are removed. Article 7 states that "State Parties shall take all appropriate measures to eliminate discrimination against women in political and public life of the country."<sup>10</sup> Since then, the international community has continued to urge states to take positive and affirmative action through special measures aimed at increasing women's political participation and representation. Indeed, in 1995, the UN Beijing Platform for Action stated that governments should commit themselves to "take measures, including, where appropriate, in electoral systems that encourage political parties to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men."<sup>11</sup> It was also suggested that the world's governments use "specific targets and implementing measures...if necessary through positive action"<sup>12</sup> and it is recommended that political parties "consider examining party structures and procedures to remove all barriers that directly or indirectly discriminate against the participation of women."<sup>13</sup> Such assertions have made way for the adoption of gender quotas in politics; the implementation and impact of such quotas will be discussed in detail in Chapter Three.

Support for women in politics has also come from monitoring bodies, like the Inter-Parliamentary Union (IPU), who regularly examine and analyse the situation regarding women and politics worldwide. The IPU now provide extensive research and data on the number of women in politics worldwide and they also publish an annual report which analyses statistics and trends on women in parliament. International and local NGOs have also made commitments to promoting women in decision-making roles, with many organisations, from UN Women to Women for Prosperity (a Cambodian NGO) implementing programmes and activities which promote women's leadership in decision-making roles.

### **1.2. The role of women in politics**

#### **1.2.1 The main theoretical arguments**

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<sup>10</sup> Article 7 of CEDAW. Available online at: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> Accessed on November 16th 2012.

<sup>11</sup> *Supra* note 1. Article 190b.

<sup>12</sup> *Ibid.* Article 190a.

<sup>13</sup> *Ibid.* Article 191a.



There are two dominant arguments for the inclusion of women in politics. The first refers to descriptive representation; as women make up at least half of the population, this gender composition should be mirrored in governing bodies and women should comprise of at least half of the country's decision-makers.

Secondly, it is understood that women's experiences are different to those of men, and such experiences should be represented in politics. This ties in with the 'substantive representation' argument which refers to representatives advocating for certain groups, i.e. women advocating for other women. It is commonly believed that men and women have conflicting interests, and it is assumed that women legislators will give more attention to issues that concern other women.<sup>14</sup>

### **1.2.2 The Cambodian perspective**

All those interviewed were in agreement that it is important for women to be equally represented in politics; as Mrs Men Vannavy from CPWP explained, "if you think of women being the left hand, and men being the right hand, we cannot lose either hand; we need both hands." A variety of answers were given when asked why it is necessary for Cambodian women to participate in politics.

#### Revisiting history

Historically, women have played an important role in Cambodian politics as "lance-carrying warriors and defenders of the Angkorean kingdom, influential consorts of kings, deviant divas, revolutionary heroines, spiritual protectors of Buddhist temples and agents of peace."<sup>15</sup> Mrs Men sees this as justification for increasing the number of women in politics, believing we should look to Cambodian history to recognise the important role women can play in politics. She notes that historically, "in Cambodian culture, we promoted women. Even now, when we talk to a chief or a district governor for example, we use the word 'mea' first, meaning 'mother'," she says. "But unfortunately, with the Khmer Rouge, the culture of promoting women decreased and men and women become unequal and women were underrepresented in social and political life." Mrs Khus' response was consistent with this argument, as she observed that CPWP have been working to revisit the Cambodian history and culture; not culture as practiced today, but Cambodian culture from hundreds of years ago, where women were country leaders. She notes that "it's not that we are bringing western culture to Cambodia, but we are trying to bring back women into decision-making roles to improve the well-being of society, like it was in the past."

#### Reflecting the population

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<sup>14</sup> Dahlerup, D. (2002) 'Quotas – A Jump to Equality? The Need for International Comparisons of the Use of Electoral Quotas to Obtain Equal Political Citizenship for Women' Regional Workshop on The Implementation of Quotas: Asian Experiences Paper prepared for IDEA workshop in Jakarta, Indonesia, 25<sup>th</sup> September 2002 p. 4.

<sup>15</sup> Frieson, K. (2001) 'In the Shadows: Women, Power and Politics in Cambodia' CAPL Occasional Paper series: 26

The theoretical arguments raised above were mirrored in the answers of those interviewed as they discussed why it was important for women to be equally represented in politics. For example, Mrs Khus Thida, Executive Director of SILAKA, drew upon the descriptive representation argument by noting that the population of women in Cambodia is greater than 50 percent and therefore “we need to hear from women, and we need to use the resources of men and women equally.” Similarly, Mrs Nhean Sochetra Director of the Gender Equality Department at the Ministry of Woman’s Affairs (MoWA) noted that because of the gender composition in Cambodia, women deserved to have a voice in politics and “should have an equal right to participate in politics and have the opportunity to join in decision-making and policy development.” Mrs Nhean was keen to point out that men and women in Cambodia are equal before the Constitution, and therefore “should be equal in politics too.”

### The value of women’s decisions

There were also comments that men and women make different decisions and it was widely thought that women’s decisions were more likely to benefit both the community and other women. It was felt that there should be an equal number of men and women in decision-making roles “to ensure equal benefits in development,” as Mrs Ros Sopheap, Director of GAD/C, said. Mrs Chor Thyda from CCHR added to this by explaining women’s participation in politics is necessary “because the way that men and women look at the situation and make decisions are different.” Mrs Chor went on to explain that women in decision-making roles can play a key part in enhancing the lives of others as “women are a lot closer to the community and have more interests of the real situation relating to economic development, education and health; these are the areas of social development which are very important to local communities.” Indeed, these were the views of women from indigenous communities who formed a part of HBF’s research on promoting political participation of indigenous women in Cambodia; community women said that they felt women valued the protection of resources and livelihood, whilst men were “more prone to the offers of market economy.” It was also noted in the research that some stakeholders view female Commune Councilors as “more attentive to the social problems of the communities, and...more effective in providing benefits to the villagers.”<sup>16</sup> At community level as well, villagers came up with reasons for why it is important to have female representatives: “for us it is very important that a woman is in the Commune Council. We do not speak freely and easily with men, but we can communicate with a woman. And women can help each other better.”<sup>17</sup>

Further, it was noted that women could add to the Cambodia’s development strategy as current development programmes are led by a government comprised mainly of men. Consequently, “policies and legislation regarding development, economic growth and infrastructure, all of this comes from a male perspective” said Mr Koul Panha from COMFREL, “Cambodia needs females as they have different ideas regarding development; maybe they will talk about small businesses and socioeconomic issues as a priority.” Mrs Nhean agrees, stating that it was also important that women are represented in politics to ensure that policies are “gender-responsive.”

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<sup>16</sup> Maffii, M. and Hong, S. (2009) *Promoting Political Participation of Indigenous Women in Cambodia* Heinrich Boll Foundation p. 28

<sup>17</sup> Women from the Bunong community in Sen Monorom district, Mondulkiri province. Taken from *ibid*.

There were concerns that whilst male politicians might not totally ignore issues affecting women, “they think that it is not a serious problem for them.” This was the opinion of Mrs Chor, who also went on to say that “men in high-ranking roles are concerned in big things for the country – they are not interested in the ‘small’ issue of women at grassroots level.” Mrs Ros gave a specific example of the importance of women in decision-making: she noted that during discussions on domestic violence legislation, the issue of marital rape was raised and there were clear differences in the attitudes between men and women. She said that, “in Cambodian culture, if you are married, it is expected that couples will have sex...men don’t really see that marital rape is unacceptable.” In times like this, it is important to have female representatives who can share their perspective on issues like this. However, Mrs. Sopheap noted that women struggle to discuss issues relating to women’s sexual rights and bodies with conservative men; as a result, she thinks that “we need more women with a greater voice to discuss issues like this.”

Mrs Yim Sokunmealea from IFES felt that women could make a difference to the political environment. She believes that women can “have more peaceful discussions” and considers the impact women could have on minimising the practice of corruption in Cambodian politics: “some say that women are less corrupt – I don’t have any evidence of this, but I agree that women are less corrupt than men because women don’t go out a lot and don’t spend much money on happy hour! In Cambodia, [women] spend more time with family, rather than having fun, so they don’t need as much money.”

### Women as role models

There was an overwhelming agreement that women are integral to the future development of Cambodia; Mrs Khus was enthused by the difference women can make once they are involved in politics; she envisages a society where women in politics can educate other women on their rights and sees this as important “so that women can join and participate in society more and more. So they are not kept at home just doing housework.” There were also arguments that women in politics can be role models for other women; as Ms Chantha, a Youth Activist for Sam Rainsy Party said, “previously, people believed that women did not have the capability; but this is a new generation.” She notes that in her job as a Sales Manager for Asia Life, she manages other male colleagues and has been able to demonstrate her capability, “I prove to them that I can do it and be a good boss,” she says. There seemed to be agreement amongst those interviewed that when women get into politics, they become positive role models for other women.

## Chapter Two: Barriers to Women's Political Participation and the Current Situation in Cambodia

### 2.1 Barriers to women's political participation: a global analysis

The way in which the world's institutions and structures are ordered means that women have struggled to achieve gender parity in a number of areas, from education to health, in labour and in law, in land and property ownership and in decision-making roles, both inside and outside the home. Attaining gender equality in politics has also had its challenges and although there are now more women in parliament than ever before, women are still underrepresented, with the percentage of women in parliament worldwide standing at just 20.4 percent.<sup>18</sup> The number of women holding top positions in politics produces even starker results: out of 152 Heads of State, just 8 are women, and out of 193 Heads of Government, just 14 are women.<sup>19</sup>

These patterns of gender inequality are not confined to national-level politics, but also at sub-national level, in local councils and communes around the world; why is this the case?

Some have reduced reasons for the underrepresentation of women in politics to a simple 'supply' and 'demand' paradigm whereby a lack of both 'supply' and 'demand' for female candidates has resulted in a shortage of women in decision-making roles. It is argued that 'supply' is determined by structural factors, so in a world where political figures are often highly-educated and come from particular professions, like law, it is not surprising that there is a lack of 'supply' as women are not put forward as candidates; without education and employment opportunities, they do not have the "human and financial capital"<sup>20</sup> to run for office.

There also lies a lack of 'demand' as civil society has not called for more women in politics. This can be attributed to the belief that politics is a man's world. This is a common misconception which is echoed in countries across the globe; historically, women have been deemed too emotional to deal with the harsh life of politics and are perceived to fight with their hearts, rather than their heads.<sup>21</sup> This patriarchal ideology has been identified by female politicians as "the biggest stumbling block"<sup>22</sup> faced when trying to participate in politics.

But of course, there are more deep-rooted and complicated factors which hinder women's political participation, including economic dependency, illiteracy and lack of access to education, discriminatory and negative gender stereotypes arising from cultural and social attitudes, responsibilities within the home and lack of information.<sup>23</sup> All of these debilitating components contribute to women's inability to compete equally with men for space in the political sphere.

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<sup>18</sup> Available online at: <http://www.ipu.org/wmn-e/arc/world311012.htm> Accessed on December 21st 2012.

<sup>19</sup> Figures correct as of 1<sup>st</sup> January 2012. 'Women in Politics: 2012' United Nations Entity for Gender Equality and the Empowerment of Women Available online at: [http://www.ipu.org/pdf/publications/wmnmap12\\_en.pdf](http://www.ipu.org/pdf/publications/wmnmap12_en.pdf) Accessed on 13th January 2013.

<sup>20</sup> Paxton, P. and Kunovich, S. (2003) 'Women's Political Representation: The Importance of Ideology' *Social Forces* **82** (1) p. 88

<sup>21</sup> Inter-Parliamentary Union (IPU) 'Politics: Women's Insight' *Inter-Parliamentary Union: Geneva, Switzerland*. p. 23.

<sup>22</sup> *Supra* note 19 p. 91.

<sup>23</sup> Areas identified by Womankind Worldwide. Available online at: <http://www.womankind.org.uk/policy-and-resources/womens-civil-and-political-participation/> Accessed on 11<sup>th</sup> May 2012.

## 2.2 The current situation in Cambodia

This section will examine the current situation regarding women in politics in Cambodia, before identifying obstacles which prevent women's full and equal political participation and representation.

### 2.2.1 Cambodian legislation and policies which promote women's political participation

Cambodian legislation is fairly progressive when it comes to gender equality: the Constitution, for example, mandates that all citizens are equal before the law,<sup>24</sup> whilst Article 45 states that "all forms of discrimination against woman shall be abolished."<sup>25</sup> There are also specific Articles designed to support gender equality in politics: Article 34 makes it clear that "Khmer citizens of either sex shall enjoy the right to vote and to stand as candidates for the election"<sup>26</sup> and "Khmer citizens of either sex shall be given the right to participate actively in the political, economic, social and cultural life of the nation."<sup>27</sup>

Cambodia is also state party to CEDAW which commits signatories to "take all appropriate measures to eliminate discrimination against women in the political and public life of the country" to ensure that women and men have equal rights in voting, participation in the formulation of government policies, participation in non-governmental organizations and representation of their governments at the international level.<sup>28</sup>

The Cambodian government has committed itself to the Cambodian Millennium Development Goals (CMDG) which support the promotion of gender equality. Target 7 of Goal 3 aims to "eliminate gender disparities in public institutions" by increasing the proportion of seats held by women in various governmental and administrative bodies. Targets have been set and these include increasing female representation in the National Assembly and Senate to a minimum of 30 percent and in the Commune/Sangkat Councils to a minimum of 25 percent by 2015.<sup>29</sup>

In order to help achieve these goals, a number of policies have been introduced by the Cambodian government; the Ministry of Women's Affairs, for example, have a five-year strategy plan, 'Neary Rattanak II' (the translation of which is 'Women are Precious Gems'), which has a clear policy on gender mainstreaming. There has also been the implementation of the National Strategic Development Plan I-II which provides an "extensive outline of the goals, activities, monitoring indicators, conducting agencies and resources for the promotion of gender equality."<sup>30</sup>

Douglas Broderick, UN Resident Coordinator for Cambodia, noted that "some progress has been achieved toward MDG3 in Cambodia," giving examples of the country's progress in achieving gender

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<sup>24</sup> Article 31 of the Cambodian Constitution 1993. Available online at: <http://www.constitution.org/cons/cambodia.htm> Accessed on 14th January 2013.

<sup>25</sup> Article 45 of the Cambodian Constitution 1993. *Ibid.*

<sup>26</sup> Article 34 of the Cambodian Constitution. *Ibid.*

<sup>27</sup> Article 35 of the Cambodian Constitution. *Ibid.*

<sup>28</sup> Articles 7 and 8 *supra* note 9.

<sup>29</sup> Further details of these targets can be found here: <http://www.mop.gov.kh/Home/CMDGs/tabid/156/Default.aspx> Accessed on 7th February 2013.

