



# Strengthening women's leadership and participation in politics and decision making process in Algeria, Morocco and Tunisia

## *Mapping of the situation*

2008 - 2009

- **The United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW)** promotes applied research on gender issues, facilitates knowledge management, and supports capacity-building through networking mechanisms and multi-stakeholder partnerships with UN agencies, governments, academia and civil society.
- **The Centre for Arab Women Training and Research (CAWTAR)** was established in 1993 in Tunisia as Regional Independent Institution working on promotion of gender equality in the Arab world, through research, training, networking and lobbying. CAWTAR acts in partnership with Arab regional institutions as well as international institutions for women empowerment in socioeconomic, political and cultural domains.

## « Mapping of the situation of women participation in politics in Algeria, Morocco and Tunisia »

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Project on the “Strengthening women’s leadership and participation  
in politics and decision making process in Algeria, Morocco and Tunisia”

## **Mapping of the situation of Women Participation in Politics in Algeria, Morocco and Tunisia**

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## INTRODUCTION

There exists a worldwide dynamic for a greater participation of women in political and public decision making spheres that became reference criteria reflecting the democratic level attained by a society. Arab countries have entered - at different levels - within this dynamic. In the three countries of the Maghreb region (Algeria, Morocco and Tunisia), progresses in terms of women participation in politics and public decision making has indeed been made over the last years, mainly after the 4<sup>th</sup> Beijing conference on Women.

Conducted in the framework of the project called *“Strengthening women’s leadership and participation in politics and decision making process in Algeria, Morocco and Tunisia”*, initiated by the United Nations’ International Research and Training Institute for the Advancement of Women (UN-INSTRAW) and the Center of Arab Women for Training and Research (CAWTAR), this mapping will try to put the light on women participation in politics and in the decision making process in all three countries, to identify issues raised in each country and to contribute to the definition of orientations for the future steps of the UN-INSTRAW/CAWTAR initiative.

## MAPPING METHODOLOGY

This mapping was based on a documentary research that helped to sketch out the issue of women participation in politics in the three Maghreb countries. It relied on various types of documents related to women conditions and gender based social relationships in Algeria, Morocco and Tunisia. These documents are : law texts, studies, reports, seminar proceedings, statistical documents, brochures, web sites, etc...

## MAPPING FRAMEWORK

The situation of women in the three countries covered by the project is the combined result of the political willingness of their leaders, women’s ambitions and demands and the socio-cultural and political context prevailing in the three countries, and even in the Arab region and the Maghreb sub-region.

Since their independence, all three countries have undergone thorough deep socio-economic transformations, impacting women status in the family and in society. We have particularly witnessed a constant evolution of the legal system in favor of women, an increasing access of women to all various education cycles, and a growing presence of women in the workplace. Nevertheless, the three processes launched by modernization having marked political life after independence, did not favor women’s consistent participation in the public and political spheres and same participation in decision making process in the three countries concerned.

Why is there such a resistance against women’s integration in politics? What are the factors hindering women’s breakthrough in politics ? How to remedy to this situation? These are some of the questions that the initiative will try to answer.

In spite of women participation in the struggle for independence in all three countries, and then in the struggle for development, in spite of their presence in the social and economic domains, their participation in national and local politics as well as in decision making still remains under their expectations. Based on this assertion, the present *mapping* of women participation in political and public spheres and in the decision making process will enable us to<sup>(1)</sup> :

- 1-Develop a documentary review on women leadership and participation in political life and in the decision making process in Algeria, Morocco and Tunisia, in order to
  - Outline the statute of women at juridical, socio-cultural and political levels ;
  - Identify pertinent indicators related to women participation in political life and in decision making ;
  - Define the main assets (strong points) developed in the three countries enabling women participation in politics and in decision making process, as well as obstacles hindering the effective implementation of those assets ;
  - Make an inventory of policies and perspectives in this domain
- 2-Identify key actors at different levels (governmental, non governmental, international, civil society, media...) and the synergy governing them ;
- 3-Identify good practices related to women’s political participation at national and sub-regional levels
- 4-Detect reflection trends about “women and political participation” that may inspire national studies in the framework of the initiative’s future phases.

Before starting this mapping, it is important to define some concepts : leadership, political participation and contribution to decision making.

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(1) Cf. i) Document of the project on “Reinforcing Women Leadership and Participation in Political Life and Decision Making”;  
ii) Terms of Reference of the Project Advisor



## **DEFINITIONS : LEADERSHIP / PARTICIPATION IN POLITICAL LIFE / PARTICIPATION IN DECISION MAKING / KEY ACTORS**

“Political participation” and “decision making” (political decision making in the framework of the present initiative) are defined as an activity reserved for people acting individually or as community members, elected or assigned with a public or political responsibility. Politicians may hold governmental functions, consultative positions within governments or are elected at all levels of power; the group of political decision makers also includes decision makers at the level of political parties.

“Leadership”<sup>(2)</sup> refers to the quality, capacity and the art to conquer, exercise and maintain the leader’s function. It aims at defining the capacity to lead people or organizations to the achievement of objectives. Referring to behaviors that may characterize the person that may play the role of “leader”, leadership may hence be defined as “the capacity of an individual to influence, motivate, and make others capable of contributing to the efficiency and success of organizations they belong to”.

In the framework of this study, we will deal with the decision making process in the political sphere including the Government, the Parliament, local governance (municipalities / local councils ...), and also at the level of intermediary structures/institutions i.e. associations, network of supporting groups (stakeholders).

The two concepts suggest that decisions affecting peoples’ and community lives are taken, and that they have immediate consequences in the medium or short terms on the community or on people’s lives. For this reason, leadership as defined above is a capacity, and even a quality that may lead to political participation and to decision making.

“The key actors” are individuals or institutions playing roles in women participation in politics and in decision making process :

- i- Decision makers : governmental institutions / senior staff with direct or indirect connection with the issue of women participation in politics and decision making process ;
- ii- Structures / people constituting civil society : academics/researchers, associations, unions and employers’ organizations ;
- iii- Media.

The mapping objective is, as stated above, to outline the reality of women participation in politics and in decision making process, to determine key actors in each country likely to contribute to the promotion of women’s participation, to highlight opportunities favoring it and obstacles hindering it, and cross-match good practices in order to develop an inter-Maghreb exchange in this field. We therefore decided to make a country-based diagnosis in order to identify ways that need to be explored by the next phases of the initiative. The study of the current situation will take in consideration evolutions registered in the three countries over the previous decade.

(2) from <http://www.wikipedia.org>



## ALGERIA



## Introduction

“In spite of the important role that Algerians women played in the liberation struggle and in the post-colonial reconstruction, even if recognized in the official speeches, they are however pushed into the background with respect to the participation to decision making and into laws regarding personnel status.....”<sup>(3)</sup>.

Though they actively took part in the fight for their country’s independence, Algerian women have often been relegated to the second plan for the most influential of them, and to the family sphere for all others.

In fact, Algeria’s history is full of events and actions conducted by women in the political domain; the example of Tharwa Fadhma N’soumer is very enlightening as it reflects the path of a female figurehead, who participated to all popular uprisings, and who led a men’s army to hold the French Army in check for seven years in Kabylie. It also reflects Algerian women’s faith, almost absent from political spheres once independence was recognized.

This mapping will try to shed the light on the situation of Algerian women’s political participation by analyzing the juridical system and the institutional mechanism put in place in order to fully serve women’s cause and rights. It will also try to : i) survey opportunities and obstacles hindering women’s political participation; ii) identify good practices in terms of promotion, reinforcement of women’s political rights and enhancing women leadership; iii) investigate ways for the future phases of the project.

## I- Juridical System in favor of Women in Algeria

The juridical system implemented in independent Algeria does not include discriminatory laws towards women. This is reflected in the Algerian Constitution subject to several amendments and in the various Algerian laws and bills.

### 1- The Constitution

The 1996 Algerian Constitution highlights the fundamental principle of equality before the Law of all citizens with no discrimination based on birth, race, sex, opinion or any other personal or social condition :

Art.29 – Citizens are equal before the Law, with no discrimination for reasons related to birth, race, sex, opinion or for any other condition based on personal or social circumstance.

Art. 51 – The equal access to functions or jobs within the State is a guarantee for all citizens, with no condition other than those fixed by the Law.

Equality is clearly enounced in the Constitution. Is it also stated in other law texts, such as the Penal Code, the Nationality Code, the Labor Code, the Family Code, and the Electoral Code? It should be noted that even if in their original version, these texts do not explicitly state

(3) “Comment concilier égalité des droits et lois inspires de Charia en Algérie? » by Sahima Dramchi ; Sisyphe : 25 avril 2009.

the notion of equality. Juridical reforms progressively introduced over the last decade call for more equality and less discrimination, in compliance with Algeria’s adherence to CEDAW and to other conventions related to women’s rights.

## **2- Family Code**

In order to have the national legislation in accordance with the evolution of international laws, in terms of protection of women’s rights, a National Commission for the Reform of Justice was created in 2000 in order to review different codes (civil, civil procedures, penal, penal procedures, family, nationality, and commerce).

Modifications introduced by prescription 05-02 dated February 27, 2005 modify and complement the Family Code, aimed at reinforcing women’s rights according to provisions of the Constitution which guarantees for equality between citizens. The most significant amendments mainly concerned :

- Fixing the age of marriage uniformly at 19 for men and women (article 7),
- Submission of polygamy to the preliminary agreement of spouse(s) and the future spouse, as well as the authorization of the President of the Court, who shall check said agreements and the husband’s reasons and aptitudes to ensure equity required for his marital life (article 8),
- The agreement of both spouses is a requisite for marriage (article 9),
- Banning of marriage with proxy;
- Restoring balance of rights and duties between spouses (article 36),
- Extension of judges’ prerogatives, now liable to give their ruling in summary judgments, through prescription, mainly in cases related to custody rights, visit rights, housing and food allowance (article 57 bis),
- The new Family Code also includes provisions reinforcing the women’s statute, such as : the right to choose their husbands, to conserve their heritage, to ask for divorce or “El Kholoo”, to manage their own properties and the right for inheritance.

## **3- Nationality Code**

Through prescription n.05-01 dated February 27, 2005 modifying and complementing prescription n. 70-86 dated December 15, 1970, the new text of the Algerian Nationality Code sets the fundamental objective to recognize equality between men and women, and to upgrade legislation on nationality, with regard to international conventions and treaties ratified by Algeria in terms of Human rights and women’s rights in particular.

Amendments mainly concerned recognition of Algerian Nationality transmitted through maternal filiation (article 6) and granting privilege to acquire the nationality when marrying an Algerian man or woman (article 9 bis).