<sup>30</sup> Taken from CCHR: [http://cchrcambodia.org/index\\_old.php?url=our\\_work/our\\_work.php&id=3](http://cchrcambodia.org/index_old.php?url=our_work/our_work.php&id=3) Accessed on 23<sup>rd</sup> January 2013.

equality. He notes that the Senate has created a Women's Department and a new high-level position of Senior Women and Gender Advisor to the President of the Senate. He adds that thirty percent of the Senate Secretariat General staff are now women, programmes are already in place to ensure that at least one of the three members of every village commission is a woman, national policy states that every Provincial Deputy Governor should be a woman, and policies are also in place specifying that 30 percent of the civil service staff should be women.<sup>31</sup>

In addition, institutions like GADC and the MoWA are encouraging political parties to adopt the zipper system, or sandwich system as it is otherwise known, to promote gender balance and increase the chance of women being elected; the zipper system ensures that women are not placed at the bottom of the candidate list by requiring political parties to list men and women alternately. Mrs Ros from GADC said that this system was used in the Commune Council elections, but the practice has not been legislated, so it is not enforceable. However, further discussions with others suggested that the zipper system was used in some districts, like Kratie, but in other areas, prevailing corruptive practices meant that candidate lists were comprised mainly of men; if a woman was included on the list, she was simply a 'token' gesture and in some cases, had few ties or relevance to the local community. Mrs Nhean from MoWA was skeptical of the zipper system being used at the National Elections in 2013, noting that although "MoWA and GADC and other NGOs are discussing this...some parties don't want to have [it]...with the national elections, I don't think it will be used because it is hard to advocate."

### **2.2.2 Women's underrepresentation in politics in Cambodia: the figures**

In spite of Cambodia's legislation and policies promoting gender equality in politics, there remains a big gap between policy and practice as the government fail to take affirmative action to promote women's equal representation in politics. When examining the following figures, it is worth bearing in mind that women make up the majority of the population in Cambodia: the Census in 2008 indicated that 51.4 percent of the population are women.<sup>32</sup>

To monitor inequality between women and men worldwide and "expose differences in the distribution of achievements between women and men,"<sup>33</sup> the Gender Inequality Index was introduced in 1995. The optimum score is zero, indicating no gender inequality, and the Index examines three areas to determine the prevalence of inequality; the 'empowerment' component specifically examines parliamentary representation.<sup>34</sup> According to the Index, gender inequality in Cambodia decreased from 0.6234 in 1995 to 0.500 in 2011,<sup>35</sup> yet, the score is still below the world average, which sits at 0.492<sup>36</sup> and overall, Cambodia ranks 99 out of 145 countries. In comparison with other countries in the region, Cambodia is still far behind, as indicated in the graph below.

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<sup>31</sup> Available online at: [http://www.un.org.kh/index.php?option=com\\_content&view=article&id=361:women-in-politicals-participation&catid=47:features&Itemid=88](http://www.un.org.kh/index.php?option=com_content&view=article&id=361:women-in-politicals-participation&catid=47:features&Itemid=88) Accessed on 18<sup>th</sup> January 2013.

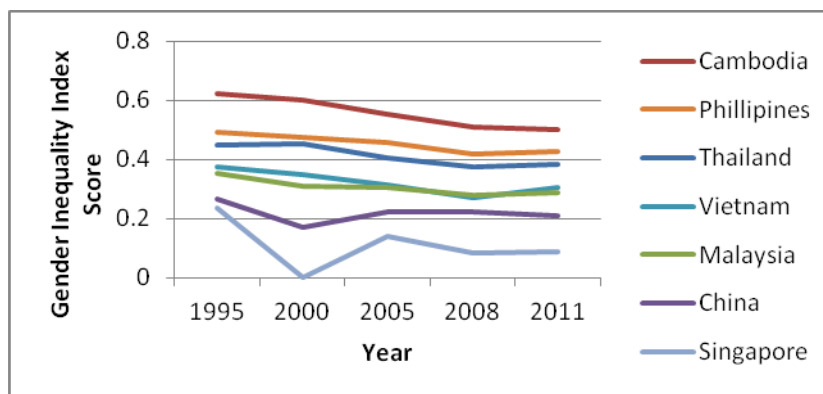
<sup>32</sup> General Population Census of Cambodia (2008). Available online at: <http://www.nis.gov.kh/nada/index.php/catalog/25/download/29> Accessed on 18th January 2013.

<sup>33</sup> Available online at: <http://hdr.undp.org/en/statistics/gii/> Accessed on 18<sup>th</sup> January 2013.

<sup>34</sup> These three areas are: reproductive health (maternal mortality and adolescent fertility), empowerment (Parliamentary representation and educational attainment) and the labour market (labour force participation).

<sup>35</sup> Available online at: <http://hdrstats.undp.org/en/indicators/68606.html> Accessed on 23rd February 2013.

<sup>36</sup> *Ibid.*



Lack of female representation in politics was the reason the World Economic Forum gave for Cambodia’s fall in position in the 2012 Global Gender Gap report. It was noted that Cambodia’s performance slipped relative to its performance in 2011 due to the decrease of women in ministerial positions.<sup>37</sup> When women’s political empowerment was assessed in the report, Cambodia was ranked 91<sup>st</sup> out of 133 countries.<sup>38</sup>

### The Senate and the National Assembly

As discussed above, the CMDGs aim to eliminate gender inequality within public institutions. Various targets have been set, but it is highly unlikely that these targets will be reached before 2015. It is aimed that by 2015, women will hold 30 percent of seats in the Senate, but in 2010, this figure stood at just 15 percent; this figure has gone unchanged for 13 years.<sup>39</sup>

Similarly, the CMDG aims for women to comprise at least 30 percent of the National Assembly; yet in 2012, 20 percent of seats in National Assembly were held by women. The number of female candidates has also dropped since 2003; in this year, female representation on the candidate lists for the National Assembly elections amounted to 27 percent but this fell to 14.8 percent in the 2008 elections.<sup>40</sup>

### Commune Councils

There is also a target for 25 percent of seats on Commune Councils to be filled by women, yet the results of 2012 Commune Council elections indicate that this goal will not be achieved by 2015: women were elected to only 2038 out of 11459 seats, representing just 17.78 percent of Commune Councillors. In addition, only 95 women took the highest position of Commune Chief in the Councils.<sup>41</sup> There was also a lack of commitment amongst political parties in improving women’s chance of being elected, with only

<sup>37</sup> Although the position of Cambodia only slipped on place; from 102 in 2011 to 103 in 2013.

<sup>38</sup> The Global Gender Gap Report, World Economic Forum (2012) Available online at: [http://www3.weforum.org/docs/WEF\\_GenderGap\\_Report\\_2012.pdf](http://www3.weforum.org/docs/WEF_GenderGap_Report_2012.pdf) Accessed on 12th February 2013.

<sup>39</sup> Figure taken from Ministry of Women’s Affairs. Available online at: <http://mwa.gov.kh/en/progress-women-decision-making> Accessed on 10th February 2013.

<sup>40</sup> CCHR Briefing Note on ‘Political and Electoral Reform in Cambodia’ (February 2013) Available online at: [http://www.cchrcambodia.org/admin/media/analysis/analysis/english/2013\\_02\\_11\\_CCHR%20Briefing%20Note%20Electoral%20and%20Political%20Reform\\_Eng\\_u.pdf](http://www.cchrcambodia.org/admin/media/analysis/analysis/english/2013_02_11_CCHR%20Briefing%20Note%20Electoral%20and%20Political%20Reform_Eng_u.pdf) Accessed on 11<sup>th</sup> February 2013.

<sup>41</sup> Full data analysis available online at [http://www.sithi.org/temp.php?url=commune\\_election.php&tab\\_id=1&](http://www.sithi.org/temp.php?url=commune_election.php&tab_id=1&) Accessed on 11<sup>th</sup> February 2013.

501 women (representing just 0.45 percent of total candidates) being placed in the first spot on the candidate lists.<sup>42</sup> Although the number of women on Commune Councils has increased since the 2007 elections, where women won 14.63 percent of seats, the improvement is minimal and falls short of the CMDG.<sup>43</sup>

Interestingly, there are significant disparities between political parties in the number of seats held by women: as CCHR reported “of the total number of seats won by the ruling Cambodian People’s Party (CPP), 21.48 percent went to women, the highest percentage of representation among all political parties. Women candidates of the main opposition party, the Sam Rainsy Party (SRP), won the second highest percentage of seats allocated to their party, 11.00 percent. Three additional parties included very minimal female representation: the Norodom Ranariddh Party (5.77 percent); FUNCINPEC (3.31 percent); and the Human Rights Party (1.50 percent). Lastly, two parties achieved no female representation whatsoever: the League for Democracy Party and the Cambodian National Party.”<sup>44</sup>

### **2.2.3 Women’s engagement with politics: voting**

Although there are no statistics on the number of female voters at the Commune Council Elections in 2012, COMFREL surveyed women who did not go to vote in a bid to ascertain reasons for this: according to the survey, 51.2 percent of women went to polling stations but faced challenges when trying to cast their vote, with the majority saying they could not find their name or they were lacking identification documents. 37 percent said that they wished to vote but they did not register their names and 11.8 percent of women said that they did not want to go to vote because they were busy with housework.<sup>45</sup>

Mrs Men from CPWP has also highlighted the issues in voting - issues that are not exclusive to women voters. She says that she has observed numerous problems, “like difficulties in finding the polling station, difficulties in voting, long waits, and sometimes people cannot vote because of the loss of the name and not enough identity cards.” However, she notes that there are specific problems that women encounter with voting as “they are often busy with their family, so find it hard to find the time to vote.”

### **2.2.4 Women’s engagement with politics: interaction with civil society**

Although women remain underrepresented in Cambodian politics, they are increasingly active in voicing concerns relating to issues affecting them and their communities. In Cambodia, where there are major conflicts with natural resources, including land, water, forests, fishing, women can often be found at the “forefront of disputes between citizens and local authorities.”<sup>46</sup> They have taken advantage of their roles as mothers and will often take up lead positions during protests, choosing to verbally engage with those they are in conflict with and avoiding the use of force.

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<sup>42</sup> *Ibid.*

<sup>43</sup> *Supra* note 39.

<sup>44</sup> *Ibid.*

<sup>45</sup> Summary Findings: Commune Council Elections 2012. COMFREL report. Available online at: [http://www.comfrel.org/newcomfrel/components/com\\_mypublications/files/967225Summary\\_Finding\\_Commune\\_Council\\_Election\\_2012\\_En\\_g.pdf](http://www.comfrel.org/newcomfrel/components/com_mypublications/files/967225Summary_Finding_Commune_Council_Election_2012_En_g.pdf) Accessed on 6th February 2013.

<sup>46</sup> Mysliwiec, E. (2006) ‘Cambodian Women – Pathways to Leadership’ *Panorama: Insights to SouthEast Asian and European Affairs* p. 57.



For example, Mrs Tep Vanny was the leader of the Boeung Kak 13, a group of thirteen evicted women, living around the Boeung Kak lake, advocating for the rights of women who were living in the community and campaigning for housing and land rights. In May 2012, she and the twelve other women were imprisoned for one month and three days for peacefully protesting in support of evicted families living in the community who were victims of the forced land grab. Tep Vanny was later awarded the 2013 Global Leadership Award by U.S Secretary of State Hillary Clinton as a result of her fight against forced evictions.

There are also a range of NGOs in Cambodia supporting women's participation in politics: Women for Prosperity, for example, have programmes which promote and encourage women to enter politics by providing coaching and skills development in areas like public speaking and speech writing to increase women's confidence in engaging in political issues. CPWP are another example of a local NGO who work hard to increase the number of women in politics through networking, capacity development, influencing agenda-setting and encouraging young women in leadership. Human rights organisations, like CCHR, have specific projects designed to promote women's political representation in politics. The work of NGOs is having an impact on the number of women in politics; this impact was made evident after the Commune Council election results: 17.78 percent of Commune Council positions were held by women nationwide, but in areas where NGOs like SILAKA and CPWP were working, 23 percent of Commune Councillors elected were women.

There is no shortage of support from NGOs in this area and women are increasingly vocal and active in issues which affect them and their community. Women are demonstrating that they have a voice, they are proving their opinion counts and they are representing their communities, so why is it so difficult for women to be equally represented in politics?

## **2.3 The current situation in Cambodia: the Cambodian perspective**

### **2.3.1 Improvements since 1993**

Among those interviewed, there were acknowledgements that while the number of women in politics was still low, gradual increases had been made since 1993, marking an improvement.

Mrs Sochetra reflected back on 1993, noting that in that time, "there were very few women participating in decision-making roles in both politics and the civil service...in 1993, there were only about 5 percent of women in National Assembly; in 2008, there were 22 percent." Mrs Khus also looked back to 2005, when CPWP first started. She said that eight years ago, women "felt very uneasy standing in front of a crowd." She said that this was not because they were politically unaware; it was because they had been discriminated against for so long. She notes that now, women who have been active in political parties for a long time make it known that they want a top position in the political party list. She also points out that previously, when women were offered positions in politics, they said no. But now "because of [SILAKA's] campaigning and because of our work, the women start to say 'yes'; before,

they would not have said 'yes'." She also believes that women are starting to see themselves as capable of being political leaders when they see examples from other countries; she notes that Thailand's female Prime Minister and Aung San Suu Kyi in Burma serve as role models for women in Cambodia.

Mrs Chor feels that the number of women participating in politics has increased as a result of the work NGOs have done in Cambodia. She notes that the concept of 'gender' and 'women's rights' were introduced by NGOs and this has contributed to an increase in the number of female representatives. In addition, she believes that because the number of Commune Councils in Cambodia has increased, it has been easier to engage with more women and encourage them to become involved in local level politics.

### **2.3.2 The role and influence of women in Cambodian politics**

The previous chapter outlined the responses of the interviewees when asked what difference women can make when they are represented in politics. The question of whether the women who have been in elected at national and local level have played a significant role in promoting women's rights in Cambodia was also posed.

There was a general agreement that women have made more of a difference at local level, rather than at national level. Mrs Ros from GADC said that although women elected into politics at local level do not "produce paper", they "work hard on issues which benefit women and girls, like domestic violence, and they build harmonisation in the community and improve livelihood conditions relating to health and education; this is a lot more practical." Mr Panha felt that female Commune Councillors "work quite well by trying to interact with male Councillors and they try to work on women's issues." He said that this is easier to do in local level politics "because at Commune level, there are laws which suggest that there should be a women's committee and women councillors should be in charge of this committee. So it gives opportunity for women to have discussion on women's issues." He also notes that "at local level, female councillors are in a safer position, in terms of their ability to interact with different political parties." Similarly, Mrs Khus said that at local level, it is easier for women to work "across the line of political parties to defend women's rights and get local level institutions to be accountable to women." Yet she notes that the success of their work depends of the "locality and the capacity of the institution at that level and if the leadership in that location is prepared to make decisions on the real need of the people."

At national level, Mrs Khus said that things are "more complicated." It is difficult for the opposition and the ruling party to work together, so the promotion of women's rights falls to the wayside; as Mr Panha says, "they are more influenced by the political conflict between the opposition and the ruling party." He notes that while there are a "group of female representatives who work hard to promote women's rights and they take action," but this is "not the majority." Of the minority who advocate women's rights and issues, they "generally come from members of the opposition, like Mu Sochua." Mr Panha states that there is little debate or affirmative action on issues affecting women at the national level, and he attributed this to women in the National Assembly being "so close to their leader." He believes that "they are afraid to have a different voice to the leader." Further, Mrs Khus observed that "the women in

the CPP are very controlled and even if they want to do something, they cannot. They can only do something if they think they are free from being persecuted by the leaders of their political parties.” She also notes that “with the opposition parties, you can see that there is one woman, Mu Sochua, who is very astute and promotes women’s rights. She has done a lot of things and has reached out to many women in the CPP. She was successful in getting the government to put out the law to stop the government from sending domestic migrant workers to Malaysia.”

It was interesting to hear from Ms Sorn, who is a youth activist with the Cambodian National Rescue Party (formally the Sam Rainsy Party) when asked about the difficulties women face in entering politics. She has attended a variety of workshops on women’s human rights in Cambodia, and she commented that she has faced hostility when she is introduced as a member of the SRP. She has observed that people reject her because of the political party she is affiliated with; “I can see it in their eyes,” she says. Yet Ms Sorn has found a way of overcoming this issue. She takes the time to explain that she wants to improve things and tells them that she is “not deeply involved in politics.” She says: “I have to explain to them in my own way that I have the same goal and I am going on the same journey as them, but I am using a different vehicle. Then they understood.”

There are also issues with accountability; Mrs Ros feels that the role of women at national level is “sometimes confused because they do not know what is going on at grassroots level.” Consequently, “they forget that their role is to support people at commune level; they feel as though their roles means they should be accountable to political parties, rather than people at grassroots level.” This view was shared with Mrs Yim, who felt that “not only women, but other candidates, work for the parties sometimes, rather than the people.” She attributes this to the Cambodia’s electoral system, which is based on proportional representation; because of this, people vote for the party, rather than the person, so the party can remove someone from the position. As a result, she says “parties encourage partisanship rather than accountability to the people.” Mrs Sopheap gives a specific example of a female politician being accountable to their party, rather than the people: three female garments workers were shot in Svay Rieng in February 2012. The suspected gunman was a CPP District Chief, who was later “protected” by Men Sam On, the Deputy Prime Minister. Mrs Sopheap commented that “Men Sam On should have fired him because she is a woman representative and women vote for her. She has to protect women, but she didn’t. She protected her party and she hid this man. She hid him to keep him safe.”

Mrs Chor felt that “more or less, women in politics have helped women on the ground, though they face a lot of problems in their communities.” She is more skeptical of the impact women in politics have made, observing that “in reality, many women in politics at commune/grassroots level are not in a position of decision-making and cannot make any change.” Mrs Men spoke to one female Commune Councillor who had been put under a lot of pressure from a (male) Provincial Governor. She said that it is not uncommon for women in office to be isolated and she has seen that men do not speak directly to their female counterparts. As a result, women cannot play a role in decision-making, they feel isolated and start to lose confidence of what they can do and what support they can provide. As one Commune Councillor told Mrs Men, “men’s mouths are open as they say they are happy to work with women; but their hearts are not open, they are still closed.”

### **2.3.3 Barriers to women's full and equal representation and participation in politics in Cambodia**

Although commitments have been made by the government and NGOs to increase the number of women in politics, there are still a variety of obstacles which prevent women's full participation in the political sphere. Economic barriers and socio-cultural restrictions are challenges women all around the world face when trying to enter politics; Cambodian women also come across these difficulties, but they are also faced with a hostile political environment.

#### Economic barriers

High levels of poverty in Cambodia make it hard for women to enter politics, especially as they earn money to support their families. Ms Sorn, a youth activist for CNRP said she would be interested in taking more of an active role in politics, but she wants to be "financially independent first, so that when I join, I join from my heart so I can empower and help to make change." She explained that in politics, "we work for nothing; we work in our interest" so it is important to have financial security before pursuing a career in politics. In a recent study on young women's political representation and participation in local governance, it was confirmed by those interviewed that the low salary of Commune Councillors was one of the biggest barriers: the monthly allowance paid to Commune Councilors is \$17.50 for members, \$20 for deputies and \$25 for a chief. As a result, the young women interviewed said that they "do not see local politics, particularly a seat at the Commune Council, as a feasible career choice," preferring to pursue a 'professional' career, which offers a steady income.<sup>47</sup>

Women are also discouraged from running as candidates because doing so requires a significant amount of money; as Mrs Khus noted, "to get their names on the political party list, women have to contribute to the party, and the size of their contribution determines their ranking in the party." She comments that whilst men might be happy to do this, women are "not willing to sell their assets simply to run for political office." Similarly, "unlike most men, they do not see running for office as an acceptable way to generate income."<sup>48</sup> Mr Panha also observes that the current situation of "unequal redistribution and poverty" affects women and prevents them from entering politics. They have responsibilities within the home which means they have to ensure their children have food and access to education. As a result, women tend to prioritise spending their income on their family; spending vast amounts of money on electoral campaigns is simply not an option for most women.

#### Social and cultural restrictions

There are also a range of social and cultural restrictions which prevent women from entering politics.

Low levels of education amongst Cambodian women have been attributed to lack of female representation in politics; women feel they don't have the skills, qualifications or experience to stand as

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<sup>47</sup> CDRI: Leadership in Local Politics of Cambodia: A Study of Leaders in Three Communes of Three Provinces (2009). Taken from Mehrvar, M. (2013) 'Case Study: Young Women's Political Representation and Participation in Local Governance in Cambodia' p. 9.

<sup>48</sup> Khus, T. (2003) 'Is the Women's Place Still in the Home?' A Report on Cambodia Available online at: <http://library.fes.de/pdf-files/bueros/philippinen/04527/07-cambodia.pdf> Accessed on 5th February 2013. p. 17.

candidates, represent their country and make decisions. Literacy levels are lower amongst women than men, with 40 percent of Cambodian women aged 25 to 44 reported as illiterate, in contrast with 22 percent of men in a similar age band. Although this disparity is reduced in the 15 to 24 age group, 23 percent of young women in this group remain illiterate compared to 16 percent of young men of the same age.<sup>49</sup> Mrs Yim believes that as a result of this, there is a lack of self-belief amongst women and they “don’t think they can perform as well as men.” Mr Panha pointed out that around 30 percent of Cambodian women have reached undergraduate level. “But still,” he says, “they are not able to use their capacity to engage in public office because the prejudice and stereotypes are still very strong.” The prevailing mindset in Cambodia is that politics is a men’s role. As Mr Panha notes, “they really don’t see women’s benefit or consider women to be helpful to them.”

When asked what the barriers to women’s political participation are, Ms Sorn responded that “society norms” are a big problem. She spoke of the reactions she received when she told her friends that she was getting involved in politics; one friend told her that she was being “used and brainwashed,” whilst others commented that politics was not safe for her and she should not get involved. “I have been threatened; not by an enemy, but from my friends” she said, and on occasion, she has been warned, by her friends, against raising particular issues or using certain words on social media sites. This demonstrates the pressure that young women come under when taking an interest in political issues.

Yet the problem extends beyond this, with politicians also doubting women’s capability. Mrs Chor feels that “[male politicians] do not respect women. They look down on women, in terms of capacity, in terms of education and because of biology. They consider women to be very weak.” Traditional gender stereotypes in Cambodia maintain that women’s role is within the home, and as Mrs Chor says, this prevailing view of women is “very hard to change.” This view was shared at a roundtable discussion hosted by CPWP. A young female Councillor pointed out “the mindset of Cambodians needs to change; currently, the idea that men are more suitable leaders is deeply rooted in Cambodian society and women should be given the chance to prove that they are capable leaders”.

Familial responsibilities make it hard for women to participate in politics; many Cambodian women are faced with a ‘double burden’ as they spend time on income-generating activities, as well as caring for other family members and completing household duties. Mrs Ros believes that women’s responsibilities within the home is the “main obstacle” to women’s equal political participation as it is hard for women to find the time to participate in politics as a result of their roles within the home. Although she notes that the roles of men and women within the home are changing, it is “not at the level that women can be successful in deciding what they want.” In addition, women’s movement outside the home is limited, also preventing their participation in political matters. Mr Panha feels that women are restricted because they “cannot go outside or go far away from home” because “women are always attached to the children and family.”

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<sup>49</sup> A Fair Share for Women: Cambodian Gender Assessment, Ministry of Women’s Affairs, Cambodia (2008)

Lack of family support also stops women from pursuing a career in politics; previous research undertaken by HBF documents the struggle of female Commune Council candidates; it is noted that obtaining the support of the husband is just of the many problems women face in putting themselves forward as a candidate.<sup>50</sup>

In spite of this, a recent IFES study indicated that the majority of Cambodian people support the role of women in politics: 78 percent strongly supported women's participation in political protests, 77 percent strongly supported women serving in Commune Councils, 67 percent strongly supported women serving in the National Assembly and 60 percent strongly supported women heading a political party.<sup>51</sup> These high levels of support for women in politics suggest that barriers to women's political participation and representation extend beyond traditional gender stereotypes; perhaps the general public are more accepting of female leaders than originally thought.

A recent case study on four female Commune Councillors found that "despite internalisation of gender norms amongst men and women and despite patriarchal systems and behaviour patterns, these women have developed coping strategies that are challenging and reshaping traditional gendered roles."<sup>52</sup> Again, this indicates that women are capable of working outside of subscribed gender norms, and although gender stereotypes make it harder for women to participate in politics, it is not a complete barrier. As one female Commune Councillor said, "...they looked down on me like they did not respect me, like I am a woman, they wanted to tread on me, make me fail but when they do this, I just spring back up, I get back up."<sup>53</sup>

### Cambodia's political environment

Economic, social and cultural barriers which prevent women's political participation can be found all over the world, but in Cambodia the political environment, where corruption, nepotism and cronyism are rampant, is a deterrent for women who are interested in entering politics.

Mrs Yim said that for many people, not just women, the concept of 'politics' makes people uneasy, because it "translates to their minds and their hearts as experiences from the civil war." She goes on to say that in Cambodia, people say that "that 'politics' means fighting or conflict and when you say 'politician', they say 'oh cheating people.'" Mrs Chor agrees, noting that in Cambodia "politics is very dangerous; it is a cheating game and people do not want to engage in this risk." Women also worry about their safety, and those involved in politics are concerned about their security and their family. Mrs Yim said that if someone is a member of the ruling party, these issues might not alarm them; "but if they join an opposition party, it becomes a concern for them." Mrs Khus made similar comments, noting "the CPP intimidate the opposition party; intimidation and violence means women find it very threatening to enter politics." She says that in Cambodia "political work is considered full of violence and replete with dirty tricks women cannot handle. Until recently, political positions have been associated with violence

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<sup>50</sup> *Supra* note 14. p. iv.

<sup>51</sup> Cambodia National Survey Report 2012. International Foundation for Electoral Systems (IFES) p. 14.

<sup>52</sup> Gollifer, S. (2012) 'Moving Beyond the Shadows' Paper for IDEA. p. 15.

<sup>53</sup> *Ibid.* p. 1.

and therefore cut out only for tough men.”<sup>54</sup> As a result of this, it is difficult for political parties, particularly the opposition, to find female candidates. Mrs Khus also pointed out that when political parties do try to find women candidates, “they can’t because around them are all men.”

Even when female candidates are found, the chance that will be elected is slim, because parties don’t put women high up on their candidate lists.<sup>55</sup> This is what Mrs Nhean identifies as the main obstacle women face in getting involved in politics. Although the zipper system, as discussed above, was used in some districts in the Commune Council elections, it is not common practice. A Commune Councillor interviewed for a previous HBF study said “of course your position in the list is important, because if you don’t have a good position you will not win, you must be near the top.” Another Commune Councillor added to this, noting that “if you are at the bottom, there is no hope!”<sup>56</sup>

It is not just women who face obstacles because of the political environment in Cambodia; the deeply entrenched patronage system dominates political life, and it is “very difficult for anyone who does not already enjoy a high status in the community to get elected.”<sup>57</sup> But for women, it is still that little bit harder; the political world is overwhelmingly patriarchal and women lack connections and networks necessary for acquiring political seats. In addition, under-the-table payments required for political positions, are unlikely to be made by women, who are responsible for managing the household.<sup>58</sup>

All of these issues affect women’s full and equal representation and participation in politics; many of the barriers women face are ingrained in Cambodian society, in both the mindset of the people and the practices which govern daily political life. As changes to people’s attitudes, beliefs and practices towards women is gradual, gender quotas are seen as a ‘quick fix’ to the problem of women’s underrepresentation in politics.

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<sup>54</sup> *Supra* note 47. p. 17.

<sup>55</sup> The Cambodian election system is based on proportional representation, so candidates for election have to be appointed by political parties and included in their lists. As a result, the selection and ranking process is crucial for women’s success in politics, and only a position at the top will improve women’s chance of being elected.

<sup>56</sup> *Supra* note 14. p. 11.

<sup>57</sup> ‘*Strengthening the Voices of Women Leaders: Lessons from Cambodia*’ (February 2008) [Women’s Leadership and Participation: Programme Insights](#) Oxfam GB p. 3.

<sup>58</sup> *Supra* note 45. p. 59.

## Chapter Three: Gender Quotas

### 3.1 Gender quotas: an introduction

As progress towards women's full and equal participation and representation in politics has been slow, gender quotas have been seen as a tool for quickly achieving gender equality in politics. Gender quotas for women require that women constitute a certain number or percentage on candidate lists, or in a parliamentary assembly for example. Generally, quota systems aim for women to constitute at least 30 percent; this figure is thought to go beyond a few female 'token' representatives.

Quotas can be implemented in three main ways: 'legislated candidate quotas' require women to be nominated as candidates for elections and the law will stipulate that a minimum percentage of candidates must be female.<sup>59</sup> 'Voluntary candidate quotas' are adopted by political parties as they commit to nominating a certain percentage of female candidates for their electoral lists.<sup>60</sup> As this is a 'voluntary' quota, there is no guarantee that targets will be met. Another way of implementing gender quotas is through 'reserved seats', which are used to guarantee that a certain number of seats in parliament will be held by women. Women in reserved seats can be "be directly elected, appointed, nominated or filled by political parties in proportion to the number of seats each party holds in parliament."<sup>61</sup> In the countries where gender quotas have been adopted, 61 percent have voluntary party quotas (often in combination with the other types), 38 percent have legislated candidate quotas, and 20 percent have reserved seats.<sup>62</sup>

There are two ways in which quotas can mandate gender equality in politics; firstly, the quota may state a minimum number of women, for instance, no fewer than 30 or 40 percent of women in parliament. Alternatively, quotas can be gender-neutral and can state that, for example, no more than 60 percent and no fewer than 40 percent of either sex. Sweden choose the latter strategy, promoting 'every second a woman.'