#### 4- Penal Code

During the years 2005-2006, new amendments have been introduced to Law n. 66156 dated June 8, 1966 related to the penal code. They concern :

- Incrimination of sexual harassment, providing victims with the juridical tool to claim their rights and sue parties responsible for this harassment (article 341 bis),
- Increase in sentence in the case of a husband voluntarily abandoning his wife for more than two (02) months with no valid reason, while him being aware of her pregnancy (article 330 – paragraph 2); voluntary refusal for more than two (02) months to provide allowances determined by the judge (article 331), and the non payment of the full amount of the food allowance due to the spouse, ascendants or descendants in spite of a juridical decision (article 331).

#### 5- Labor Code

According to constitutional provisions, the labor legislation bans all forms of discrimination based on gender. All citizens shall have the right for work without discrimination (article 55 of the Constitution), and shall be considered null and void all provisions of collective conventions, agreements or work contracts likely to establish any sort of discrimination between workers in terms of employment, remuneration or work conditions based on gender, social or matrimonial situation, political convictions, affiliation or non affiliation to unions (article 17).

#### 6- International Conventions

Algeria ratified all conventions related to the protection of human rights and women's rights, of which we cite :

- The 1966 international chart on civil and political rights ;
- The 1966 international chart of economic, social and cultural rights;
- The 1979 Convention on the elimination of all forms of discrimination against women;
- The 1952 convention related to women's political rights;
- The 1949 convention related to the elimination of human trafficking and prostitution;

## II- Women's Political Rights

No legislative or legal provision prohibits or restraints women's participation in the country political life. The right to vote and be elected is guaranteed to women by the Constitution since Algeria's independence in 1962. Article 50 states : "Any citizen fulfilling legal conditions shall be an eligible voter".

Prescription n. 97-07 issued on March 6, 1997 including an organic law related to the electoral system, sets conditions for voters not making any difference between men and women.

The organic law n. 91-17 dated October 14, 1991 modifying and complementing Law n. 8913 dated August 7, 1989 relating to the Elections Code, bans elections through proxy,

a process that used to prevent women from fully enjoying their political rights by effectively participating to the electoral operation; the new law has therefore enabled women to freely express their political choices.

According to a national study conducted in 2004 by the Delegate Minister in Charge of family and Women Conditions concerning women’s economic and social integration, nearly 60% of all Algerian women personally vote.

### **III- Institutional Mechanisms**

- Creation since 2002 of a Delegate Ministry in charge of Family and Women Conditions ;
- Creation in 2006 of a National Council for Women and the Family;
- Incentives to associations and to participatory action. There are more than 70,000 associations, 900 of which are present at national level.

#### **1- Ministry of Family and Women Conditions**

The Interest given by Algeria to women’s conditions was reflected in the creation of a Ministry in charge of Family and Women’s Conditions.

This ministerial department is in charge of designing, implementing and monitoring the national policy related to the promotion of women and the family, in partnership and coordination with different Ministry departments and various partners, mainly civil society and the media. The ministry’s mission is :

- Contribute to the definition of a national policy for the family and women conditions,
- Implement negotiation and coordination mechanisms for the execution of the national policy in terms of family, women and children;
- Participate to the national effort aiming at the development and reinforcement of the national cohesion through actions oriented towards women and the family;
- Reinforce and valorize women’s activities and potential mainly on the economic and social fronts;
- Consolidate instruments for research, studies, surveys, database, etc..
- Elaborate a communication and information plan concerning family, women and children,
- Institutionalize the gender approach

At the local level, Social Actions Departments have been created in all different Wilayas to promote the role of the family in general and the promotion of women in particular, and to support the most underprivileged categories, mainly family-leading women without revenues, families with limited revenues in charge of a handicapped parent, elderly lacking support ...



## **2- The National Algerian Council for Women and the Family**

It was inaugurated to mark the International Women's Day, on March 8, 2007. The Council is made up of 50 members representing Ministries, public organizations and civil society.

Its missions are : to promote and coordinate dialogue aimed at reinforcing women's and children's rights; evaluate the situation of women and families; and developing programs encouraging the participation of women to public life.

### **3- Associations**

Associations constitute a key element for the advocacy, promotion and defense of women's rights. The freedom of association provided for by Law n. 90-31 related to associations has been reflected in the emergence of a very large number of non governmental organizations active in all social domains. Nevertheless, while in 2005, Algeria had more than 70,000 associations both national and regional, the number of women associations was limited to 23, including associations working on raising awareness on women's rights, citizenship and equality between gender, the fight against gender-based violence, the contribution to micro-credit programs, literacy and training.

## **IV- Women, political participation and decision making**

### **1- Women, power and decision making**

In the framework of its policy aimed at the promotion of women's rights in their entirety, the Ministry of Women considers women's participation to decision making and their access to the State's higher positions as a key priority in its strategy.

This has led to women reaching high profiled positions : four (04) ambassadors including two (02) assigned abroad, one (01) Wali or Governor, for the first time in 1999 followed by two (02) other unassigned Walis, one Deputy (01) Wali, eleven (11) community –daira- leaders, one (01) woman is a Secretary General of a Ministry, five (05) Ministries' Cabinet Chiefs of Staff, six (06) women advisors at the Economic and Social Council, three (03) secretaries general of Wilayas, three (03) wilayas general inspectors, etc...

The Vice-Governor of the Algerian Central Bank is a woman, who is also member of the Currency and Credit Council, the country's highest financial authority. The Faculties of Natural Sciences and Arts, and the University of Sciences and Technology are chaired by women;

In the field of magistracy, women hold the following positions : President of the State Council (01); Presidents of Courts (03); Presidents of Tribunals (33); Prosecutor (01); Examining Magistrate (137) over a total of 404 hence more than one third; Presidents of Sections (09) including five (05) sitting at the State Council and four (04) at the Supreme Court. Algerian women judges represent today nearly 50% of all judges.

At the level of the Chancery, the 105 senior staff includes 29 women. Also, there is a total of 13 737 employees, all positions included, including 6024 women, while of the 10210 court employees, 4917 are women, reflecting a feminizing rate of 48.16%

In the field of national security, women are increasingly present in various levels. The total number of women working for security agencies amounted to 7833 in 2006, including a Police Chief Superintendent (highest grade);

The number of women working for the public administration is steadily increasing, where they are present in “feminized” sectors, i.e. education and healthcare where they represent more than 60% of medical and paramedical staff, and hold nearly 50% of all position with the education sector. At the level of higher education, women are also more present : two women are University Deans.

We notice a slight breakthrough of women into senior positions; nevertheless, while this number is not proportional with the number of Algerian women graduating from prominent universities and others, it is anyhow remarkable the opening of such positions for long time exclusively male oriented, as this represents a good omen for a better future for women in terms of decision making positions, a greater consideration for gender issues by national sector-based policies, and a better presence of women in political spheres;

This breakthrough of women in professions requiring high qualifications shall not hide their limited presence in political decision making or in State senior positions, appointed by the Government. The high qualification of working women was not reflected in the same proportions as decision making levels, mainly in the political domain.

## **2. Women Participation in Politics**

Women’s participation in political decision making has been guaranteed by the Constitution and the Law since 1963.

The right to vote and to be elected is guaranteed to women by the Constitution, since Algeria’s independence in 1962 and by prescription n. 97-07 dated March 6, 1997, providing for the organic law related to the electoral system, fixing conditions to vote, and not making any distinction between women and men.

### ***2.1- Participation to presidential elections***

The Algerian woman participates to the presidential elections as an eligible voter, in compliance with the constitution and with the electoral code which amendments have reinforced this participation by directly involving them in the choice of candidates; the April 2004 results of the presidential elections give an idea about women’s participation reaching a rate of 46.49% of the electoral structure.

It should also be noted that Algeria is the first country in the Arab World where a woman President of a political party was twice candidate for presidential elections (April 2004 and April 2009).

## ***2.2- Women in the Algerian Government***

In Algeria, the presence of women in the Government is limited, as is the case in Arab and Maghreb countries. Very few women have access to the highest spheres of political decision making. No woman was member of the first 9 Algerian Governments. It was only in 1984 that Algeria saw for the first time the appointment of a woman minister.

There is no constancy in the progressive progression in the number of women in the Government. We noted between 1987 and 2002 the emergence of one, sometimes two women, in Governments, but contemporarily their disappearing from executive governments. We had to wait for the 26th Government, in June 2002 to see 5 women appointed members of the Government. Only one was Minister, and all other four were delegated Ministers (Vice-Ministers).

This number even dropped again in April 2006, as only 3 women were members of the Government including one Minister and two Minister Delegates.

In Algeria, as in most Arab countries, women are appointed in Cabinets at positions with no major or limited responsibility or technical expertise, and are excluded from strategic or sovereignty departments. They are usually in charge of the Family, Women's conditions, immigration, culture, literacy ... and more often are they appointed Minister Delegates.

## ***2.3- Women in the Parliament***

In Algeria, women had access to the constitutive assembly in 1962 : 10 women were elected out of 194 deputies, hence a women's representation rate of 5%, which was then considered a fair rate with regard to the recent independence. However, we immediately later noted a regression. From 1967 to 1997, women's representativeness in the parliament was up and down. It's only in 1997 that the number of elected women started to slightly increase, with 11 women at the National Popular Assembly against 10 in the 1962 Constitutive Assembly (one more woman). However, this increase in number was reflected by a decrease in terms of rate (2.90% in 1997 against 5% in 1962).

If we exclude the two legislative bodies of 1991 and 1997, where the number of women was respectively 6 and 12, the only real increase concerns the present National Popular Assembly elected in 2007, which includes 26 women on a total of 389 deputies, hence a rate of 6.20%.

Similarly, we note that the Council of Nation, the Parliament's second house created after the 1996 constitutional revision, sees a regression in the number of women senators. This House includes today four women only, all appointed by the President of the Republic, while the first 1997 legislature included eight women, 5 of whom appointed by the President of the Republic.

As is the case for the number of elected women at the Parliaments, the number of women sitting in Chambers’ and Commissions’ Boards has been very limited in all various legislators.

Women’s under representativeness within legislative bodies can mainly be explained by their poor presence on political parties’ electoral lists.