### 3.2 The argument for gender quotas

Many countries around the world have implemented gender quotas in a bid to eradicate the barriers women have faced in the electoral process.

There are dominant models which document how gender equality in politics can be achieved. The first is the 'incremental track' discourse, which presumes that equality will be achieved as a country develops; here, it is argued that strategies, policies and legislation which promote gender equality are unnecessary, as change will gradually and naturally occur. In contrast, the 'fast track' discourse is based on the premise that gender equality does not come about naturally; instead it acknowledges that active measures, like setting targets, implementing quotas, or adopting other special measures are needed. As Dahlerup points out, "the argument is that since men are favoured directly and indirectly in the present system, then affirmative action and temporary special measures do not entail discrimination of men *but*

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<sup>59</sup> *Supra* note 5. p. 12 – 13.

<sup>60</sup> *Supra* note 6. p. 8.

<sup>61</sup> *Supra* note 5. p. 12 – 13.

<sup>62</sup> *Supra* note 6. p. 8.



compensation for the direct discrimination and the structural barriers that women meet.”<sup>63</sup> The notion of gender quotas falls into this paradigm as they are a fast-track policy measure designed to secure gender equality in politics and redress women’s historical exclusion from political life.<sup>64</sup>

As discussed previously, the achievement of gender equality in politics is hindered by prevailing gender stereotypes which prevent women’s full and equal participation in the political sphere. Challenging such stereotypes, patriarchal ideologies and other deep-rooted issues can take a very long time. Gender quotas are therefore an effective way of bypassing this issue; by demanding an automatic redistribution of power, gender equality in politics can be achieved easily and to this extent, they are “a simple answer to a very complex problem.”<sup>65</sup>

Further, the use of gender quotas can play a vital part in altering “traditional gendered views of politics [and] legitimising women as political actors,”<sup>66</sup> while female politicians can act as role models for other women, encouraging political involvement and inspiring women ‘on the ground’ to take an active interest in matters which concern them.

Gender quotas have also proved popular because it is easy to evaluate their success; assessing quantitative data simply by counting the number of women in parliament, or the number of women included on candidate lists means there are very practical indicators for measuring the outcome of the implementation of quotas.

### 3.3 The impact of gender quotas worldwide

Gender quotas are a very practical way of promoting female participation in politics and have gone a step further than the empty rhetoric encompassed in women’s empowerment and participation projects. In 1975, women made up 11 percent of MPs worldwide, rising to just 12 percent a decade later;<sup>67</sup> today, the percentage of women in Parliament worldwide stands at 20.4 percent.<sup>68</sup> Quotas now exist in more than 100 countries, with the majority implemented throughout the last 15 years<sup>69</sup> and “while quotas are not the only explanation for the high number of women in parliament, they do play a significant role.”<sup>70</sup> 20 of the top-ranked 26 countries (for the largest share of women in parliament) use either legislated candidate quotas or reserved seats.<sup>71</sup> More specifically, in 2011, UN Women reported that 28 countries have reached or exceeded the 30 percent critical mass mark for women in parliament,<sup>72</sup> and at least 23 of the 28 countries have used some form of quota to achieve that

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<sup>63</sup> Dahlerup, D. (2010) ‘How to Achieve the Cambodian Millennium Development Goal 3 on Eliminating Gender Disparity in Public Institutions by 2015’ Available online at: [http://www.statsvet.su.se/homepages/archive/drude\\_dahlerup/Cambodia\\_report\\_Dahlerup%20%20Dec%202.pdf](http://www.statsvet.su.se/homepages/archive/drude_dahlerup/Cambodia_report_Dahlerup%20%20Dec%202.pdf) Accessed on 19<sup>th</sup> February 2013. p. 8.

<sup>64</sup> Dahlerup, D. and Lenita F. (2005) ‘Quotas as a ‘Fast Track’ to Equal Representation for Women: Why Scandinavia is No Longer the Model’ *International Feminist Journal of Politics* (7) 1 pp. 26 – 48.

<sup>65</sup> Franceschet, S., Krook, M. and Piscopo, J. (eds) (2012) *The Impact of Gender Quotas* Oxford University Press: Oxford. p. vii.

<sup>66</sup> *Ibid.* p. 12.

<sup>67</sup> *Supra* note 5. p. 11.

<sup>68</sup> As of 31<sup>st</sup> March 2012. Available online at: <http://www.ipu.org/wmn-e/world.htm> Accessed on 16th May 2012.

<sup>69</sup> *Supra* note 4.

<sup>70</sup> *Supra* note 5. p. 14.

<sup>71</sup> *Ibid.*

<sup>72</sup> UN Women ‘2011 – 2012 Progress of the World’s Women: In Pursuit of Justice’ *United Nations Entity for Gender Equality and the Empowerment of Women* Available online at: <http://progress.unwomen.org> Accessed on 15<sup>th</sup> May 2012. p. 8.

number.<sup>73</sup> In addition, in countries with gender quotas, female representation stands at 22 percent, on average, in contrast with countries with no gender quota, where female representation stands at just 13 percent.<sup>74</sup>

The IPU examined 59 countries which held elections in 2011 for lower or single houses. They found that legislated electoral quotas were used in 17 countries, resulting in women taking 27.4 percent of seats; in countries with no form of gender quota, women won just 15.7 percent. In the nine countries where some political parties adopted voluntary quotas, women took 17.2 percent of seats. Similarly, in 2012, the IPU found that women continued to fare better when either legislated or voluntary quotas were used. Electoral quotas were used in 22 countries holding elections; with legislated quotas, women took 24 per cent of seats and with voluntary quotas they gained 22 per cent. Where no quotas were used, women took 12 per cent of seats.<sup>75</sup>

There are clear examples from 2011 which indicate the impact gender quotas can have on increasing female representation. In Nicaragua, the percentage of women in parliament was just 18.5 percent in 2006; this rose to just over 40 percent after the 2011 elections. This increase can be attributed to the adoption of a voluntary party quota by the Sandinista National Liberation Front – the party which won the majority of seats (62 out of 90). The party adopted a 30 percent gender quota, but in the 2011 elections, more than 50 percent of its seats were won by women.<sup>76</sup>

Similarly, in Morocco, there was an increase in the number of women in the Majlis-Annouab (lower house) as a result of the implementation of reserved seats. Following the 2011 elections, women constituted 16.7 percent of the lower house, an increase of six percent from the previous election. The IPU noted that this increase was “largely due to the reservation of 60 seats for women...in accordance with a bill passed by the Council of Ministers on 9 September 2011.”<sup>77</sup> As a result, Morocco now ranks among the top five countries in the Arab region with regard to female representation in parliament.

There are claims that when gender quotas have been implemented, “progressive laws on violence against women, land rights, health care and employment have followed.”<sup>78</sup> In addition, it has been noted that women legislators are more likely to introduce bills which promote women’s rights than their male colleagues.<sup>79</sup> Examples of gender quotas having a positive impact on other women can be taken from Argentina, where a number of laws enhancing women’s rights have been passed since the implementation of the quota.<sup>80</sup> Similarly, since the introduction of a gender quota in Macedonia, legislation has been passed to promote women’s position in public life, including the Law on Equal

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<sup>73</sup> *Ibid.* p. 119.

<sup>74</sup> *Supra* note 6. p. 13.

<sup>75</sup> Women in Parliament in 2011. IPU Publication. Available online at : <http://www.ipu.org/pdf/publications/wmnpersp11-e.pdf> Accessed on 27th February 2013. Women in Parliament in 2012 is available online at: <http://www.ipu.org/pdf/publications/WIP2012e.pdf>

<sup>76</sup> *Ibid.*

<sup>77</sup> *Ibid.*

<sup>78</sup> *Supra* note 71. p. 119.

<sup>79</sup> Franceschet, S. and Piscopo, J. (2008) ‘Gender Quotas and Women’s Substantive Representation: Lessons from Argentina’ *Politics and Gender* 4 (3) p. 412.

<sup>80</sup> These laws include the Labour Union Quota 2002, which established a quota for female participation in leadership posts in labour unions; the Sexual Health Law 2001, which introduced a programme on sexual health education; and the Surgical Contraception Law 2006, which legalised contraceptive methods. Taken from *Ibid.* p. 415.

Opportunities for Men and Women 2009 which criminalises direct and indirect forms of gender-based discrimination.<sup>81</sup>

There is evidence to demonstrate that gender quotas lead to increases in female representation in politics, yet gender quotas can be implemented and enforced in a number of ways, with mixed results. The next chapter is a cross-comparative study on gender quotas and will assess how quotas should be implemented in Cambodia to successfully increase women's participation and representation in politics.

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<sup>81</sup> *Supra* note 71. p. 26.

## Chapter Four: Implementing Gender Quotas in Cambodia

### 4.1 Support for quotas in Cambodia

#### Local NGOs

As a result of women's underrepresentation in Cambodian politics, there has been growing support for gender quotas from local NGOs and women's rights advocates who see the implementation of such quotas as a mechanism to redress gender discrimination in politics and provide a level playing field to advance women's participation. In 2004, the MoWA recommended in their 'A Fair Share for Women' paper that a quota should be established for "recruiting and promoting women and equity in selection and promotion."<sup>82</sup> Since then, Cambodian NGOs, like CCHR and COMFREL have been advocating for the introduction of gender quotas. In CMDG3 week in 2010, Drude Dahlerup from the Women in Politics Research Centre at Stockholm University came to Cambodia and attended a number of meetings with a range of key stakeholders to discuss ways in which CMDG3 could be achieved before 2015. She concluded that CMDG3 could be achieved before 2015 if the Cambodian government committed itself to following her recommendations. It was recommended that Cambodia should adopt gender quotas as a temporary special measure if they are to achieve CMDG before 2015.<sup>83</sup>

Recently, there have been efforts to lobby political parties to commit to gender equality in politics, through the adoption of voluntary party gender quotas. In a roundtable discussion held by CCHR on 'the role of women's political participation in the national level' and attended by representatives from political parties, it was recommended that political and electoral reform included the implementation of an electoral gender quotas for candidate lists of a minimum of 30 percent.<sup>84</sup>

#### Cambodian people

Those interviewed were in strong support for gender quotas and there was a general consensus that CMDG3 could not be reached without the implementation of such quotas.

Both COMFREL and CCHR support the implementation of gender quotas; Mr Panha, speaking on behalf of COMFREL said that they believed quotas should be introduced as a special measure "until women's capacity has improved." He thinks that the quotas system "should be stipulated in the legal framework, or included in government policy or political party policy." Mrs Thyda Chor said that CCHR have done a briefing note on gender quotas and although they would like to see gender quotas legislated in Cambodia, this would take "a long, long time." As a result of this, and because Cambodia has a closed party list, they are lobbying political parties to adopt voluntary quotas. GADC also support the implementation of gender quotas, but they advocate the 'sandwich/zipper system.' Mrs Ros said that

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<sup>82</sup> *Supra* note 48. p. 132.

<sup>83</sup> *Supra* note 62. p. 3.

<sup>84</sup> *Supra* note 39.

they had previously discussed the implementation of gender quotas, but as the Prime Minister publically said that he did not agree with the quota system, they were forced to change strategy.

In a recent study, IFES found that there was support for gender quotas among those who were aware of them. They found that whilst 75 percent of those interviewed did not know about quotas, of those who did, 60 percent said they would strongly support and 37 percent said they would somewhat support the adoption of gender quotas in future elections; only 1 percent said they would oppose them and with the rest saying they did not know. It was also found that there was an equal gender balance among those who strongly supported and those who somewhat supported quotas. Of the 25 percent who were aware of quotas, 5 percent said they knew a lot about them, and among this group, an overwhelming majority (of 92 percent) said they strongly support quotas. Those who support the use of gender quotas were also asked to explain why; the main reasons for support arise because it is believed women should have the same rights as men (69 percent) and because women are just as qualified as men (59 percent).<sup>85</sup>

Among those interviewed, there was wide agreement that as well as achieving gender equality in politics, gender quotas would help to change the perception of Cambodian women. Mrs Yim from IFES said that having more women representatives in politics is valuable as it will enable women to demonstrate that they are capable of participating in politics. She believes that “this will encourage women and the younger generation to be more involved in politics.”

The interviews also revealed that some women were reluctant to express a desire to become involved in politics because there was little chance of them being elected; Mrs Yim felt that the implementation of gender quotas would encourage more women to seek participation in politics because women will believe they have a greater chance of being elected to representation. Mrs Men from CPWP also felt that quotas would encourage greater participation, but she notes that the implementation of quotas is just one mechanism for increasing women’s participation and representation in politics; “we need to also raise awareness of the importance of women’s participation.”

#### **4.2 Cambodia’s political parties: support and resistance for gender quotas**

There is clearly much support for gender quotas amongst local NGOs, but it is far more difficult to assess the position of political parties on the implementation of quotas. Among all political parties, there is no easily accessible written policy on promoting women in politics, let alone gender quotas. However, CCHR’s roundtable discussion asked representatives from political parties for their stance on gender quotas, so was possible to identify the position of political parties at this event. The answers of the representatives from the political parties were translated from Khmer to English for me; whilst I verified the answers with another member of staff, there is a risk that some of the responses may have been lost in translation. It is also worth pointing out that this paper was written in April 2013; with the elections being held in July 2013, it is possible that the policies of the political parties may change during this time.

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<sup>85</sup> *Supra* note 50. p. 15.

### Cambodian People's Party (CPP)

The Cambodian People's Party (CPP), the ruling party in Cambodia, did not attend the roundtable discussion, so the questions regarding gender quotas could not be posed to them. Mrs Thor from CCHR said that she didn't know if CPP supported gender quotas, but she noted that they try to engage more women in the party, and a lot of women join at different levels. Mrs Yim recalled a previous workshop where CPP said that "they support women who want to enter politics and they say they have 30 percent, but they don't have a written policy on this." She added "they think they can get 30 percent and it is easier for them." In a recent news article published in the Cambodia Daily on International Women's Day (8<sup>th</sup> March 2013), the Prime Minister is reported to have said that more women should participate in the upcoming national elections and more women are needed in parliament. He also urged opposition parties to nominate more female candidates. Although he encourages women's participation in politics, there is no guidance on how this can be achieved.

### FUNCINPEC

FUNCINPEC were the only party at the CCHR roundtable discussion to openly declare their support for gender quotas. A member of the party said that they had a quota system in place, and 30 percent of their candidates will be women. Further, their candidate for Prime Minister is a woman. However, Mrs Chor said that despite these assertions, there is no written policy on these measures. The party also believe that a quota system helps to empower women, but they see quotas as a temporary measure; when the country has 'developed', the quota system will not be necessary. Instead, they say, the focus will be on the capacity and capability of the candidates.

### Cambodian National Rescue Party (CNRP)

The Cambodian National Rescue Party (CNRP) was officially formed in September 2012 and is an alliance between the two main opposition parties, the Sam Rainsy Party (SRP) and the Human Rights Party (HRP). Although key politicians within the CNRP, like Mu Sochua, personally support gender quotas, the party itself does not. At the CCHR roundtable discussion, members from the party, including Mu Sochua, said that the party's policy is to promote women in politics but they will not be adopting a quota prior to the July 2013 National Elections because they don't believe they will be able to reach the target; they don't think that there are enough women who want to put themselves forward as candidates. Mrs Yim from IFES added to this, noting that they find it hard to find male candidates, as well as female candidates. She points out that "some people don't want to stand for opposition parties because they are worried about safety and discrimination from their community. So parties don't want to commit to 30 percent if they cannot find the candidates." Instead, the CNRP are promoting the use of education to encourage female candidates, mandating that newly elected women should also be trained. When asked about the position of political parties in relation to gender quotas, Mrs Ros from GADC said that the Human Rights Party previously denounced gender quotas as they view them as undemocratic. They

feel that if measures are implemented to promote women's political representation "this is not justice for men."

#### League for Democracy Party (LfdP)

The League for Democracy Party (LfdP) also said that they would not be using gender quotas prior to the National Elections; a member from the party said that we should not concern ourselves with quotas and increasing the number of women representatives in politics; instead, efforts should be made to improve the quality of female candidates through women's education and training. Whilst they acknowledged the quota system, they said that gender quotas are just one way of getting women into politics, but when women are educated, they will participate anyway. The representative from the party also felt that the onus is on women to take an interest in politics and work hard to become elected. Mrs Men from CPWP mentioned that the LfdP consider men and women to be equal as candidates. As a result, they feel that "women should not be given extra mechanisms and extra help to participate in politics." She notes that this means they "don't have a real commitment to promote women," and as a result, "it's hard for NGOs to lobby parties like this."

The answers of those interviewed also provide a clear overview of how political parties view quotas; Mrs Chor observed that those who attended the CCHR roundtable discussion did not want to talk about the 30 percent quota. She went on to say "they don't want to talk about it because for them, this is not important. What they want to do is promote women and promote what women can do." Although they say they are promoting women, she points out that there is no written policy on how they do this. Mrs Yim mentioned that the political parties in Cambodia "do not deny quotas." "They did not use the word support," she said "but they say they 'don't deny'." Instead, they see quotas as just one mechanism for increasing women's representation in politics. However, she notes that there are still issues when political parties endorse gender quotas. Although some parties will ensure that 30 percent of their candidates are women, this does not guarantee women will be elected as they are placed at the bottom of the candidate list, minimising their chance of being elected.

Mrs Yim from IFES went on to discuss further reasons why political parties are reluctant to support gender quotas. As well as finding it hard to find female candidates, the parties worry about their vote. If they promote women in politics, and then no one supports the party, this is obviously problematic for the party. As a result, they are reluctant to take a risk by selecting women candidates as they might not be voted for by the public; "they think about the party first," she says, as they are "reliant on voters to get them into power." She also refers to the 'supply and demand' argument as presented in Chapter Two, noting that it has been said that "if voters want to have women representatives, then the political party will think about having female representatives." This suggests that political parties will respond to the demands of the voters; when Cambodian people call for female leaders, political parties will follow suit.

Mr Panha from COMFREL commented on the difficulties local NGOs face in lobbying political parties whose policies to promote women in politics are merely informal and voluntary. He observes that political parties say they need women with capacity, so NGOs, like COMFREL, train women with leadership skills; then, he says, they can approach political parties and say “we have trained these women and they can engage with your political party and be of use to you.” This is how they lobby political parties to accept women candidates, but due to the lack of legislation and formal policies on their commitment to women, local NGOs need to “constantly remind them and monitor them.”

### **4.3 The implementation and enforcement of gender quotas: best practice**

As discussed in the previous chapter, the implementation of gender quotas has been an effective tool for increasing the number of female representatives in politics. Yet the implementation and enforcement of gender quotas differs in each country; this section will study ‘best practice’ examples, using case studies from around the world. It will also examine cases where gender quotas have not been so successful to get an understanding as to what should be avoided.

In the past, Nordic countries have led the way with demonstrating how to successfully promote women’s participation in political life through the use of gender quotas. Yet in recent years, other countries have overtaken Scandinavian standards and Rwanda now has the highest percentage of female politicians in the world, at 56 percent.<sup>86</sup> We must examine how Rwanda has implemented gender quotas to produce such good results.

#### **4.3.1 Implementation of gender quotas**

This section will look at the different types of quotas and will examine best practice examples for their implementation.

##### Best Practice: Reserved Seats

The type of quota adopted and implemented has an impact on levels of female participation in political life. Rwanda demonstrates the importance of reserved seats in guaranteeing women’s participation in parliament. The Rwandan Constitution stipulates that women must be in at least 30 percent of roles at all levels of decision-making; as noted above, the actual number of women in parliament in Rwanda is almost double this target. Similarly, in Argentina, a constitutional quota was adopted in 1991 and mandated that 30 percent of seats in parliament should be held by women; this target has also been achieved and exceeded, with the share of women in parliament now standing at 38 percent.<sup>87</sup> Reserved seats have been more successful in securing women’s representation in politics because it commits women to a certain number of seats in politics; legislated candidate quotas and voluntary party quotas

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<sup>86</sup> *Supra* note 18.

<sup>87</sup> *Supra* note 71. p. 122 – 123.



do not guarantee women's election and therefore there is a risk that these types of quotas will not increase the number of female representatives in politics.

As well as increasing the number of women in politics in Rwanda, the adoption of reserved seats has benefited women at grassroots level throughout the country; fieldwork on reserved seats indicate that quotas have encouraged women to "participate more actively in community life, work outside the home, speak in public meetings, and demand greater equality in their intimate relationships."<sup>88</sup> However, we shall see later that the implementation of reserved seats is not the only reasons for Rwanda's success in getting women into politics; the use of gender quotas were supported by a gender-progressive agenda, with a number of policies and practices designed to enhance the role of Rwandan women.

### Best Practice: Legislated Candidate Quotas

Although reserved seats have produced excellent results in Rwanda, the implementation of legislated candidate quotas has also helped to increase the number of women in politics. One thing is for sure: passing legislation on quotas is a fundamental procedure countries must follow if such quotas are to be effective and a long-standing commitment to gender equality. Yet the main issue with legislated candidate quotas is that placing women on electoral lists "does not necessarily guarantee that they will get elected, and their success often depends on the type of electoral system."<sup>89</sup> Spain passed a quota law in 2007, mandating a minimum of 40 percent of both genders to be on candidate lists. However, this only resulted in only 36 percent of female politicians being elected, as parties put "less-favorable positions on ballots in districts where only the top candidates from the party will likely get selected."<sup>90</sup>

There are ways of mitigating these risks; for example, in Costa Rica, legislation has been passed which obliges political parties to have at least 40 percent of women in 'winnable positions' on candidates lists. In 1999, the Elections Tribunal clarified that 'winnable positions' are those "which gives a person real possibility of being elected and hence should be considered individually in the confirmation of lists per province. The political parties are obliged to implement the quota system for women and should consider the percentage of 40 per cent to be a minimum that as such could increase but not decrease."<sup>91</sup> Now, women in Costa Rica comprise 39 percent of those in Parliament;<sup>92</sup> although this falls slightly short of the legislated target, it is still much higher than the world average of 24 percent.

### Best Practice: Voluntary Candidate Quotas

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<sup>88</sup> Taken from *Supra* note 64. p. 19.

<sup>89</sup> *Supra* note 6. p. 14.

<sup>90</sup> Esteve-Volary, B. & Bagues, M. (2010) 'Are Women Pawns in the Political Game? Evidence from Elections to the Spanish Senate' Working Paper. Available online at: <http://www.fedea.es/pub/papers/2009/dt2009-30.pdf> Accessed on 14th May 2012.

<sup>91</sup> Sagot, M. (2010) 'Does the Political Participation of Women Matter? Democratic Representation, Affirmative Action and Quotas in Costa Rica' *JDS Bulletin* 41 (5) p. 27.

<sup>92</sup> Available online at: <http://www.quotaproject.org/uid/countryview.cfm?CountryCode=CR> Accessed on 20<sup>th</sup> March 2013.

Voluntary candidate quotas are the most common type of quota to be implemented. Here, political parties voluntarily commit to putting a certain number of women on their candidate lists. Voluntary candidate quotas have been implemented with mixed results: voluntary party quotas have failed miserably in Egypt and Pakistan as a change in government has meant policy on gender quotas has been abandoned.<sup>93</sup> The main risk associated with voluntary candidate quotas is that it is the party's discretion as to whether or not they are adopted and this can have little impact in increasing the number of women in politics; in Cambodia, only one party, FUNCINPEC, has endorsed the use of gender quotas. But FUNCINPEC is one of the smaller opposition parties (its popularity has recently been overtaken by SRP and HRP) so it is unlikely that the adoption of a quota within the party would help to increase the number of women in politics overall.

Yet there are cases where voluntary candidates quotas have been very successful; in Sweden, for example, the adoption of voluntary candidate quotas means that women now hold 45 percent of seats in parliament. However, achieving this level of gender parity has been a long and ongoing process, with the Swedish government working hard since 1970 to increase the number of women in politics. The Social Democratic Party is the largest Swedish party and has been using candidate quotas since 1978. As well as this, they have been using the zipper system, so that male and female candidates are alternated on the candidate list, thus increasing women's chance of being elected.

Whilst quotas are a step in the right direction for promoting gender equality in politics, we must bear in mind that there are risks associated with both legislated and voluntary candidate quotas, in that requiring countries to have a minimum of 30 percent women on the candidate list does not automatically lead to women getting 30 percent of the seats. To this extent, the adoption of reserved seats is a better way of guaranteeing women's representation in politics.

#### **4.3.2 Enforcement of gender quotas**

##### Best Practice: Sanctions

To avoid gender quotas amounting to empty rhetoric, it is fundamental that gender quotas are supported by the "existence of a constitutional set of clear and precise procedures."<sup>94</sup> There are numerous examples of gender quotas falling short of their aims when they have been voluntary, or when sanctions aren't in place to penalise political parties for non-compliance. As a result, enforcement mechanisms should be in place to ensure gender quotas are adhered to. Sanctions can only be implemented where countries have implemented reserved seats or legislated candidate quotas.

Brazil is one of the "clearest examples of failure of a quota policy"<sup>95</sup> as there is no mechanism in place to guarantee the quota. Although there is a law which requires political parties to put forward an election list which includes a minimum 30 percent of female candidates, the quota only guarantees that women

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<sup>93</sup> Costa, A, A, A. (2010) 'Quotas as a Path to Parity: Challenges to Women's Participation in Politics' *IDS Bulletin* 41 (5) p. 118.

<sup>94</sup> *Ibid.* p. 118.

<sup>95</sup> *Ibid.* p. 118.

are represented on the *potential* list of candidates, rather than *actual* candidates.<sup>96</sup> As Araujo notes, “more women candidates does not mean more women winning.”<sup>97</sup> Enforcement measures have been introduced in Costa Rica to much success: political parties must have 40 percent of women in ‘winnable positions’ on their candidate lists, or they cannot register the lists for election.<sup>98</sup> Yet in France, the implementation of sanctions had little impact; in 2002 as the majority of major parties chose to ignore such enforcement mechanisms, opting to accept the financial penalty that was imposed as a result of non-compliance with the gender quota.<sup>99</sup> Consequently, Kittilson has suggested more stringent penalties should be in place, claiming that “if a party were to risk disqualification or losing the bulk of its total state subsidies by ignoring gender requirements, it would have a distinct incentive to follow the law.”<sup>100</sup>

The Republic of Ireland is in the process of introducing a Bill (the Irish Electoral (Amendment) (Political Funding) Bill) which creates sanctions for political parties who do not comply with gender quotas; parties will lose 50 percent of their electoral funding if they do not have a minimum of 30 percent women candidates at the next election and if they do not have at least 40 percent women candidates at the following election.<sup>101</sup> The Bill is yet to be passed, but it will be interesting to see if this kind of enforcement mechanism will have an impact on the number of female candidates in the future.

#### **4.4 Recommendations for gender quotas in Cambodia**

Having looked at best practice for the implementation and enforcement of gender quotas, we now turn to gender quotas in Cambodia. How can quotas be implemented here to increase the number of women in politics, and how can we ensure that women in politics are capable of fulfilling their decision-making roles effectively?

##### **4.4.1 Implementation and enforcement of gender quotas in Cambodia**

###### National Assembly and Local Authorities

###### **Recommendation One: Legislated Candidate Quotas**

The Cambodian electoral system is List Proportional Representation where political parties control the list of nominations and the order in which candidates appear on the list; consequently, political parties are the “gatekeepers’ to women’s representation.”<sup>102</sup> In Cambodia, the electoral list is closed, so voters can only vote for one party and they cannot change the order of the candidates. Voters will cast ballots

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<sup>96</sup> Araujo, C. (2010) ‘The Limits of Women’s Quotas in Brazil’ *IDS Bulletin* 41 (5).

<sup>97</sup> *Ibid.* p. 20.

<sup>98</sup> *Supra* note 5. p. 14.

<sup>99</sup> France introduced a policy which stipulated that parties should nominate equal proportions of male and female candidates. However, this national-level requirement have little impact, with women only taking 12 percent of the seats in the French National Assembly. Noted in Kittilson, M, C. (2005) ‘In Support of Gender Quotas: Setting New Standards, Bringing Visible Gains’ *Politics and Gender* 1 (4) p. 639 – 640.

<sup>100</sup> *Ibid.* p. 641.

<sup>101</sup> *Supra* note 74.

<sup>102</sup> *Supra* note 62. p. 14.

for a list of candidates nominated by the political party of their choice, rather than for individual candidates. The list of candidates presented will be for a multi-member electoral district and the number of seats allocated to each party will therefore reflect its percentage of the total vote. As a result, voters decide on the size of the party, but the political parties choose the candidates who get elected. Consequently, the onus is largely on the political party to increase the number of women politicians; if women candidates are not on the list, Cambodian people cannot vote for them. In other words, increasing the supply of female candidates will help to increase the number of female representatives. Legislated candidate quotas will mandate that as political parties compile their candidate lists, they are obliged to either ensure that a minimum number of candidates are female, or if the quota is gender-neutral, the quota will stipulate that, for example, no more than 60 percent and no fewer than 40 percent of either sex. It is fundamental that candidate quotas are legislated to ensure that political parties comply with the quota.

Looking to other countries can help to guide how such quotas should be implemented in Cambodia. Costa Rica has successfully implemented candidate quotas by passing legislation; such quotas are now included in electoral law and stipulate: “there is a 40 percent quota for women in all public elections.”<sup>103</sup>

Legislated candidate quotas are also used in Argentina. Here, the Constitution mandates that: “actual equality of opportunity for men and women for elective and political party positions shall be guaranteed by means of positive actions in the regulation of political parties and in the electoral system.”<sup>104</sup> The gender quota is also incorporated into electoral law and stipulates that: “party electoral lists are required to have a minimum of 30 percent women among their candidates for all national elections.”<sup>105</sup> Women now represent 37 percent of women in Parliament in Argentina.