Concerning legislatures between 1997 and 2007, figures provided in the following table perfectly reflect women’s difficult access to the electoral lists of political parties :

***Women candidates to the Algerian legislative elections (1977-2002)***

Year	Total of candidatures	All Candidates	Women Candidates	Percentage %
1977	783	744	39	4,98
1982	840	801	39	4,64
1987	885	822	63	7,11
1997	7.749	7.427	322	4,15
2002	10.052	9.358	694	6,90

Although not having an easy access to political parties as candidates to legislative elections, women play an important role as an electoral body, representing nearly 50% of this body. For indication, at the 2002 local elections, women represented 46.14% of the electoral body (hence 8 349 770 out of 18 094 555 voters).

***Participation of women to local and legislative elections (1997 and 2002)***

	1997		2002	
	Candidates	Elected	Candidates	Elected
APC	1281	75	3679	147
APW	905	62	2684	113
APN	322	11	694	27
Wilaya Councils	-	-	-	-

In spite of barriers, and namely cultural barriers, 30 women actually (2008) have access to Parliament; they could have access to the Chairmanship and vice chairmanship of parliamentary commissions and the parliamentary groups of their political parties.

***2.4- Women in Local Assemblies***

The representation of women remains insignificant within local assemblies. In 1997, 1 281 women were candidates in communal elections; 75 of them were elected. Five years later, in 2002, 3 679 were candidates in communal elections and 147 only were actually elected;

While the number of women candidates in the 2002 communal elections tripled compared to that of 1997, and the number of elected women almost doubled, numbers of women candidates and elected representatives are still insignificant with regard to the overall number of candidates and elected people. The same observation applies for elections at the level of Wilayas. In the elections held on October 23, 1997, 62 women were elected to Wilayas' Popular Assemblies out of a total number of 305 candidatures. In 2002, 113 women were elected of 2684 women candidates.

Second social roles are assigned to women at the level of local councils : three women are elected presidents of councils in Algeria. They are exceptionally invited to chair commissions. When they are chosen, they are usually in charge of social structures and missions (healthcare, childhood, solidarity, etc..). Women's representation in local political institutions remains limited and slow.

In local executive structures, we note that women, even when they have access to elective positions within local assemblies, they do not accede with the same proportions to political and decision making positions at the local level.

The nomination of women as Walis, Secretaries General of wilayas or community/Daira leaders is still rare. While the number of women appointed wilayas' secretaries general or Daira leaders has increased, there are only 2 women Walis so far.

### **3- Women in political parties**

Women's representation in the two main parties of the presidential majority, the National Liberation Front (FLN), and the National Democratic Rally (RND), does not reflect their role in the political sphere.

The National Liberation Front (FLN), a majority party and the RND have expressed together their position against the quota system. Few parties openly discuss this issue. The Rally for Culture and Democracy (RCD) and the Movement for Society and Peace (MSP), which are in favor of the quota system, have integrated it in their structures. The MSP, which is close to the Muslim Brothers<sup>(4)</sup>, adopts an advanced attitude by integrating women at a rate of 20%. The Rally for Culture and Democracy (RCD) is faithful to its positions, as gender quality constitutes the foundation of its program.

Two (02) women lead political parties. One of them was candidate for the last presidential elections. In symbolic terms, this is very important as it opens the way for a social dynamics accepting the presence of more women in politics.

The number of women activists within political parties and functions they hold are not known. We can only have a grasp on this through their candidatures and their access to elective mandates.

(4) The Muslim Brothers is a transnational Sunni movement and the largest political opposition organization in many Arab states, particularly Egypt ([http://en.wikipedia.org/wiki/Muslim\\_Brotherhood.html](http://en.wikipedia.org/wiki/Muslim_Brotherhood.html))

The last elective mandates show that majority political parties do not invest much in women candidatures. The FLN, supported by women during the fight for independence winning more than half of the seats during the 2002 communal elections, presented 2.56% only of women candidatures on his lists. The RND, another majority party had only 1.90% on his lists.

In Algeria, the absence of voluntary measures and with regard to what happened over the last decade, we note stagnation if not a decline in terms of women representation in political parties.

#### **4- Women participation in politics and in decision making process : obstacles and perspectives**

##### *Obstacles*

Indicators concerning the participation of women in decision making spheres show that inequality is more evident at managerial level than at the level of employees. It is even clearer in power spheres (parliament - government and local councils). Many and multiple reasons account for women under-representativeness at the level of decision making positions. We can cite :

- The recent opening of the political domain in Algeria;
- The little presence of women in parties as activists, due to the difficulty of reconciling public and family lives;
- Women’s suspicion with regard to political parties, due to lack of political training,
- An unfavorable electoral system
- Other obstacles prevent women from having access to the highest spheres of the State and Companies : constraints related to senior functions, mainly availability and mobility. They are often bound to make choices : either they give up career perspectives and exclude themselves from decision making positions, or they sacrifice their family lives, or accumulate charges and work double; the conservatism of society, political parties and the administration; women’s access to decision making spheres means at the same time an important renewal of the leading staff and new approaches in the definition of policies and in political practices; the absence of co-option system adapted for women. They are often excluded from informal networks, which are real co-option areas.
- As for the quota technique, the issue was discussed in meetings held by public authorities or by associations. Some Algerian policies plead in favor of positive actions juridical techniques, based on the equity principle, by stating that the Constituent and the Legislator shall be ingenious enough to enforce the equality principle. Others plead for the blind enforcement of equality in politics, as a consequence of the juridical equality.
- Some parties have proven to be more modernist than others, as they included in their statutes or programs the quota system or set a threshold for women. However, the current electoral system that has been in force since 1997 has not markedly increased women rates at the Legislative Assembly (APN). The proportional list ballot can be favorable for women only if two conditions are fulfilled :

- \* A good representation of women candidatures, mainly on lists of parties likely to win seats;
- \* An adequate classification

It is therefore up to the main parties, providers of candidates, to present more women candidates and offer them eligibility opportunities.

The current electoral law does not provide for any positive discriminatory measure to rectify and partially correct the process that has kept women away from vote. In addition, the type of ballot that has been adopted does not favor the election of women, neither to the Parliament, nor to Wilayas Assemblies (APW) or communal assemblies (APC).

### *Perspectives*

In spite of the little representation of women at different decision making spheres, progress is obvious. What is important, it's the fact that women are present in almost all sectors and particularly in sectors that used to be close to them. They are no more confined in social sectors.

In addition, progress schooling and training rates brings up the hypothesis of the job market receiving important numbers of qualified women workers. They will constitute a real reservoir of skills and know-how likely to compensate deficiencies currently witnessed by the Administration, namely at the local level.

Women entrepreneurship, today limited, is particularly active and may open up new perspectives, especially if encouraged by supporting perspectives including financial incentives, training, assistance, etc..

However, in spite of possibilities offered to women in terms of tutorship, their access to managerial positions can be achieved only when supported by a political willingness and a women-based strategy to be led by the Ministry in charge of Women Conditions, in partnership with national and international actors.

## **V- Programs**

### **1- Strategy to fight gender-based violence (GBV)**

The Ministry in charge of Family and Women Conditions designed a project in partnership with United Nations Programs (UNIFEM/UNICEF/UNFPA) aimed at supporting efforts and at developing methodologies, instruments and reference systems to provide better service and assistance to women and children victim of violence. The purpose of this project is to support coalitions to fight against GBV through advocacy campaigns to change mentalities and reinforce legal rights.

The project’s objective is also to reinforce the technical and institutional capacities of the Ministry to boost the creation of governmental, parliamentary and professional coalitions to advocate the follow up and operation possibilities of the strategy.

This project, even if not directly related to women’s political empowerment, serves the issue of women’s political participation as the project is an integrated project including several components, of which training on advocacy campaigns which describes various forms of advocacy, as well as partnership initiated by the project, which represents an edifying example for partnership aiming at enhancing women’s participation in politics.

## **2- Gender programs**

In the framework of the execution of the national objective by horizon year 2015, the consolidation of women’s participation and empowerment at all levels, and results expected by UNDAF<sup>(5)</sup> by 2011, which means women participation in general and rural women in particular, in the political, economic and social lives, the United Nations System (SNU) in Algeria supports sensitization and modernization actions in favor of the promotion of women and their rights, through the implementation of a gender based project, in partnership with the Ministry in charge of Women Conditions. The project will contribute to reinforcing the national institutional capacities in order to : i) better integrate the gender approach in policies, programs and instruments; ii) the implementation of a national strategy for the fight against GBV.

## **3- Gender in Action Network**

The purpose of this network, created in 2004 is to reinforce knowledge and capacities about the Gender concept, and capitalize on Francophone approaches about the Gender issue. At the international level, this network hopes to contribute to the promotion of the Gender & Development Approach as an essential dimension for sustainable development.

## **4- Guide for the institutionalization of the Gender Approach**

The Guide for the institutionalization of the Gender approach is part of a process aimed at reinforcing capacities in terms of gender, led by the UNDP in Algeria. The main objective of this report is to guide program managers in the design and management of their activities, to better take in consideration questions related to gender equality and women empowerment.

## **5- Act for Social Development**

This MEPI<sup>(6)</sup> Project is aimed at reinforcing the capacities of local NGOs’ active in the field of democratic reforms through tailored training programs and consultations. This program will also develop networks between local NGOs’ and other actors from civil society, governmental agencies, and the business community. The program’s main component includes training ses-

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(5) United Nations Development Assistance Framework

(6) The Middle East Partnership Initiative (MEPI), an American initiative, assists efforts to expand political participation, strengt - en civil society and the rule of law, empower women and youth, create educational opportunities, and foster economic reform throughout the Middle East and North Africa (MENA).



sions in management and financial techniques for leaders of 40 NGOs working in the field of Human and women's rights as well as youth activities, and also assistance to 10 NGOs to ensure their efficiency in the workplace.

### **6- Campaign to raise citizens' awareness about political parties' positions concerning problems related to women**

The objective of this action funded by MEPI is to help CIDDEF highlight positions taken by Algerian political parties on topics such as violence between spouses, women's health, or employment problems in the perspective of the 2007 elections. Further to a survey conducted among political parties using a specifically tailored questionnaire, CIDDEF coordinated the radio broadcasting of messages given by members of different political parties and organized a press conference to discuss the survey results. The grant contributed to the production and distribution of posters and brochures designed for citizen education concerning the position of parties, the rise of citizens' interest in elections, and providing people concrete reasons to vote.

### **7- Creation of coalitions and training in the field of management in favor of political partners**

In the framework of a program for the reinforcement of political parties, the National Democratic Institute (NDI) conducted a project in order to facilitate cooperation between political parties and civil society organizations, and explain to the public the electoral process in Algeria. The goal of this program is to raise political parties' and civil society organizations' accountability and transparency to better represent citizens' interests and advocate political reform. The program particularly pleads in favor of women's political participation.