As a result, the Royal Government of Cambodia should pass legislation mandating that all political parties have no fewer than 30 or 40 percent of either sex on their candidate lists. Ideally, this legislation will be included in electoral law.

## **Recommendation Two: Legislated Zipper System**

Legislated candidate quotas on their own will not suffice in Cambodia. Here, “securing a high position on party candidate lists, rather than cultivating a constituency of voters is most crucial to success.”<sup>106</sup> As mentioned in the interviews, it is common for women in Cambodia to be placed at the bottom of the candidate list during elections during both National Assembly elections and Commune Council elections. Mrs Ros from GADC pointed out that in Cambodia, people are voting for the party, and “parties decide whether to put men or women forward as candidates. This is the power of the parties.” It is the party who currently decide on which order the candidates are placed on the list, so even though political parties like FUNCINPEC have committed to putting a minimum percentage of women on their candidate

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<sup>103</sup> (Electoral Code, 2nd Transitory Section).

<sup>104</sup> (Constitution, Article 37 [2]).

<sup>105</sup> (Electoral Code, Article 60 [3]).

<sup>106</sup> Griffith, L. (2010) ‘*Strengthening Democracy and Electoral Processes in Cambodia: Lessons Learnt and Best Practices in Promoting Women’s Participation and Representation in Cambodia 2010*’ [UNDP Cambodia](#) p. 28.

list, there is no directive to prevent political parties from putting women at the bottom of the list. Further, the use of the zipper system could help to curb the practice of candidates 'buying' their way onto the top of the list; as explained in the previous chapter, as well as being wholly undemocratic, this serves as an economic barrier which prevents women from being in a 'winnable' position on the candidate list.

At the moment, local NGOs are lobbying for the zipper system to be used at the National Assembly elections. They encouraged political parties to adopt the zipper system during the Commune Elections 2012, with mixed results; as noted in section 2.2.1, the zipper system was used in some provinces, but not others. Mrs Yim notes that the zipper system is voluntary, so whilst NGOs are asking parties to use adopt the zipper system this is "not something they *have* to do; they just say that they will try to do it."

It is recommended that legislation on candidate quotas should incorporate the zipper system practice. Again, this was implemented by Costa Rica; an electoral law, introduced in 2009 states that all elections after 2010 should include the zipper-system: "all nominations to election will comply with the mechanism of alternating by sex (woman-man or man-women) in a way that two persons of the same sex cannot be subsequent on the nomination list."<sup>107</sup> This has also been adopted in Belgium; the electoral code states "the two top candidates on candidate lists and on the lists of alternates can not be of the same gender."<sup>108</sup> Now, women make up 38 percent of the House of Representatives. In East Timor, this practice has also been adopted, with electoral law stipulating "on electoral lists, one out of every group of three candidates must be a woman."<sup>109</sup> East Timor also use the legislated candidate quota system and women comprise 38 percent of National Parliament.<sup>110</sup>

As a result, it is recommended that the Cambodian government pass legislation on the zipper system for candidate lists, following Costa Rica's example by specifying that the name of candidates on the list should be alternated according to sex, so that two persons of the same sex cannot be subsequent on the candidate list. This will guarantee that the candidates listed at the top of the list include both a man and a woman.

### **Recommendation Three: Sanctions for Non-Compliance**

As demonstrated in Section 4.3.2 sanctions should be in place to ensure gender quotas are adhered to. It is therefore recommended that the Royal Government of Cambodia have strict enforcement measures to oblige political parties to abide by legislated candidate quotas and the zipper system.

Again, Costa Rica is a good example of effective sanctions; here, political parties must have at least 30 percent of women in winnable positions on candidate lists, otherwise they are unable to register the list for the election. The majority of Latin American countries have similar sanctions for non-compliance,

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<sup>107</sup> Electoral law (no 8765 of September 2009) Article 2.

<sup>108</sup> (Electoral Code, Article 117bis).

<sup>109</sup> (Law on Election, Article 12 [3], 2011).

<sup>110</sup> Available online at: <http://www.quotaproject.org/uid/countryview.cfm?CountryCode=TL> Accessed on 20<sup>th</sup> March 2013.

including Peru, Paraguay, Argentina and Bolivia. For example, Argentina’s Electoral Code states that, “party lists that do not comply with the electoral law will not be approved.”<sup>111</sup> It is not sufficient for enforcement mechanisms to constitute a financial payment as it is likely the political party will choose to forgo abiding by the quota, and simply pay the fine.

Sanctions are fundamental to the success of gender quotas. In order for legislated candidate quotas and the zipper system to be effective in Cambodia, it is vital that the government pass legislation which prevents political parties from registering their list for election, unless they have abided by the gender quota.

## The Senate

### **Recommendation Four: Reserved Seats in the Senate**

The percentage of women in the Senate in Cambodia is particularly low. There are 61 members in the Cambodian Senate; 59 members here are elected by Commune Councillors from 24 provinces, whilst 2 members are appointed by the King. As a result, reserved seats could be adopted, demanding that women comprise at least 30 or 40 percent of seats in the Senate.

However, many of those interviewed were skeptical of the Cambodian government adopting reserved seats as there are concerns that the adoption of this type of quota is un-Constitutional, as it discriminates against men. To mitigate this, it is recommended that reserved seats is implemented in a gender-neutral way, so that the Senate should not comprise more than 60 or 70 percent of either sex. This has proved to be a useful strategy for countering arguments that quotas are discriminatory.

### **Recommendation Five: Not a ‘quota’, but a ‘special measure’**

It is recommended that when local NGOs are lobbying for gender quotas, they do not refer to it as a ‘quota’ but as a ‘special measure’ to increase the number of women in politics. As Mrs Khus said, “the word ‘quota’ scares them.” She gave an example of an order which was passed to reserve a certain number of civil servant positions for women; she said that Hun Sun would not call this a quota. Similarly, goals contained with CMDG3 are not known as ‘quotas’, but ‘targets’, even though they share the same characteristics.

Mrs Ros added to the issues surrounding the concept of ‘quotas’, noting that translating the meaning of quotas is difficult in Cambodia, because of the “conservative roots of the Cambodian government.” She also commented that many people believe that if gender quotas are used, this is not fair for men. The recommendations above make it clear that gender quotas should be implemented in a gender-neutral way in Cambodia to maximise support, but it is also necessary to call ‘quotas’ something different to reduce the stigma of them being un-Constitutional; it is recommended that an alias is given for ‘gender

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<sup>111</sup> (Electoral Code, Article 60 [4]).

quotas', and instead, we refer to this mechanism as a 'special temporary measure'. Further, as the IFES study demonstrated, the majority of Cambodian people are unfamiliar with the concept of quotas; labeling it a 'special measure to increase the number of women in politics' has the benefit of clearly portraying the aim of the measure.

#### **4.5 The risks associated with gender quotas: practices to avoid**

Now that we have established best practice examples for the implementation of gender quotas, it is important to assess the extent to which gender quotas are successful in eliminating discrimination against women in political and public life: do gender quotas really have an impact on the societal well-being of women on the ground, or do they simply enhance the position of the few women who manage to make it into politics?

Pitkin's work on descriptive representation and substantive representation has been key in understanding how legislators should represent their constituents to ensure their rights and needs are furthered by parliament: descriptive representation means legislators are descriptively similar to their constituents and simply 'stand for' them in parliament, whereas substantive representation requires legislators to 'act for' their constituents by taking action on issues which are of concern that particular group.<sup>112</sup>

#### Women in politics: furthering women's agendas?

As described previously, one of the main arguments for gender quotas is that women legislators are presumed to promote women's rights. Although gender quotas can play a key role in promoting women's political participation, they fail to "guarantee the quality of their actions [or] the type of decisions they are going to make."<sup>113</sup> Consequently, it would be wrong to presume that once gender quotas have been fulfilled, the pursuance of women's rights can suddenly stop; as Costa notes, the "number of women within representative structures does not signify the empowering of women as a collective subject."<sup>114</sup>

Indeed, in Rwanda, despite there being a female-majority in parliament, legislation has been passed which is, in fact, detrimental to ordinary Rwandan women: in 2009, parliament introduced a new Labour Code which reduced paid maternity leave from eight weeks to two weeks, as well as increasing the working week from five days to six days, from 40 hours to 45 hours, significantly impacting the lives of working women.<sup>115</sup> When interviewing citizens from Rwanda, Burnet found that many women "pointed

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<sup>112</sup> Pitkin, H. (1967) The Concept of Representation University of California Press: Berkeley. Taken from *Supra* note 78. p. 397.

<sup>113</sup> *Supra* note 90. p. 32.

<sup>114</sup> *Supra* note 92. p. 119.

<sup>115</sup> Republic of Rwanda. 2009b. "Law No 13/2009 of 27 May 2009 Regulating Labour in Rwanda." Official Gazette of the Republic of Rwanda. Special issue, May 27, 2009.

to this labour legislation as an example of how female parliamentarians put their individual interests (i.e., staying in their positions) ahead of the interests of average Rwandan women.”<sup>116</sup>

It is assumed that women in politics are more likely to represent that needs and interest of other women than their male colleagues, but there are key issues with this; it must be remembered that women are not a homogenous group and will often stand for issues that don't necessarily revolve around gender. Further, the political sphere remains a highly masculinised space and in many countries, women politicians risk marginalisation and exclusion if they are “seen to represent only ‘women’s issues’ (or perhaps ‘feminist interests’).”<sup>117</sup> Consequently, it is unrealistic to expect female representatives in politics to focus solely on issues relating to women and girls.

### Nepotism, cronyism and the elite

Particularly, there are grave concerns that the increase in the number of women in Parliament in Rwanda has only benefited a small proportion of women, namely, the elite. Again, Burnet has observed that changes within the country have equipped upper-class women with increased access to salaried jobs and greater purchasing power, yet rural peasant women (in elected positions in local government) have seen their workload increased and their economic security undermined.<sup>118</sup>

In Costa Rica too, there are worries that gender quotas have simply brought conservative women into power – women who are well connected to political and economic elites, without “any progressive agenda” and are actually “strong opponents of the feminist movement.”<sup>119</sup> There was one occasion where female legislators opposed to a bill which proposed an eight-hour working day for domestic workers on the basis that they would not be able to “participate in politics if their domestic workers did not work extended hours.”<sup>120</sup> In another case, the President of the Congressional Women’s Commission disagreed with proposals to introduce a Bill to Criminalise Violence Against Women in 2007 on the basis that “on many occasions, women provoke family violence and the important thing was not to create more for women, but to preserve the sanctity of the family.”<sup>121</sup>

### Gender quotas: lip service?

There are also cases of quotas simply being ‘empty gestures’ where gender quotas are simply viewed by political parties as an easy way to demonstrate commitment to women in politics, without having to change the existing patterns of representation.<sup>122</sup> In South Africa for example, it has been observed that the African National Congress select women candidates who are believed to be “pliable”<sup>123</sup> and will

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<sup>116</sup> Burnet, J. (2011) ‘Women Have Found Respect: Gender Quotas, Symbolic Representation, and Female Empowerment in Rwanda’ *Politics and Gender* 7 (3) p. 314.

<sup>117</sup> Grey, S. (2006) ‘Numbers and Beyond: The Relevance of Critical Mass in Gender Research’ *Politics and Gender* 2 (4) p. 493.

<sup>118</sup> *Supra* note 115. p. 305.

<sup>119</sup> *Supra* note 90. p. 32.

<sup>120</sup> *Ibid.*

<sup>121</sup> *Supra* note 90. p. 32.

<sup>122</sup> Krook, M. L. (2008) ‘Quota Laws for Women in Politics: Implications for Feminist Practice’ *Social Politics* 15 (3) p. 353.

<sup>123</sup> Vincent, L. (2004) ‘Changing the Way Things Look Without Changing the Way Things Are’ *Journal of Legislative Studies* 10 (1) p. 76.



simply follow the dominant party line. In India too, Nanivadekar has claimed that women filling gender quotas are simply “stand-ins for male relatives” and are “blindly loyal to male party bosses.”<sup>124</sup> As a result, power structures within the political sphere go unchanged, and ultimately, the presence of women in politics does little to transform traditional gender stereotypes and or enhance the role of women within communities. Ultimately, it rings true that whilst “quotas can be a pathway into power”, there is a risk that women can be left “without voice or influence once they reach office.”<sup>125</sup>

To avoid such practices, Tadros states that it is “critical” for policy focus to go “beyond the representative dimension of gender parity in parliament to examine how the critical mass is engaging with gender issues, and what kind of legislation is advanced.”<sup>126</sup> There is a risk that once a certain proportion or percentage of women in politics has been reached, all efforts to promote women in politics may stop. We must ensure that we are not just supporting political parties with the greatest number of women, but supporting parties who have the most progressive gender agendas, even if these parties contain gender-sensitive men, as well as women.

#### **4.6 Beyond numbers: making quotas work**

There are a number of other measures which should be adopted alongside gender quotas to ensure measures to promote women in politics go beyond quotas. Whilst quotas are useful for increasing the number of female representatives in politics, their presence within the political sphere does not guarantee that the women’s agenda will be pursued. There are a number of other factors which contribute to the inclusion of women in public and political life.

##### Political will

The “existence of a ‘political will’”<sup>127</sup> is key to the challenge of eliminating gender-discrimination, as are the introduction of actions and policies “supplementary to the system of quotas and which support women’s pathways into politics.”<sup>128</sup> Rwanda has demonstrated both political will and has taken further action to promote women’s participation in politics, and this has played a major part in securing a female-majority in parliament. 2000 saw the launch of Rwanda’s national programme ‘Vision 2020’ which placed women’s rights and the promotion of women in politics firmly on the agenda: a Ministry of Gender was soon established and created a National Gender Policy, and National Women’s Councils were introduced at all levels – from grassroots to national – and were designed to mobilise women across the country.<sup>129</sup> Such measures have seen increases in the number of women participating in political and public life, with many women serving as elected officials in local-level posts (which are not

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<sup>124</sup> Nanivadekar, M. (2006) ‘Are Quotas a Good Idea?’ *Politics & Gender* 2 (1).

<sup>125</sup> *Empowerment: A Journey not a Destination*’ (2011) *Pathways of Women’s Empowerment* Pathways Synthesis Report. Available online at: <http://www.pathwaysofempowerment.org/PathwaysSynthesisReport.pdf> p. 26.

<sup>126</sup> Tadros, M. (2011) ‘Women Engaging Politically: Beyond Magic Bullets and Motorways’ *Pathways Policy Paper* Pathways of Women’s Empowerment: Brighton. p. 6.

<sup>127</sup> *Supra* note 24. p. 118.