### **8- Forum on Women and Political Participation**

What concrete measures to promote women's increased participation in elected assemblies? The Algerian Parliament organized on March 21, 2007 a Forum on women's political participation, with the collaboration of the United Nations Development Program (UNDP) and the Inter-parliamentary Union.

This forum was organized in the framework of a cooperation project between UNDP and the Algerian Government, titled "Support to Parliament". The project is supported by the Ministry of Foreign Affairs and the Ministry of Relations with the Parliament and is funded by the Belgian Kingdom. The United Nations Development Program supports several initiatives in favor of building parliaments' capacities at national, regional and world levels, mainly through the Global Program for Parliamentary Strengthening (GPPS).

The Forum enables the exchange and sharing of experiences on concrete measures to promote women's accrued representation in elected assemblies; Rwanda's experience was presented in this framework. Debates focused on an essential issue : how to increase women's

intervention power both in terms of immediate measures that can be implemented and by thorough actions for the mid and long terms?

## **VI- Key Actors likely to play a role to enhance women’s participation in politics**

### **1- Institutions**

#### *i- Delegate Ministry in charge of Family and Women Conditions*

The Ministry’s missions cited above give it prerogatives to work for women empowerment. Strategies initiated by this young department, born after the Beijing Conference, give considerable thought to political issues; but the place given to the fight against GBV dominates most projects implemented by this Department, in partnership with various stakeholders. This can be explained by the political context marking the decade preceding the creation of the Department, characterized by a wave of violence primarily targeting Algerian women.

The representation of the Ministry of women conditions in the regions –Social Action Departments- provide a good platform to facilitate its actions in favor of women’s political participation.

#### *ii- CIDDEF*

CIDDEF is a center which promotes women’s and children’s rights by :

- Providing a resource center made up of books, research theses, studies, specialized periodicals, mainly on the gender issue, for students and researchers;
- Organizing colloquia, seminars and conferences on topics related to current issues;
- Providing practical and customer-tailored juridical assistance;
- Also providing practical and free of charge psychological assistance;
- Conducting awareness-raising and advocacy campaigns on specific issues.

The comparative study conducted on women’s participation in the political life in the three Maghreb countries – Tunisia, Algeria and Morocco – was very important, if we consider generated results, which show that Algerian women are disadvantaged compared to their Tunisian and Moroccan women counterparts in terms of voluntary, positive discrimination and institutional support. The study has had a positive impact by encouraging women’s structures, particularly NGOs, and stakeholders to focus on the issue of women participation in political life and in decision making process.

#### *iii- The National Consultative Commission for the Promotion and Protection of Human Rights*

Created by Presidential Decree n° 01-71 dated March 25, 2001, this commission is an “independent institution, placed under the authority of the President of the Republic, guarantor of the Constitution, of citizens’ fundamental rights and public liberties”. It also plays the role of a consultative observatory to monitor, give early warnings and evaluations in terms of human rights enforcement.

It is made up of 45 members, including 13 women and is in charge of ruling on human right abuses it reports or is informed about, and accordingly takes appropriate actions. It is also responsible for conducting social awareness-raising, communication and information campaigns to promote human rights, research, education and instruction in this field, and formulate opinions on national legislation in order to improve it ...". In this regard, the Commission may intervene to reinforce political rights on the ground, through discriminatory measures it may suggest to the State's highest authorities.

## **2. Parliament including both Houses**

The Parliament, with both Houses, though not including an important number of elected women, may play an important role as a key actor in reinforcing women's participation in the politics and in decision making. The position of the National Assembly with regard to the Family Code has been very important as the vote was passed with no problem by the Assembly, also including opponents to this reform. Similarly, the action conducted by the few women sitting in the Senate mainly through reflection forums on this issue (2007 and 2008) suggests that both Houses play a key role. However, it is clear that the action should not emanate from women parliamentarians only but also from men.

## **3. Political Parties**

We have not seen in Algeria any voluntary measures to improve women's participation in political life. Due to last decade's events, we noted stagnation, and even a decline of women's representation in political parties.

Women's representation in political parties and functions they hold, though unknown, are not important. For example, the two parties forming the presidential majority, the National Liberation Front (FLN), and the National Democratic Rally (RND), do not grant women an important place. In spite of this, we could note some exceptions, such as access of women to the chairmanship of a political party (Workers Party : Ms. Louisa Hanoune) or a woman candidacy in the presidential elections (Ms. Louisa Hanoune).

We notice on the other hand that some parties use quotas to place women in their leading structures. For indication, the Movement for Society and Peace (MSP) adopts an advanced attitude by integrating women at a rate of 20%. The Rally for Culture and Democracy (RCD), already including gender equality in its founding program, preaches for political equality between men and women.

46% of candidates representing the Workers Party (PT) during the last legislative elections were women. Of the 26 elected members, 11 were women. The Congress decided to place women candidates as Chief Candidates or in second positions of electoral lists. The party's men and women made a lot of mobilization and awareness raising works with citizens, families, etc...

Besides, women are present with the party in all various decisional structures. All PT elected women are members of parliamentary commissions and inter-parliaments friendship commissions.

The last elective mandates have shown that political parties making up the majority (FLN and RND) do not invest in women candidatures. Therefore, it is primordial to consider holding direct actions with political parties playing key roles, in order for them to start giving more consideration to women’s participation in politics.

#### **4. Associations**

The women’s movement in Algeria started with the fight for independence. It was reinforced by the rise of fundamentalism in the country; we only cite the name of Djamila Bouhired who represented the value of sacrifice made by the Algerian People. Women’s fight for independence and against terrorism has been a daily struggle for people survival, facing different threats. Women in Algeria fight through women associations’ struggle against discriminations they are subject to, against the retrograde fundamentalist movement and for the development in its different components. We present below the most know Algerian women’s associations in Algeria and which are the most likely to play a role in the political decision making sphere.

##### ***i- Tharwa Fadhma N’Soumeur Association***

The Tharwa Fadhma N’Soumeur association was created in 1997 by former women and men activists in favor of democracy. It is the only association struggling against abrogation of the Family Code and includes both genders : the association’s men and women activists are convinced that the fight for democratic claims can be made only by involving all citizens.

The objectives of the association are to put in place egalitarian civil laws between women and men (fight focused on changing women’s juridical situation, which if combined with a better economic situation, would contribute to changing prevailing mentalities in society).

The association is trying to mobilize citizens around a societal democratic project and draw the population’s attention to dangers contained in a retrograde Family Code, through theatre plays, awareness-raising meetings, and film presentations in popular areas, and, finally, advocating the building of a modern society that is open to universality.

##### ***ii- Family Code Collective, 20 years Barakat***

The 20 years barakat Collective, is made up of five associations –Tharwa n’Fadhma n’Soumeur, AITDF<sup>(7)</sup>, ADPDF<sup>(8)</sup>, VIE<sup>(9)</sup> and SOS femmes en détresse- conducted an information and awareness raising campaign on the family code and its discriminatory content towards women; the campaign was launched in March 2003. The Collective’s achievements include the publication of a review called “Féminin Pluriel” in 2004. The importance of the collective

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(7) Independent association for the triumph of women’s rights

(8) Association for the defense and promotion of women’s rights

(9) Association Will, initiative and engagement

initiative has been the initiation of common actions in the framework of a network aimed at the promotion of women. The Collective conducted advocacy and sensitization campaigns in Algeria and in France and has been able to mobilize women's rights activists advocating reform of the Family Code.

### *iii- AFCARE Association*

The Association of Algerian Women Managers (AFCARE), was created in 1998 when Algeria was undergoing major changes, opening the way for new social balances, and enabling women's better integration. It should be noted that it's only during the 90's that women started invest the State's senior positions, the political spheres and associations.

The AFCARE Association, well aware of risks likely to question these achievements, has set as its main objective the promotion of women in the professional sphere and their access to decision making jobs in all public spheres. For this reason, it struggles against the glass roof hampering women's access to managerial positions and their confinement in the healthcare and education sectors. For this reason, it conducts :

- Sensitization actions by promoting the positive image of women managers ;
- Training actions for the benefit of working women;
- Design of women managers' files;
- Creation of women's networks;
- Design of an action program aiming at improving the quality of women's lives and creating conditions to reconcile family and professional lives;

AFCARE supported women candidates from Algiers in the parliamentary elections, and participated in a memorandum to introduce the quota system promoted by CIDDEF.

### *iv- Rally against Hogra and for Algerian women's rights : RACHDA*

RACHDA is a national association created during the national assemblies of democrat and republican women held on January 18, 1996. It aims at defending the moral and material interests of women willing to live in democracy, equality, justice and dignity. It strives for associations to ensure effective equality in terms of duties and rights between women and men, and abolish all discriminatory practices towards women. RACHDA is active throughout Algeria and benefits from the tremendous political experience of its women activists as they belong to various women's movements and political parties preaching democracy and equality.

The association was initially created within a political party (RCD); it runs sections in 20 wilayas. It focuses on emending the Family Code and particularly on political work. Today, after the departure of the President Ms. Khalida Toumi (appointed Minister of Culture), the association has become a-political and independent with regard to the RCD.

Rachda, which is present throughout the Algerian territory, could acquire an experience in mobilizing women to claim their rights.

A number of RACHDA’s members know political parties’ back scenes, being themselves members of the RCD, and for instance, having been the former RACHDA President also President and Vice-President of RCD.

#### **v- Rally of Algerian National Women**

The Rally is interested in questions related to gender equality. It aims at providing assistance to impoverished women lacking resources, by offering them education, training and jobs, thanks to the creation of cooperatives, small and medium companies and the promotion of their rights.

The Rally initiated the “*Dar el Insania*” Project, a humanitarian center to host marginalized women further to divorce. It provides juridical and legal assistance in case of women divorce, and holds seminars on democracy and voters education.

#### **vi- Maghreb Union of Women Associations**

It aims at defending Maghreb women’s rights and helping them to know their rights, through seminars and training sessions on Maghreb women’s rights. The association also trains women voters and candidates for elections.

#### **vii- Algerian Rally of Democratic Women (RAFD)**

RAFD, a non governmental national association, is made up of women coming from various horizons, who all gathered in 1993 to create a framework for the fights in favor of women’s rights, and particularly to face fundamentalism and terrorism. Since its creation, RAFD organized and conducted field actions : street demonstrations, public statements, support to victims of terrorism and their families; fight against oblivion and forgiveness, organization of young ladies’ cooperatives in villages suffering of terrorism; institution of the Resistance Award for women fighting fundamentalism to reward women and act against oblivion.

RAFD launched the “Award to Women resisting Terrorism”; RAFD also set up a “Justice Court” and produced a video on “Women of unexpected paths” to tell women’s stories. It produced a survey on “Gender Equality” in school programs.

#### **viii- National Commission of Working Women (CNFT)**

Resulting of the national conference of working women held on March 17, 2002, the UGTA’s National Commission of Working Women (CNFT), which slogan is “*Women for Unions, Unions for Women*”, has the following objectives : provide a framework for expression, reflection and specific actions for workers; defend the right for respect and dignity; and work for women’s right to equally and fully participate all public life spheres : political, syndical, economic, cultural and social.

The commission has had brave positions in advocating the necessity to abrogate the Family Code. The message it tries to convey is the following “... *the current law (old code) explicitly grants to husbands of working women, women Walis (Governors) and even women Ministers or*

women members of the Code Reform Commission, the right to withdraw their wives from work. The right to move, to study, to work, access to new positions and to new grades are jeopardized by the necessity to obey husbands required by article 39 of the Code... what does the symbolic nomination of a woman by presidential decree to exercise the State's control on a Ministerial Department or on a Wilaya mean, when this same woman cannot exercise this control on her own person and must obtain the agreement of the matrimonial tutor or the judge ?”

The Commission also militates to ensure better places for women in unions, stating that “..in the present social reality still marked in our country by the non mixing of sexes and by the domestic confinement of most women, access of women union activists to decision making positions can only result from a voluntarism policy ... from one congress to the other, we have followed women's candidatures and called for a new burst. Results are still tiny but are real”.

These associations are the most present on the media scene, but are not necessarily the most active, with grassroots activities. Other much less important associations – mainly regional- are present on the ground, conduct awareness raising campaigns, and play an important role for the promotion of women's rights.

## 5- Media

Algeria has witnessed since 1990 an opening of the media sector, reflected in the appearance of several press organs, speaking on behalf of political parties of various horizons. The number of women journalists in Algeria is increasing in spite of hard working conditions and precariousness of pay.

In the audiovisual domain, women's presence is remarkably prevailing. The number of women journalists working on Algerian TV amounts to 74.06%. As for the Algerian radio, the number of women is considerably higher than men's as it amounts to 88.7%. The number of women journalists at the level of written press editorial boards does not exceed 30%. There is only one woman acting as an editing director in this sector. As for independent press, we note at least 5 women holding the position of Chief Editor or Publication Managers.

In spite of the quantitatively important presence of women in the media, press outlets –regardless of type- do not show any specific interest towards increasing women's political participation. The Delegate Ministry in charge of Family and Women Conditions, is undertaking an action in partnership with the media in order to better involve them in changing and improving the status of women in society, preached by this Ministry.

### *Women in Communication*

A women communication association was also created in March 1995 : it is called “Women in Communication” with four regional offices in addition to its main office based in Algiers. Its mission is (i) to inform and sensitize the public on women's conditions and statute; (ii) promote women's activities and skills to fight women's social and political marginalizing and her limited representation in decision making spheres; (iii) promote all forms of women expression,

organize lobbying actions for women to enjoy their full citizenship; and (iv) set up relays and connect to networks to constitute a pressure group. The association’s achievements include :

- Project on women’s rights advocacy program through Media and the Art, implemented with the partnership of RAFD and IMED(10), and the financial support of the European Union, resulting in the production of 14 series on women’s conditions;
- Production of a theatre play “*Bla Zaaf*” on discrimination towards women;
- The MEDIA NES project, in partnership with the Panos-Paris Institute and the financial support of the European Union, the Canadian Embassy and the French Embassy : launched in 2003, it aims at promoting the reinforcement of the Algerian civil society, by promoting women’s right for expression, and the development of grassroots pluralistic information in Algeria.

## 6- Research Centers/Researchers

**The Center for Social and Cultural Anthropological Research (CRASC)** was created in 1992 conducts fundamental and applied research in social and cultural anthropology in relation with development needs. It also makes research studies on State institutions, political institutions, social movements and their operation modalities. In addition to its quarters based in Oran, the Center also runs a chapter at the Mentouri University in Constantine, a documentation center open to all researchers in human sciences as well as to post-graduate students, and working stations equipped with all commodities (audiovisual conference center).

## 7- Stakeholders

**The European Commission** is concerned by the promotion of women’s rights in Algeria. It funded an NGO project on “Violence towards Women during Terrorism Years” and an IMED project for the creation of a “Woman House”; currently, it is supporting a project with AFEPEC<sup>(11)</sup> in Oran on the popularization of women’s rights (revision of the Family Code) and women’s juridical literacy especially in rural areas, where there is still much to be done.

**The Spanish cooperation** funded a study conducted by CIDDEF on “*Perceptions by the Public of Women’s Rights in Algeria*” that should be published in December 2008. The Spanish cooperation supports Algerian associations in terms of the exchange of expertise. A Spanish NGO –CIDEAL- undertakes a four-year project on the “Reinforcement of Civil Society in terms of Women’s Rights”.

ACSUR another Spanish NGO implements a project on “human rights”.

**The Friedrich Ebert Foundation** supported activities and actions to promote the participation of Algerian women in political life, such as the *20 Years Barakat* (to amend the Family Code) ; CIDDEF’s activities (memorandum, seminars on the quota system...) ; syndical women union (SNAPAP/UGTA).

(10) Institute for the Mediterranean

(11) Women’s association for individuals empowerment and citizenship expression



The foundation is considered to be an area for debate between different political actors on particular current issues. Its contribution to improving women's participation in political life can have several facets : holding meetings, training sessions, setting up partnerships between women and structures supporting them (Government, organizations, stakeholders).

**The United Nations Program for Development (UNDP)** involvement in women's political participation is made through the implementation of a project part of the "*Global Program for the Parliamentarians Strengthening*" (GPPS) including a gender component.

In this framework, the UNDP will conduct a study among political parties on "women's political participation in these parties". It will also focus on the analysis of the internal procedures of political parties, hindering the participation of women as voters and candidates.

The project provides for the execution of the "Mobile Parliament" project to encourage parliamentarians to work with civil society in the regions.

The study finalized in January 2009 has closed phase II of the GPPS project. Phase III planned for 2009-2011 will focus on reinforcing women parliamentarians through leadership, coalitions and communication.

## VII- Good Practices

### **Presentation of a woman to the Presidential elections**

Louiza Hanoune, a leftist activist has always campaigned for dialogue without exclusion. Along with its Labor Party, created in 1990, she called for the boycott of the December 1991 elections, but also rejected in 1992 the cancelling, of the second round of elections, in favor of FIS. Between 1997 and 2002, the PT (Labor Party) grew from 3 to 21 seats in the Parliament.

In 1999, she was unable to collect the 75000 required signatures for her candidacy to presidential elections, but succeeded in 2004.

### **Gender Coordination Practice : Implementation of a Gender Thematic Group (GTG)**

A Gender Thematic Group (GTG) was set up to reinforce the performance of UN agencies in Algeria, on issues related to equality between genders, the integration of the gender approach in development programs, strategies and policies; this thematic group, which is not limited to one discussion area, aims at organizing training activities, developing tools and a network on gender to support UN System and facilitate the implementation of UNDAF through the execution of common programs taking in consideration gender related aspects.

The reinforcement of the gender coordination mechanism (GTG) enabled greater efficiency in terms of development program in the framework of results oriented programming. GTG enables UN system to bring together different specialties, resource people and information related to every agency through joint training and information sharing activities.

## VIII- Ways to explore by brainstorming workshops and national studies

1. In the Maghreb, as in other World regions, women are demanding a *de facto* equality and not only juridical in the management of political and public issues. Potential actors likely to play a key role in achieving this equality must understand that women are not claiming their share of a privilege and are not willing to take anything away from men. They simply state that men and women must work together to reach democracy ... and that the question is not related to justice only, as this is based both on good sense and good governance. How can we sensitize key actors and all Maghrebi societies that efficient governance requires better participation of women in political affairs?
2. In the Maghreb, the prevailing social values and norms increasingly recognize productive and community roles. Patriarchal values and male domination are declining, both in society and within families and couples. Efforts deployed by Governments since independence have greatly contributed to redefining the roles of men and women in society. Different measures, particularly those related to law texts, have affected all social categories. Various actions and several mechanisms aim at engraving new “rules” in social habits. Nevertheless, distances separating text laws, largely respecting equality between genders and social representations and practices, sometimes sexist, still hamper equality between men and women. This is the reason why it is time to ask about factors accounting for resistance to change in terms of respecting a legislation that is in favor of promoting women’s conditions, mainly in the political domain.
3. Maghreb women often have difficulties to reconcile between their family responsibilities, professional requirements and involvement in political life. In fact, due to men’s resistance to share household tasks, several Maghreb women are required to manage and undergo a double working day : work/home. In fact, the transformation process of statutes and roles according to gender is very selective. It affected more spheres than others, mainly with regard to school education, and some women categories more than others, particularly educated ones. Is it possible to improve time management for Maghrebi of both genders? How can men be more drawn into household tasks?
4. Women’s integration into the job market, both in terms of scope and constancy, seems to be a massive movement characterizing Maghreb societies today. The importance of women’s work and their role in the creation of wealth are increasingly acknowledged. However, when looking at results achieved in the field of education, women’s activity rate continues to grow at a relatively slow pace and women still face difficulties to integrate the job market, to efficiently manage their professional career, and to take profit of the same opportunities as men. Therefore, women’s presence is still concentrated in some specific economic sectors, such as textile, as plain workers, and they are still performing traditionally female jobs, such as sewing, as a home job. How can we increase women’s presence in decision making positions? How to reinforce their access to commonly considered men’s jobs?