<sup>128</sup> *Ibid.*

<sup>129</sup> Kantengwa, M, J. (2010) ‘The Will to Political Power: Rwandan Women in Leadership’ *IDS Bulletin* 41 (5).

reserved for women) in village communities.<sup>130</sup> In addition, there is evidence that women are now able and willing to speak in public at meeting, have increased access to education, and are increasingly prepared to engage in entrepreneurial activities.<sup>131</sup>

As we have seen, the Costa Rican government has taken a number of steps to increase the number of women in politics, with successful results. In addition to implanting legislative candidate quotas, the government has continued to demonstrate its commitment to promoting women in the political sphere, and has defined the political participation of women and women as a 'human right' under the principles of equality and non-discrimination in the Electoral Code. This formal endorsement of women's equal representation further proves that Costa Rica provides a progressive and successful model for the inclusion of women in politics.

### Capacity support

Tadros notes that gender quotas are also reliant on "capacity support,"<sup>132</sup> provided by both government and local and national NGOs. There are a range of activities encompassed in such support, including training, financial support and constituency building.<sup>133</sup> Pre-election training has been provided for women, predominantly by NGOs, in a variety of countries and is seen as an effective way of improving women's knowledge of "political processes, campaign skills and leadership, before and after elections."<sup>134</sup> Mexico have also established a policy which demonstrates political will in ensuring women's participation in politics is feasible and sustainable in the long-term through the provision of financial support: the 2008 gender quota law mandates that 2.3 percent of parties' budget must be devoted to supporting female candidates;<sup>135</sup> this will play an important part in recruiting women into politics.<sup>136</sup> In constituency building, feminist groups have been integral in ensuring women in decision-making roles continue to push for the promotion and protection of women's rights on the ground. The Uttarakhand Women's Federation is a women's movement working in the hill villages in India and is made up of a network involving around 450 women's groups spread over seven districts. The Federation has seen many women members contest and win positions within village council elections, as it works closely with women's groups to encourage women's leadership, both on a collective and individual level, and across a substantial period of time.<sup>137</sup> Consequently, women have become empowered, and have been inspired to make real changes in politics and influence the development agenda.<sup>138</sup>

### Re-shaping patriarchal structures

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<sup>130</sup> *Supra* note 39. p. 316.

<sup>131</sup> *Ibid.* p. 318.

<sup>132</sup> Morna, C. (2009) 'Is Parliament Open to Women? Quotas in Global Perspective' in *Is Parliament Open to Women? An Appraisal* Conference for Chairpersons and Members of Parliamentary Bodies Dealing with Gender Equality, Geneva Inter-Parliamentary Union. p. 44.

<sup>133</sup> *Ibid.* p. 44.

<sup>134</sup> Tadros, M. (2010) 'Quotas – Add Women and Stir?' *IDS Bulletin* 41 (5) p. 6.

<sup>135</sup> Htun, M. and Piscopo, J. 'Presence Without Empowerment? Women in Politics in Latin America and the Caribbean' Paper prepared for the Conflict Prevention and Peace Forum. p. 11.

<sup>136</sup> *Ibid.* p. 11.

<sup>137</sup> *Supra* note 52. p. 6.

<sup>138</sup> Sharma and Sudarshan (2010) 'Towards a Politics of Collective Empowerment: Learning from Hill Women in Uttarakhand, India' *IDS Bulletin* 41 (5).

The introduction of gender quotas represents a significant effort to eliminate the discrimination of women in political and public life, but we must remember that we are still far from achieving parity as men still represent 80 percent of politicians worldwide.<sup>139</sup> Looking at the positions held by women ministers is also interesting and indicates that the notion that women still lead with their hearts rather than their heads is still a prevailing belief: looking at 1065 positions held by women in 188 countries, it was found that women predominantly fill roles that pander to female stereotypes, embodied in their traditional roles as carers within the private sphere.<sup>140</sup> These figures make it clear that more needs to be done to challenge and question “the patriarchal order”<sup>141</sup> which governs political and public life.

### Grassroots movements

Franceschet and Piscopo have suggested that gender quotas will be best utilised when demanded by women feminist movements on the ground. They suggest that ‘top down’ instances, where political elites adopt gender quotas under the guise that they are enhancing women’s rights, do little to truly encourage women’s participation in politics and public life as female legislators may not feel obliged to represent women. Rather, when female politicians have been demanded by women’s organisations after a bottom-up campaign, “female legislators may attribute their electoral gains to the collective efforts of female activists”, and therefore play a greater part in ensuring they are substantively representative, as opposed to descriptively representative. As a result, there may then be a more genuine effort to ensure women’s rights are properly promoted and advanced.<sup>142</sup>

## **4.7 Analysis: can gender quotas work in Cambodia?**

The previous sections have explained how gender quotas could be implemented and enforced in Cambodia to successfully increase the number of female representatives in politics, but now comes the important question: can gender quotas actually work in Cambodia, or will the political environment negate their use?

### **4.7.1 The risks in implementing quotas in Cambodia**

#### Lack of political will

There is a distinct lack of political will to implement gender quotas in Cambodia, and whilst recommendations have been made to counter the arguments the government may make against quotas, the absence of government support may ultimately determine the success of gender quotas in the country.

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<sup>139</sup> *Supra* note 67.

<sup>140</sup> *Ibid.*

<sup>141</sup> *Supra* note 36. p. 32.

<sup>142</sup> *Supra* note 33. p. 404.

There was broad agreement in the interviews that political parties support women's political participation, but they do not believe gender quotas in the way to do this.

Mrs Nhean said that between 1999 and 2000, the MoWA along with NGOs lobbied the National Assembly and government for a quota system, but government did not support this. However, she notes that this was before 'gender mainstreaming' entered the dominant development discourse, and she says that "maybe we did not clearly understand the importance of female participation in politics." Now, she thinks that all parties understand the importance of female participation, but she is still skeptical of parties supporting a gender quota system. She notes that whilst government are committed to meeting the CMDG, which remotely resembles a quota, the government cannot order political parties to introduce quotas to meet the CMDG. But there is a way of dealing with this; if the National Election Committee support the quota system, they can engage in dialogue with Cambodia's political parties and ask them to reconsider their candidate lists. Mrs Yim was optimistic of gender quotas being supported by gender quotas in the future, but "the way they make it work, I am not sure," she says.

It has been recommended that the Cambodian government pass legislation on gender quotas, but there was doubt amongst all those interviews that this could happen in Cambodia; whilst those like Mr Panha and Mrs Nhean support the legislation of quotas, Mrs Nhean posed the question: "how can we advocate Parliament to amend the law such as the election law?" Mrs Thyda Chor said that CCHR have done a briefing note on gender quotas and although they would like to see gender quotas legislated in Cambodia, this would take "a long, long time."

Overall, this paper is designed to show the Royal Government of Cambodia that there are ways of increasing the number of women in parliament without discriminating against men; by providing recommendations for the implementation of gender-neutral quotas, and by providing examples of best practice from other countries, it is hoped that the negative stigma surrounding quotas can be transformed and policy-makers will start to understand the benefits of quotas.

#### Descriptive representation

There is evidence from Cambodia that women in political positions are not capable of playing a part in decision-making roles because of dominant power structures that govern the political sphere. As a result, an increase in the number of women in politics does not necessarily indicate that women are able to participate on an equal playing field. Mrs Ros from GADC believes that parties will only support quotas and promote women's political participation "for lip service, to make their policy look good." She notes that parties support women's political participation because they don't feel women will "harm" the party, as they are working for them, rather than the people. In addition, she observes that it is rare for women to play an "important role" within the party. Similarly, Mrs Khus commented that when you look at the number of women in politics in Cambodia it's "pretty good in comparison with other countries." The issue in Cambodia is that when you look at the quality of the work and their capability to promote women's issues, "they don't know what to do." Mrs Yim added that some women in decision-making roles in Cambodia do not have an agenda for promoting women's rights; "so even when women are in politics, they sometimes don't represent women."

CCHR have found that the problem extends beyond this, as women are often overlooked in Commune Councils when work is being assigned; Mrs Chor said that CCHR had evidence of work being allocated to other people, rather than a female Commune Councillor and she notes that this happens at both local and national level, but they don't have any specific data of information about this happening at national level. Similarly, Mrs Men from CPWP acknowledges that whilst the number of women in politics has increased, the "decision-making making capacity and leadership capability of women is still poor." Yet she sees the achievement of women's substantive representation as a two-part process; first, Cambodia must reach the target of 30 percent, and then we can work to "increase the confidence and the capacity of the women."

However, it is not just women's lack of confidence which prevents them from fully participating in politics after election. A HBF study interviewed female Commune Councillors. One of the Deputies shared her experiences with the researcher: "my role in the commune council is not relevant, I prepare tea, boil water, and welcome guests during meetings. The Chief of the commune and the commune clerk make all the decisions. The clerk manages the commune budget, I don't know anything about money, about planning or anything else. We only follow the chief and the clerk in decisions. I don't really know what the programs are, as everything is managed by the clerk; he receives and manages the money of the commune. I have never seen money for women's and children's affairs, or even discussed a project."<sup>143</sup> Although this lady was elected to the Commune Council by the villagers, she is still operating within her gender-ascribed role and cannot play an active part in decision-making because power within the Commune Council has not been distributed equally; power still lies with the male Commune Councillors. She is there simply as a 'token' women. In order to prevent such practices, we need to ensure that gender quotas are implemented alongside other measures so that women are not in politics to make up numbers.

#### Women confined to 'women's issues'

As discussed previously, it is not uncommon for women in politics to fill roles that pander to female stereotypes, embodied in their traditional roles as carers within the private sphere. Women are more likely to take up positions involving childhood, women and social policies. In Cambodia, it is no different; Mrs Khus has observed that when conferences, workshops or roundtable discussions focus on gender issues, "it is women who are sent to the meetings and the workshops; the men don't even come."

The general consensus appears to dictate that women's roles within politics cannot extend beyond 'gender issues'. Indeed, within HBF's study on women leaders at local level, it was found that both women Councillors, along with their male colleagues believed women's role to be related and limited to "gender." Maffii noted that as a result, some female Commune Councillors felt "disempowered and marginalized."<sup>144</sup>

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<sup>143</sup> *Supra* note 14. p. 15.

<sup>144</sup> *Supra* note 14. p. iv.

At a recent conference hosted by CPWP on women at local-level politics, someone commented that it will always be easier for women to enter politics at local-level because not many 'important' decisions are made here; it is much harder for women to become representatives in national level politics because here, politicians are dealing with large budgets and key policy decision-making. When women hold positions at national-level, it is common for them to be confined to roles involving health, social welfare, and children, partly because this plays upon their traditional gender role as 'carers' and also because these are departments which are assigned small budgets. It is rare for women to be placed as the head of departments like defence, or finance, because such areas are allocated bigger budgets and involve more 'important' decisions; decisions which women are perceived as unable of making.

The knock-on effect of this has been raised by Labani, who notes that when women are confined to positions where budgets are limited and their decision-making power is limited, they "do not acquire the competencies any political man develops and which are so necessary for internal promotion within government structures."<sup>145</sup>

### Cambodia's political environment

Considering the current political environment in Cambodia, where elected women tend to represent the party rather than the people, and nepotism, cronyism and elitism often governs the political sphere, there is a significant risk that increasing the number of women in politics will do little to further the women's agenda. We've already seen how the (female) Deputy Prime Minister acts in the interests of the party, rather than the people, and there is little to suggest that gender quotas could play a part in transforming this practice. It is possible that gender quotas could simply lead to the recruitment of upper-class women, especially those with close ties to powerful men, with close loyalties to their parties.<sup>146</sup> If this were to happen in Cambodia, it is likely that they would "faithfully follow the established rules."<sup>147</sup> It is worth bearing in mind that virtually the whole democratic system in Cambodia is led by the CPP party, and as Mrs Ros noted, "the problem is that the power of the ruling party means that they interfere with the women in the political party to use their role for the benefit of the party, rather than the people."

In addition, whilst quotas are a useful tool for increasing the number of women in political positions, they cannot be used to manage the process of candidate selection; instead, the process and criteria for candidate selection falls within the party's jurisdiction and in some areas, there are no outreach activities to find female candidates.<sup>148</sup> It has also been found that in Cambodia, the criteria used for candidate selection varies, and the "lack of internal party democracy and open processes of competition for party office or candidate list places may block women's progress."<sup>149</sup> There was also a case of a

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<sup>145</sup> Labani, S., Zabaleta Kaehler, C. and De Dios Ruiz, P. (2008 – 2009) 'Regional Gender Programme in South-East Asia – Stage II: Gender analysis of women's political participation in seven South-East Asian countries' p. 47.

<sup>146</sup> *Supra* note 4.

<sup>147</sup> *Supra* note 92. p. 119.

<sup>148</sup> *Supra* note 105. p. 28.

<sup>149</sup> *Ibid.*

political party exploiting the use of women for political gain; the party was found to be taking advantage of women's ability to campaign, before removing them from the party list.<sup>150</sup>

Yet, the quota system should not be invalidated on this basis; there are other tools and mechanisms which can be implemented alongside gender quotas to ensure a more holistic approach is taken to increasing the number of women in politics, and women's representation in politics goes beyond numbers.

#### **4.8 Mitigating the risks in Cambodia**

One thing is for sure: gender quotas are not a catalyst for gender equality. They can be an effective way of guaranteeing an increase in the number of women participating in politics, but they are just one way of increasing women's representation in politics. For women's full and equal participation and representation in politics, gender quotas must be supplemented by broader strategies designed to advance women's participation.

One of the main advantages of gender quotas is also its greatest disadvantage; as we have seen, quotas are a fast-track way of increasing the number of women in politics, bypassing the transformation of power structures and imbalances and gender-ascribed roles, which often prevent women's participation in the public and political sphere. However, in failing to redress these barriers to women's political participation, the underlying issues which hinder women's natural progression into politics are still prevalent; gender quotas do not question internalised views of why women are perceived as incapable of participating in politics.

As a result, the implementation of gender quotas needs to be supplemented alongside other strategies which dismantle the barrier between the public and the private sphere, deconstruct gender stereotypes, address women's poverty and rebalance power relations. Efforts also need to be made to facilitate women's participation in politics, through training and awareness programmes in order to build women's confidence and educate them on political processes and practices. In addition, cross-party networks should be established to create solidarity and alliances amongst politicians encouraging them to promote gender-issues. Measures should also ensure that when women are represented in politics, there is space for them to contribute to policy-making; there must be fair and equal platform for women to fully participate in decision-making.

#### **Recommendation: Innovative lobbying by local NGOs**

Local NGOs play a key role in lobbying political parties and the government to accept policies which help to promote women in politics. At the moment, local NGOs are lobbying parties to adopt voluntary gender quotas prior to the National Assembly elections in July 2013. In addition, efforts are being made

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<sup>150</sup> *Ibid.*

to encourage parties to use the zipper system to ensure female candidates are placed in a 'winnable position' on the electoral list.

Whilst it is recommended that local NGOs continue with this strategy, there are other persuasive tools that can be used to encourage political parties and the government to adopt quotas. Firstly, it is important for NGOs to highlight the gap between policy and practice; there lies a big difference between government targets, contained within the CMDGs, and the current percentage of female representatives in politics and NGOs should continue to encourage government to minimise this gap.