5. The tangible performance of girls at school and the growing presence of women in the active life have contributed to their empowerment. The favorable sociopolitical context to gender equality has enabled women statute to improve and their decisional capacities carry on developing even if families are not always ready to give up their control. What are factors accounting for Maghreb families' reluctance to enable their female members to be more involved in public spheres?
6. Thanks to women's emancipation policy and to societal evolutions, women are more open to the external world and have a greater spatial mobility. In public areas, mainly in urban environments, men and women are increasingly working together. In spite of progress accomplished in terms of gender equality, women seem to be less willing than their male counterparts to have extra-family relationships and their integration into the community is slowly growing. Today, in Maghreb cities, particularly those affected by industrial development and tourism, it is becoming very common to see men and women side by side, even if women's daily lives in public spheres still faces difficulties<sup>(12)</sup>. Why is public space still hostile to women in the Maghreb?
7. Social groups underestimate the role of associations in community life. Having for long been supported by the State, populations still find it hard to understand the importance of self-development and to apprehend their capacities to gather in groups and in networks, in order to defend their interests and participate in the making of decisions of concern to them. We need to think about factors that still hinder adherence of people in the Maghreb into political life, and mainly young women, through associations, as experience has shown that it's primarily women's associations that supply political parties with female members ... and not with female candidates.
8. In spite of progress registered in the Maghreb, unequally between countries and social milieus, social roles are still gender-biased and still suffer from stereotypes and prejudices. What is the role of the media in defining the image of men and women in society, and their participation in politics?
9. In a context still marked by inequalities between genders and hesitations towards women emancipation, people in the Maghreb continue to construct their own identity, while engaged in a strongly gender-biased socializing process. For example, the socializing mechanisms that have been set up do not always address girls and boys alike. Girls are still subject to social surveillance and protection by individuals and institutions, more than their male counterparts. In this regard, it seems that girls find it harder to step back from their families, which prevents them from joining extra-family social networks, which enable them to emancipate and build their own identity away from the group. Consequently, girls have fewer connections and less "tips" to conduct their social/political personal or professional projects<sup>(13)</sup>.

(12) GAFSI Henda, *Femmes et villes*, Tunis, CREDIF, 2000, p. 82.

(13) "The social life of women is less rich than men's, even if this reality depends on age, the level of instruction, the socio-cultural belonging and the activity". GAFSI Henda, *Femmes et ville*, Tunis, CREDIF, 2000, p. 60.

10. Decision making is intimately related to the question of empowerment. This involves the development of several means and capacities enabling the control of decisions and questions affecting the life of individuals and communities, and the ability to be accountable for these decisions. In fact, participation in decision making is a complex process, which depends on several parameters, both objective and subjective. In this process, the negotiation capacity of every individual, men or women, greatly depends on self perception. What is the profile of Maghreb women adhering to political life? What are the factors favoring women’s leadership in the Maghreb? Do we do enough to develop women’s leadership?
11. Women’s participation in decision making is improving within the family. Nevertheless, the fight for gender equality in a family framework is a long and slow process. Maghreb women, both rural and urban, and compared to their Arab and African mates, enjoy the presence of a sociopolitical context favoring the promotion of women’s conditions and gender equality. The development of their negotiation skills is a priority to improve their statute in the family and to increase their participation in the decision making process.
12. In some rural regions, women who have never attended school or dropped out early, and who have no salaries outside family farms, usually maintain regular traditions and reproduce the same practices as their mothers and grand-mothers, primarily related to their reproductive role, which hampers their relations with the external world beyond their families. Moreover, the modest and ever precarious life conditions of some rural women populations, the dispersion of their habitat, and their over-burdened day schedules limit their travel, even if the social control seems to be less constraining than before. In this context, travel of rural women is still occasional and their relations with the external world are very limited<sup>(14)</sup>, even if rural homes are increasingly equipped with radios, TVs, satellite channels, etc... Consequently, the community role of many rural women, defining themselves, and almost exclusively as mothers and spouses is slowly growing. Their participation in the agricultural production is increasing and the agricultural system’s operation greatly depends on their contribution. How to incite these women to contribute to local governance? What are the most appropriate means and mechanisms that should be set up to achieve this goal?
13. In all three Maghreb countries, we note an increasing adherence of women, both in quality and in quantity, to political parties, taking in consideration their level of instruction and their professional specialties. On the other hand, we note that women rarely hold managerial positions in political parties where they are much more solicited as voters rather than as candidates, and even less as Chief Candidates. What is the place reserved for women in political parties? Why are they always confined to subordinate positions and rarely present on electoral lists? How to overcome cultural barriers within

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(14) GANA Alia, BEN ABDALLAH Sénim, *Femmes rurales de Tunisie, Activités productives et actions de promotion*, Tunis, CREDIF, 1996, p. 88.

political parties and make change in favor of better presence of women in leading structures and on electoral lists?

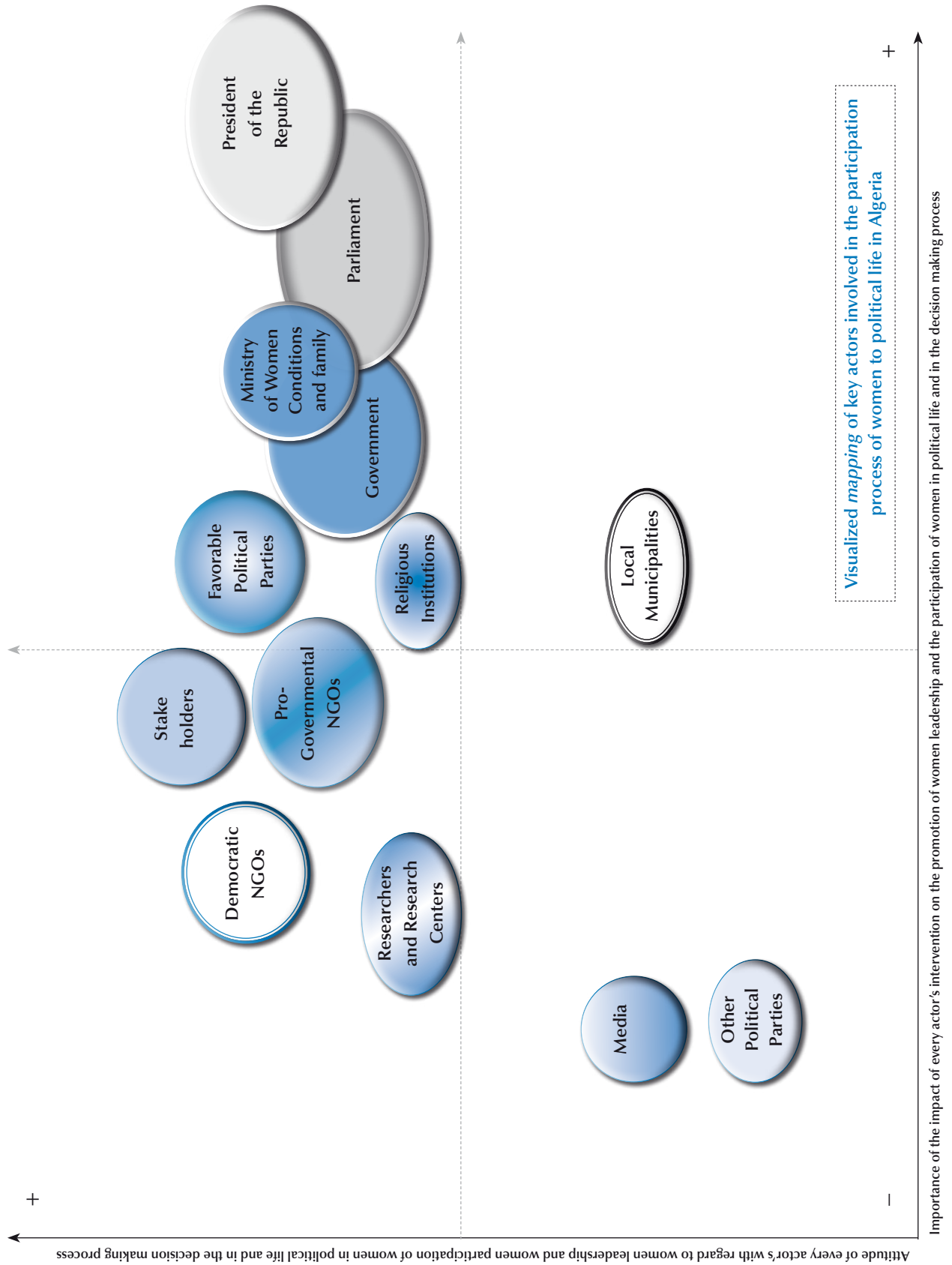
14. What is the weight and influence of religious ideology on the participation of Muslim women in political life and in the decision making process? How much can we expect from reforms introduced in legislative texts and mainly in the Family Codes of the three countries in terms of better political participation for women? What is the position of Islamic parties with regard to women's involvement in political institutions? The example of PJD<sup>(15)</sup>, which presented a women only list in the 2003 communal elections, can it be enlightening in this regard?

As a conclusion, we say that the implementation of a real democracy in Algeria depends on the institution of egalitarian civil laws. It is also necessary to set up a jurisdictional protection for women's rights at the same level as men, ensuring their effective protection against discriminatory acts; enable them to recover the ownership of their history; develop their capacity to express their thoughts and beliefs as independent specific beings, responsible, accountable and implacable with regard to men; we should not stick to archaisms while the Algerian society is witnessing incredible transformations. History may well record that women's fight has probably been the most revolutionary and "less violent" in this century, and would give credit to the prediction formulated by the French writer Louis Aragon "Women are Men's Future", in honor to women, to their beauty, their courage, and their fair cause.

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(15) Moroccan political party (Party for Justice and Development).

## Annex 1 : Interpretation of the visualized *Mapping of Algeria*



Algerian women struggled and fought alongside men for the independence of their country. Women which joined resistance, defied dangers, have they continued their struggle for the edification of an independent Algeria? In other words, have they been given the same rights, particularly in politics?

The mapping first variable concerns **the attitude of key actors** with regard to women's leadership and participation in politics and in the decision making process. It is detected through actions performed by these actors, their messages and the content of meetings and interviews held by the project team during field visits.

**The impact of the action generated and initiated** by these actors can be measured by the rate of changes made with regard to women's participation in political life.

The size of the circles (political actors) and their positioning with respect to others actors, are two important elements, because they give the importance of actors, not in quantitative terms – i.e. number of adherents for NGOs - but mainly in qualitative terms, sizing the extent of actors, their influence and their actions impact.....likewise that their positioning points out existing relationships among actors : we can reveal very close relationships, less close or even weak, or almost absent relationships among partner actors.

Taking into consideration these variables, gives us the latitude to interpret the visualized mapping, as follows :

- **Political willingness** : the visualized mapping reflects modest progress at the level of the political willingness of the State's highest authorities. Presidential decisions do not make it to the end. For instance, no announcement has been made about women's quotas at the level of the parliament or local councils. For the note, the November 2008 announcement of reforms aiming at increasing women's participation in political life have not been supported by practical measures, such as quotas;
- **The Ministry in charge of women conditions** has not similarly developed, on the upstream and downstream levels, as it has remained since its creation in 2002, a "Delegate Ministry". Its influence on the Government and on other departments cannot be clearly observed. However, its missions have grown, mainly thanks to new mechanisms placed under its authority (i.e. the Women and Family Commission);
- **The Parliament** : The multi-party system in Algeria is increasingly visible at the level of the Parliament, which is dominated by the FLN and RND. In spite of the positive speech of the two majority parties, actions in favour of an effective equality in Politics are scarce. This is visible at the level of women's representation in both Houses, at the level of commissions and Parliamentary groups, and also at the level of the legislation, the promulgation of new texts in favour of gender equality;
- **Political parties** : political parties' actions in favour of political equality range between the introduction of quotas and their rejection, eligible ranking on electoral lists, ... Political parties in their majority support – at level of their speech – women's participation in politics; in fact, they do not take practical measures ringing about concrete change.

However, the Workers Party (PTT), which explicitly rejects quotas, has taken measures to bring up women in politics with considerable results.

- **Municipal councils (communities)** : They play an important role in initiating women in political participation. The current rates of women presence in local councils reflect the modest interest granted by political parties toward the integration of women in the community management. However, the activism of Algerian women enables some of them to defy obstacles and barriers to make their own path to councils and even to chair some municipalities and communal commissions;
- **Religious structures** : the Ministry of Religious Affairs is considered to be a key actor as it supports the Government policy to integrate women in the development process. This action is however countered by “latent” Islamism currents, against women’s full participation by confining them in their family role;
- **NGOs** : They have different attitudes in terms of advocacy for a better political participation of Algerian women, depending on their relations with the Government. Pro-government NGOs do not make a lot of effort to raise women representation or to ask for more modernist rights. NGOs referred to as “democratic”, such as CIDDEF and Rachda take some initiatives (i.e. CIDDEF comparative studies, the memorandum sent to the President of the Republic, Rachda’s Campaigns, the training of candidates). Their demands even if they do not achieve their goals in the short term, do make women’s activism more meaningful and more lively.
- **Stakeholders** : Due to the blockade imposed on most stakeholders met by the team mission in Algeria, and which suffer from and complain about, some stakeholders tried to overcome this barrier to work on gender issues but in small steps (i.e. UNDP); some others are inactive due to the blockade (Fondation Ebert). In spite of support provided by some agencies (UNFPA) to the Ministry of Women Conditions, actions undertaken have not been able to bring about desired reforms;
- **Researchers/Research Centres** : CIDDEF, which enjoys the status of an NGO, cannot aspire to play an efficient role for change; in fact, the Centre relies on limited material, human and financial resources, and its impact is limited to a well defined category of players working for women’s promotion. This accounts for the limited impact of its initiatives and advocacy campaigns, despite their importance in terms of changing women’s conditions;
- **Media** : the Ministry of Women Conditions has taken in consideration, since its creation, the important role played by the media for the integration of the gender approach, initiated with the partnership of international partners. Media have been associated in the strategy to fight gender-based violence. However, no evaluation has been made on media involvement in this strategy. So far, Algerian media have not been very efficient to support women’s presence in politics.



## Annex 2 : The Algerian Electoral System

by Malek Baklouti

Category		Legal Base	Reference	Ratified Protocols
Electoral System	<b>Presidential Elections :</b> Two-ballot uninominal vote	<b>Electoral Code</b> <a href="http://www.joradp.dz/TRV/FElect.pdf">http://www.joradp.dz/TRV/FElect.pdf</a>	Article 155	- la Algeria ratified all conventions related to the protection of human rights and women's rights such as : - The 1966 international Pact on Civil and Political Rights; - The 1966 international pact on economic, social and cultural rights; - Convention on the elimination of all forms of discrimination towards women held in 1979 ; - The 1952 Convention related to women's political rights;
	<b>Legislatives :</b> <b>Council of the nation :</b> Indirect majority ballot and nomination	<b>Electoral Code</b> <a href="http://www.joradp.dz/TRV/FElect.pdf">http://www.joradp.dz/TRV/FElect.pdf</a>	Article 101	
	<b>Legislatives :</b> <b>National Popular Assembly :</b> Proportional representation list ballot	<b>Electoral Code</b> <a href="http://www.joradp.dz/TRV/FElect.pdf">http://www.joradp.dz/TRV/FElect.pdf</a>	Article 123	
	<b>Mayor :</b> Indirect ballot			
Electoral Barrier	<b>Municipal :</b> Proportional representation list ballot	<b>Electoral Code</b> <a href="http://www.joradp.dz/TRV/FElect.pdf">http://www.joradp.dz/TRV/FElect.pdf</a>	Article 75	
	<b>Legislative elections : 5%</b>	<b>Electoral Code</b> <a href="http://www.joradp.dz/TRV/FElect.pdf">http://www.joradp.dz/TRV/FElect.pdf</a>	Article 102	
	<b>Municipal elections : 7%</b>	<b>Electoral Code</b> <a href="http://www.joradp.dz/TRV/FElect.pdf">http://www.joradp.dz/TRV/FElect.pdf</a>	Article 76	
Electoral Districts	<b>Presidential :</b> Uninominal			
	<b>Communal :</b> Plurinominal			
<b>Form of Candidatures</b>	Closed lists for legislative and municipal elections	<b>Electoral Code</b> <a href="http://www.joradp.dz/TRV/FElect.pdf">http://www.joradp.dz/TRV/FElect.pdf</a>		

<p><b>Law on quotas / Positive measures for women’s political participation</b></p>	<p><b>Presidential elections :</b> The uninominal ballot does not enable the enforcement of quotas</p>	<p><b>Legislative :</b> No</p>			<p>- The 1949 Convention related to the elimination of trafficking in persons and their use in prostitution activities ;</p>
	<p><b>Municipal :</b> No</p>	<p><b>At the level of political parties :</b> FLN : 2 women must be listed among the five first names of every list. <b>MSP :</b> At the regional level : 1/5 of the candidates are women (1/3 in small cities)</p>	<p><a href="http://www.quotaproject.org/display-Country.cfm?CountryCode=DZ">http://www.quotaproject.org/display-Country.cfm?CountryCode=DZ</a></p>		
<p><b>Funding of electoral campaign</b></p>	<p><b>Presidential elections :</b> Reimbursement ranging between 10% to 30% of all engaged expenses according to results obtained by the candidate</p>		<p><b>Electoral Code</b> <a href="http://www.joradp.dz/TRV/FElect.pdf">http://www.joradp.dz/TRV/FElect.pdf</a></p>	<p>Article 188</p>	
<p><b>% of women deputies and senators in the last elections</b></p>	<p><b>Legislative elections :</b> Reimbursement of 25% of fees engaged if the list obtains less than 20% of expressed votes</p>		<p><b>Electoral Code</b> <a href="http://www.joradp.dz/TRV/FElect.pdf">http://www.joradp.dz/TRV/FElect.pdf</a></p>	<p>Article 190</p>	
<p><b>% of women mayors during last elections</b></p>	<p><b>2006</b> Women Senators : 2.94% (hence 4 women out of 136)</p> <p><b>2007</b> Women Deputies : 7.71% (or 30 women out of 389 members)</p>		<p><a href="http://www.ipu.org/parline-f-reports/1003_A.htm">http://www.ipu.org/parline-f-reports/1003_A.htm</a></p> <p><a href="http://www.ipu.org/parline-f-reports/1004_A.htm">http://www.ipu.org/parline-f-reports/1004_A.htm</a></p>		
<p><b>Abstention rate during last elections</b></p>	<p>0.14% (or 2 women out of 1342)</p>				
	<p><b>Legislative elections 2007 :</b> 64.49%</p> <p><b>Communal elections 2007 :</b> 55.91%</p>				

The electoral system organic law regulates the different elections held in Algeria. Title 2 of the Algerian electoral code describes the election of the local and national popular assemblies as well as members of the Council of the Nation, while Title 3 includes provisions related to the election of the President of the Republic.

### **Presidential Elections**

The Algerian President is elected through a two-ballot direct universal vote<sup>(16)</sup>.

The presidential elections of 2004 and 2009 have been marked by the candidacy of Louiza Hannoun, General Secretary of the Workers Party. Although she had achieved 1.1% of the vote in 2004, she did not hesitate to run again in the elections of April 2009, earning a score of 4.22%.

### **Legislative elections**

The Algerian Parliament is made up of two Houses :

- The Council of the Nation, Majlis Al Oumma : it represents the Algerian Parliament's upper House. It is made up of 136 Advisors, 96 of whom are elected through the indirect majority ballot<sup>(17)</sup> by local representatives (members of communal local assemblies and members of assemblies of Wilayas), while the remaining 48 members are appointed by the President of the Republic. Only four women are members of the Council of the Nation.
- The National Popular Assembly, Al Majlis Al chaabi Al Watani : In 2002, the Assembly included 389 members (8 representing Algerians abroad). The number of representatives depends on the size of the Algerian population. Members of the Assembly are elected through proportional representation lists<sup>(18)</sup>. Only parties obtaining at least 5% of the vote can participate in the distribution of seats. Currently, 30 women (or 7.7%) sit at the National Popular Assembly. During the last legislative elections held in 2007, the National Liberation Front (FLN), the ruling party, decided to appoint at least 2 women among the first five candidates of every list. The Social Movement for Peace presented lists for the same elections, where 20% of the candidates were women. In small cities, one third of candidates representing this party were women.

### **Communal Elections**

At the communal level, voters take part in the ballot based on the proportional representation lists to elect members of communal assemblies. Only lists of parties winning at least 7% of expressed votes can participate in the distribution of seats.

Out of the 1342 Algerian districts, only 2 women have been elected presidents of communal assemblies. The percentage of local elected women does not exceed 3%.

(16) In this system, elected members must obtain an absolute majority in the first ballot round (50%+1 vote) or, when not possible, candidates obtaining the simple majority in the second round.

(17) Ballot is considered to be indirect when an electoral college elects representatives, as opposed to the direct vote which directly involves the people in the choice of representatives.

(18) In the framework of this system, voters vote for the list of candidates presented by a given party and the attribution of seats is made proportionally with the number of votes made in favour of the list



## MOROCCO



## Introduction

### *Morocco's Political Profile*<sup>(19)</sup>

Independence year	1956
Adoption year of current constitution	1972
Type of State	Unitary
Type of System	Constitutional Monarchy

### *Demographic Profile*

Population (2004)	31 478 000
Life expectancy (2002 estimate)	Women : 70,3 years Men : 66,6 years
Number of children per woman (2004 estimate)	2,76 (versus 6,9 in 1975)
Urban population (% of the total population, 2004)	57,5 % (versus 37,8 % in 1975)

### *Socio-cultural profile*

Literacy rate of women aged 10 years and more (2004)	54,7%
Women/men ratio registered in university studies (2000-2001)	0,84
Distribution of religions according to names (2004)	99 % muslims (1% others)

### *Economic profile*

Gross domestic product per capita (2008 estimate)	3 800 dollars
Participation of women in the job market (in % of men's rate, 2002)	53%
Work revenues of women/men (2002 estimate)	2 153 dollars / 5 354 dollars Ratio : 40 %

The political context in Morocco has been characterized over the last decade by institutional reforms and a political engagement towards democracy, of which we cite :

- Restructuring the Human Rights Consultative Council (C.C.D.H)

(19) Enhaili Aziz, ' Women, Human Development and Political Participation in Morocco », MERIA, Journal d'études des relations internationales au Moyen-Orient, Volume 1, No. 1, Article 7 - July 2006 (+ updates).