It is also key for local NGOs to demonstrate how quotas have been implemented elsewhere, without affecting the democratic process. As recommended above, local NGOs should emphasise that gender quotas will not unfairly benefit women if they are implemented in a gender-neutral fashion. Further, local NGOs can use CEDAW's recommendations to advocate the implementation of quotas. In the UN Committee's report in 2006, the Royal Government of Cambodia was urged "to implement a strategic plan with measures that will result in an increased number of women in elected and appointed office, including the judiciary, and therefore in enhanced compliance with article 7 of the Convention. *The Committee recommends the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, as a means to accelerate compliance with the provisions of article 7, together with the establishment of timetables and targets for women's equal participation at all levels of decision-making.*"<sup>151</sup> Article 4(1) of the Convention makes it clear that temporary special measures, designed to accelerate the number of women in politics does not amount to discrimination against men, so long as these measures are discontinued once the objectives of equality of opportunity and treatment have been achieved.

Most importantly, local NGOs need to be effective monitors of government's and political parties' commitment to promoting women in politics. In doing this, NGOs can refer to international human rights and gender equality conventions and agreements, as mentioned above, but they should also develop and utilise indicators to measure progress on goals relating to gender equality.

Whilst some NGOs and donors are reluctant to work against the government and the ruling party, NGOs should unite to support progressive female representatives who further the women's agenda, regardless of their political affiliations. Mr Panha noted that some NGOs are hesitant in supporting female politicians because of the Code of Conduct regarding neutrality. He says that civil society organisations should work with politicians from any political party to encourage dialogue between female representatives from all political parties. A cross-party approach has the benefit of creating a space for women from all parties to engage in informal discussions on the obstacles women in leadership face, and develop joint strategies for overcoming these barriers. It is the role of NGOs and civil society to facilitate and provide a safe space for women working in different political parties to develop alliances for the gender-sensitive advocacy.

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<sup>151</sup> Italics added. Available online at: <http://www.unhcr.org/refworld/docid/441183478.html> Paragraph 24. Accessed on 8th April 2013.



## Recommendation: Financial support for women in politics

As discussed in Chapter Two, high levels of poverty in Cambodia make it difficult for women to enter politics. In addition, lack of financial support for female candidates makes it hard for women to campaign on an equal platform with men. Further, salaries for Commune Councillors in particular, are minimal and it is almost impossible for women to take up roles within the Commune Council when their families rely on their income for survival. Having worked as a Youth Activist for the SRP, Ms Sorn is aware of the financial constraints; she says that “you have to sacrifice a lot of you want to work in politics,” and the risks of working in politics is greater than working in the private sector where she has security, “we know we are getting paid each month,” she says.

It is therefore recommended that the Royal Government of Cambodia take action to increase the salary of Commune Councillors to ensure members have a ‘live-able wage’. At a recent conference hosted by CPWP, a (female) member of the Commune Council expressed that the current salary of \$17.50 for members, \$20 for deputies and \$25 for a chief was insufficient and she commented that much of the time, she relied on food donations from her community for her and her family’s survival.

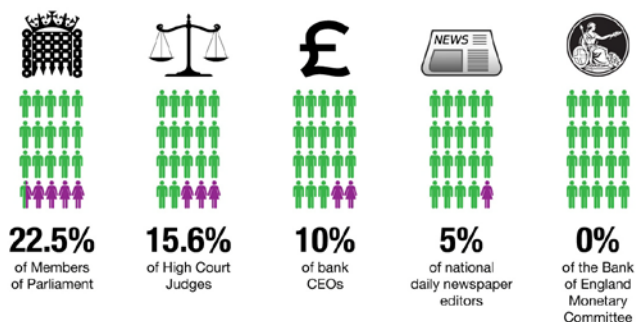
In addition, it is recommended that financial support is provided to assist female candidates throughout their electoral campaign as in Mexico where the 2008 gender quota law mandates that 2.3 percent of parties’ budget must be devoted to supporting female candidates.<sup>152</sup> It is especially recommended that women from disadvantaged areas are given financial support to ensure those who aren’t affiliated with the political elite can compete.

## Recommendation: Closer monitoring and dissemination of the number of women in politics

Information regarding the number of women in politics in Cambodia is somewhat unreliable, with statistics varying from source to source. Much of the time, available information is unclear and inaccurate which makes it hard to monitor the number of women in politics in Cambodia and take appropriate action accordingly. It is recommended that monitoring mechanisms are improved, and local NGOs and civil society organisations pay particular attention to positive or negative changes, achievements, challenges and new information that results from their actions. Mrs Khus recognised the importance of closer monitoring, stating that NGOs now need to critically assess and analyse the efforts of government and political parties in promoting women in politics. She notes that “five, six years ago we did more soft approach because we needed to get access, we needed to build our image on why we need women, we need to build good role models. But

**51%** of the population are women.

But women make up only...



<sup>152</sup> *Supra* note 134. p. 11.

now we need hardball by monitoring and being more critical because they don't know how to do it - monitoring and pointing the short coming will help them see where they need to go and what to do."

The use of infographics can also be beneficial in disseminating information on the number of women in politics as these visual representations can be used to quickly and clearly present information and data. An example of a useful infographic comes from the UK; here the Fawcett Society used statistics to highlight women's underrepresentation across all areas of public life. The infographic was printed in national newspapers and provoked wide discussions amongst the general public on the obstacles women face in accessing public sector jobs. Such an infographic could be replicated in Cambodia to initiate dialogue on this issue.

### **Recommendation: Broader awareness raising on the importance of women in politics**

Promoting women in politics involves far more than simply increasing the number of female representatives. Prevailing gender stereotypes and socio-cultural restrictions prevent women from participating in politics and in order to change peoples' attitudes towards women, particularly women in politics, broad awareness programmes are necessary to tackle gender discrimination in the area of political participation. Awareness programmes should take place at different levels and areas, in the media, among political parties, in schools and in rural areas, and such programmes should address men and women, in all age ranges. Awareness schemes should also concentrate on promoting a democratic culture, by educating Cambodia people on the electoral process, the voting system and political parties and their policies. It is recommended that such programmes take place through the use of the media and in the school curriculum.

#### Media

It is recommended that the media play a greater role in promoting the status of women, particularly of those who are already in power. Rather than portraying women as victims, we need positive examples in the media of women who are successful leaders; publicising stories of strong women, like Tep Vanny, can help to transform traditional gender stereotypes and lead to a wide acceptance of the role of women outside of the home. This strategy was also considered to be a useful mechanism by those interviewed. Raising awareness of the importance of women's role in society and focusing on key individuals can help to create female role models and as Mrs Yim said, "we need more positive information about women to show the achievements that women make."

#### School curriculum

There was much support amongst those interviewed for issues relating to democracy, women and gender issues to be integrated into the school curriculum to ensure children, teenagers and adolescents have a comprehension of political processes, and also understand the importance of women in politics. Whilst Mrs Yim notes that this can be hard to implement, she acknowledges the benefit of such programmes as "people know about elections, how to be an elected candidate, how to use their rights,

and then maybe we can build up their knowledge from school and then they might be more interested to join.” Similarly, Ms Sorn notes that quotas should be implemented alongside measures which enable girls in primary school and high school to recognise that they are capable of competing with men in all areas, including politics.

Mrs Chor and Mrs Yim also felt that exchange programmes between regions in Cambodia and between different countries could help to encourage women from all levels of society to engage and join in politics. Mrs Yim felt that such exchange programmes would enable young Cambodian women to gain experience from women who are successful in politics in other countries, so that “they will have more ideas and more encouragement and they will have learnt things and then they can apply this to their own lives.”

### **Recommendation: Continue with capacity development**

As Mrs Men from CPWP said, before we can promote women in politics, they must “be confident and happy to join.” Capacity development is key in ensuring women have all of the necessary competencies to participate in politics; competencies which vary from being confident in their ability to partake in politics issues to having the skills to successfully carry out the role. Labani noted, “having enough capability to exercise politics is not a natural endowment in human beings,”<sup>153</sup> so women need to be equipped with the necessary tools and resources to efficiently carry out their political role.

Whilst quotas can work to increase the number of female representatives in politics, more is needed to sustain these levels. There are examples from other countries of candidates being provided with training to support them throughout their election campaigning and it is recommended that Cambodia implement such training programmes for women candidates; in Liberia, the National Elections Commission appointed 20 trainers to facilitate a five-day workshop designed to teach female candidates the basics of an electoral campaign. Similarly, an initiative in the Marshall Islands allowed women to participate in a Mock Parliament for Women. The event was attended by six of the nine female candidates running for the national elections, as well as a number of a women running in local elections. The purpose of the Mock Parliament was to provide female candidates with the opportunity to develop their public advocacy skills, and it also enabled the community to acknowledge and recognise the importance of supporting women politicians. One of the attendees reflected on the event, saying, “I was not going to campaign for the upcoming local government elections but I am now, since going through this training. In our culture it can be hard for women to run against their uncles and brothers because we look up to them, but I will make sure I share this training with other women and encourage them to run for election as well.”<sup>154</sup>

In addition, it is recommended that further training is be provided for women who have already been elected to national and local level politics; capacity development is needed for these women to ensure

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<sup>153</sup> *Supra* note 144. p. 95.

<sup>154</sup> *Supra* note 74.

they are capable of carrying out their role effectively and successfully. Mrs Nhean supports these schemes as she notes that “here have been complaints that they are not working hard enough to be a good role model in decision-making. Some females in the National Assembly play a very active role for the promotion of gender equality, but some are still not active.”

Successful training initiatives have been carried out for women in positions of political power in both Bolivia and El Salvador. Here, women are informed about local, national and international conventions and agreements and to develop skills of negotiation and public speaking. This enables women to confidently address gender equity and women’s rights issues when the opportunities arise.<sup>155</sup>

It is also recommended that efforts are made to ensure all people in decision-making roles are responsible for putting women’s issues on the agenda. It is wrong to assume that when women have political power, they will be responsible for furthering the needs of other women in the country; instead, all policy measures should be gender-sensitive and we should be encouraging men in political positions to also take responsibility for promoting women’s issues. It is therefore recommended that training programmes are held for male politicians to educate them on women’s rights, international agreements protecting and promoting women’s rights and gender mainstreaming in a bid to ensure all policy-making involves gender analysis.

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<sup>155</sup> Just Politics [One World Action]. Women and transforming political spaces. Available online at: <http://www.gadnetwork.org.uk/storage/5.%20Just%20Politics.pdf> Accessed on 11th March 2013. p. 28.

## Conclusion

### The results of the 2013 elections

In the interviews, it was asked what was expected after the 2013 National Elections; would the number of women in political positions increase?

The general consensus was that the gender composition of the National Assembly would not change after July 2013. A variety of reasons were given; Mrs Khus felt that the number would not change because not much is being done by civil society. She notes that, at the moment, funding is a real issue so it is difficult for NGOs to provide all of the resources necessary to support, encourage and promote women's leadership. Mrs Yim is also pessimistic that the results of the National Elections will see an increase in the number of women in politics. She feels that "we need a long time to educate all politicians on issues affecting women but it will take a long time. We also need to change the perceptions and this will take a while. Because they have grown up in a different time to us, so perceptions, practice and attitudes will take time to change."

Mr Panha also feels that the number of women in the National Assembly will not increase after the 2013 elections; "it will be the same number," he says. "The party is still the same, the leader is still the same. There won't be a big change. As far as I have observed, political parties have not introduced any young generation females." He adds that the government is mainly comprised of men, and it has been like this since the 1980s.

Whilst NGOs have played a key part in promoting women, there is a distinct lack of affirmative action and lack of government support and political parties have failed to promote the role of women in politics. Unfortunately, it is unlikely that anything will change after the 2013 elections and as a result, it is unlikely that CMDG3 will be met; as Mrs Yim from IFES pointed out, the next National Assembly election after 2013 will be held in 2018. The CMDG target is for 2015, so if the target is not met in July 2013, the government will not reach its target.

Although there are concerns that CMDG3 will not be achieved, this is not to say that local NGOs, civil society organisations, political parties and the government should give up their efforts to increase the number of women in politics beyond 2015. As this paper has demonstrated, learning from other countries is an important way of assessing which strategies are useful for promoting women in politics; keeping on top of world trends and understanding which mechanisms work will be a useful tool for Cambodian NGOs to employ when they develop future activities. It is hoped that this paper will encourage NGOs to look to other countries before designing programmes for promoting women in politics to follow best practice examples.

The Costa Rican model teaches us that there are five components which dictate the success of gender quotas:

1. That it is part of the national electoral legislation;
2. That there exists a women's movement with the capacity to monitor compliance with the regulations

3. That there is clarity in terms of the mechanisms for implementation;
4. That it is obligatory to apply the corresponding quota for women in eligible positions;
5. That the electoral body is directly involved in guaranteeing the fulfillment of the system and that there are clearly defined sanctions, consistently applied when requirements are not fulfilled.<sup>156</sup>

All of these contribute to the success of gender quotas, and it recommended that Cambodia follow this particular model.

The paper has also demonstrated that quotas are an important measure for achieving gender equality in politics. Whilst they may “constitute an imperfect means to a positive end,”<sup>157</sup> they seem to be the only effective tool for securing female participation in political and public life at present. But it is important to ensure they are implemented in a way which will guarantee their maximum effect.

### An optimistic outlook

Already, this paper has achieved one of its objectives, by initiating discussions on gender quotas. On the 28<sup>th</sup> February 2013, CPWP held a TV Roundtable discussion on gender quotas which was attended by Mr Koul Panha from COMFREL, Mrs Ros Sopheap from GADC and two representatives from political parties, one from the CPP and another from the CNRP (previously, the SRP). The primary objective of the discussion was to provide the general public with a basic knowledge of gender quotas by discussing what they are, how they can help women enter politics and discussing the pros and cons of such quotas, but it also aimed to encourage political parties to commit to having more women in their own parties, by discussing the implementation of voluntary quotas and encourage government to increase the number of women in decision-making roles by developing a quota system to guarantee female presence and representation in politics.

Further, CPWP aim to host another roundtable discussion on the recruitment of female candidates and the importance of the zipper system in the 2013 National Elections. Such events play a key role in promoting debate, discussion and constructive dialogue on gender quotas among legislators, policymakers, NGOs and civil society in Cambodia on the importance of female representation in politics, and mechanisms for increasing the number of women in the political sphere.

As a result, we should remain optimistic and continue with our efforts to encourage the government and political parties to accept the recommendations detailed in this paper. Yet the success of gender quotas once implemented raises far more questions; as Mrs Ros said, “it’s possible that gender quotas will be accepted by the Cambodian government, but a lot more is to be said about whether gender quotas can do anything to transform the political environment, and actually benefit other women...”

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<sup>156</sup> *Supra* note 90. p. 30.

<sup>157</sup> Kittilson, M, C. (2005) *In Support of Gender Quotas: Setting New Standards, Bringing Visible Gains* Politics and Gender 1 (4) p. 638.