- Creation of the Equity and Reconciliation Authority (IER) with the gender approach;
- Creation of the *Diwan Al Madhalim* “ Ombudsman” structure ;
- Removal of some reservations and adherence to a number of protocols related to international conventions, including those related to women;
- The dynamism and combativeness of the Human Rights movement in general and women’s rights in particular;
- Launch of the National Initiative for the human development (INDH), aiming at reducing gender based regional disparities in terms of economic, social and cultural rights;
- Adoption of a participatory approach and reinforcement of social mobilization at the local level.

Along with these reforms, the situation of women has witnessed changes thanks to the clear political willingness, through :

- The nomination of seven women ministers in the Government, including 5 full title ministers for the first time in Morocco (Government appointed on October 15, 2007);
- The Government’s investiture declaration (November 2008), reasserted Morocco’s engagement to put in place a multi-sector and integrated plan for the integration of the gender dimension;
- The Government’s engagement to fight all forms of discrimination and violence against women, and to improve women’s representation in elected structures in order to reach parity.

In reality, this political willingness was reflected in the adoption of juridical and institutional reforms, and the implementation of a policy for the protection and promotion of women’s rights, with an impact on the socioeconomic and political domains.

## I- Women Status : reforms and limits

### 1- Law and reforms

Under the protectorate, Moroccan women participated in the fight for the independence of the country. They also struggled for their emancipation in women’s sections of political parties, then in independent associations connected with parties. All of these efforts finally succeeded in 2003 : the King announced during a parliamentary session a reform of the Family Code, or *Mudawana*, which takes in consideration most women demands.

Until the *Mudawana* reform in 2003, Moroccan women had suffered various types of discrimination, both juridical and cultural, as their statute used to be regulated by a family code providing for their juridical inferiority. The reform of the Family Code was preceded and followed by other amendments of legislative texts improving the juridical status of women at the socioeconomic and political levels, reflected in the summarizing table below :

***Ratification and Publication of CEDAW*** : On June 21, 1993, Morocco ratified with reservations the Convention on the Elimination of all forms of Discrimination Against Women.



In compliance with article 18 of this convention, the Government provided CEDAW with its initial report (examined in 1997) and its first periodical report (examined in 2003). On the other hand, Morocco published in 2001 the CEDAW convention in its Official Bulletin, hence bringing it into force.

**The 1992 and 1996 Constitutional revisions** confirmed Morocco's commitment to "Human Rights as Universally Recognized". At the juridical level, these revisions substantially enriched human rights in general and more particularly women's rights.

***Banning of spouse authorization to :***

- Run a commercial business (Commercial Code 1995)
- Sign a work contract (Code of Obligations and Contracts, 1996)

**Creation of a guarantee fund for the payment of food allowances (2002)** in order to ensure the payment of allowances to divorced mothers having custody of their children

**The 2002 revision of the organic law of the House of Deputies** (Parliament's High House) introduced ballots at the level of regional lists and for 30 seats of the national list (nearly 10% of all seats). Further to advocacy and mobilization campaigns conducted by women's associations, political parties decided to reserve their national lists to women only, hence enabling access of 35 women to the parliament (30 elected from the national list and 5 elected from regional lists).

**The adoption of law n. 37-99 concerning the Civil Status (2002)** responded to several requests made by the Movement for the Defense of Women's and Children's rights, mainly :

- Equality between men and women to announce new births;
- Attribution of a patronymic name to new born children from unknown fathers;
- Introduction of data related to marriage and divorce in the civil status register;
- Possibility for divorced women in charge of their children to obtain a copy of the civil status booklet

**Revision of the Penal Procedures Code** (CPP, 2002) ; Article 336 of the CPP which prevented women from suing their husbands without the preliminary authorization of justice, has been abrogated hence enabling married women to have access to justices in the same conditions as men;

**Revision of the Labour Code** (adopted in June 2003) introduced amendments related to Women's rights concerning :

- Recognition for the first time by the Labour Code of the non-discrimination principle, including discrimination between men and women in terms of employment, salaries, etc...
- Reference for the first time in Moroccan legislation to sexual harassment in the workplace, now considered to be a serious offence;
- The length of maternity leave has been extended to 14 weeks instead of 12.

**The revision of the Penal Code** (adopted in July 2003) largely responded to demands of women’s movements and mainly concerned :

- Disparity and discrimination between men and women in terms of sentences in the case of murders committed by one spouse against the other for committing an adultery. Before reform, mitigating circumstances were granted only to husbands in case of murder or injuries committed on their adulteress wives or their partners;
- Aggravation of sentences in case of assault and battery maliciously committed by one spouse against the other;
- Aggravation of sanctions if an offence committed by one spouse against the other is repeated;
- Authorization given to healthcare professionals not to respect medical secret in the case of violence between spouses or against women;
- Introduction of a new aggravating sanction in case of rape : when victims are pregnant;
- Incrimination of sexual harassment now defined as an abuse of authority;

**The new Family Code** (October 2003) : nearly 20 years after mobilizing women’s movements in Morocco, especially during the second half of the last decade, this Code has been subject to several amendments, the most important of which concern :

- Equality and co-responsibility of spouses;
- Equality in terms of age of marriage, set at 18 years for both men and women;
- Removal of the mandatory matrimonial guardianship for women;
- Polygamy regulation;
- Divorce regulation and new perspectives for women;
- Distribution between spouses of assets acquired during marriage;
- Reinforcement of mothers’ children custody rights;
- The notion of “**Family Leader**” is abolished and replaced by co-responsibility between spouses;
- In 2006, a new chapter added to the Family Code granted Moroccan women the right to rightfully and automatically transmit the Moroccan citizenship to their new born children when married with foreign husbands;

## **2. Limits of Juridical Reforms**

**Maintaining reservations** : When ratifying the CEDAW convention (1993), the Moroccan Government raised reservations about Articles 2, 9(2), 15(4), 16 and 29. On the other hand, the Moroccan State has not yet adhered to CEDAW’s Facultative Agreement;

**The non ratification of some international conventions related to women’s rights** : in spite of continual requests expressed by the women’s movement and progress witnessed at the

level of the legislative domain, Morocco has not yet ratified the United Nations conventions related to :

Convention for the repression and trafficking of human beings and the exploitation of third party prostitution (1949);

Convention on the nationality of married women (1954);

International Convention on agreement to marry, age of marriage and registration of marriage acts (1962)

***The Moroccan Constitution does not include any explicit statement*** about the place of international conventions and treaties in the hierarchy of internal legislation.

***The quota principle is not mentioned in the Constitution*** and women's representativeness within elected instances depends on the good will of political parties;

***Limits of the last revision of the Labour Code*** : In spite of changes, the new labour code still has some limits and shortfalls : Equality in terms of salaries is not guaranteed : some female workers categories, mainly maids which majority is made up of little girls and not women, are not protected by the new provisions of the Family Code.

***Discriminations persist in the Penal Code*** : the notion of marital rape does not exist in the legislation;

***Limits of the new Family Code*** : in spite of progress registered in terms of women status within the family, some limits persist, including :

- Polygamy is maintained even if subject to real restrictions;
- The procedure of unilateral divorce on the part of husbands (repudiation) has also been maintained, even if it is now subject of regulations aimed at reducing abuses still possible with prerogatives given to husbands;
- Mothers can accede to the legal guardianship of their minor children only in the absence of their fathers (death, juridical incapacity);
- Inequality in terms of inheritance is maintained.

Reforms listed above and their limits have certainly not had any direct impact on women's participation in politics. However, their importance stems from changes they introduce in women's daily lives and transformations they induce on the perception of roles attributed to men and women. On the other hand, reforms aimed at modernity will be reflected in the political domain. Modernity, in this case, can only result in equality and transformation in terms of gender relationships<sup>(20)</sup>.

## II- Women, political participation and decision making

### 1. Equality in Politics

(20) Alami M'chichi Houria, *Genre et participation politique, Féminin. Pluriel, la marche vers l'égalité au Maroc 1993-2003*, éditions Friedrich Ebert Stiftung

The Moroccan Constitution asserts the right for equality between men and women and explicitly recognizes women’s political rights. Article 8 of the Constitution states that *“Men and women enjoy equal political rights ... (and that) electors are citizens of both genders, equally enjoying their political rights”*. Other articles implicitly evoke political equality in general terms. In this regard, Article 12 states that *“all citizens may have access in the same conditions to public functions and jobs”*.

The electoral code states in Article 3 that *“Eligible voters are moroccan nationals of both genders aged 20 gregorian years and more, enjoying their civil and political rights, not subject to any case of incapacity provided for in this present law”*. The following table summarizes women’s civil and political rights in the Moroccan Constitution :

Civil Rights	Political Rights
The right for education and for employment	The right to vote in elections
Freedom of movement and settlement in any region of the Kingdom	The right to be candidate in elections
Protection of private life and personal correspondence	Freedom of opinion, freedom of all forms of expression, and freedom of meeting
The right to have access to all jobs in the public administration	Freedom of association and freedom to adhere to any union or political organization
Right of property	Right for strike

The electoral code underwent successive amendments in order to increase women’s participation in their country’s political life :

- A considerable change took place in 2002, first by substituting the list-based balloting mode (proportional representation) by the uninominal majority balloting mode; then by fulfilling the positive discrimination demand, instauration of the national list, which constitutes a quota application mode, and reserving thirty seats for women;
- *“Failing to implement clear legislative provisions, the Government with the collaboration of the Parliament, worked to pave the floor for a greater women’s representativeness mainly through reforms of the electoral code and the communal chart”*<sup>(21)</sup>. They include the following reforms introduced in 2008 : creation of a consultative commission called “Equality and Chance Equity Commission” (article 14 of the Communal Chart); the implementation of a “strategic communal development plan for a 6 year period according to a gender based participatory approach” (article 36 of the Communal Chart); creation of “additional electoral districts” in urban or rural communities and districts (article 204-1 and 204-2 of the electoral code), and creation of a “support fund for the promotion of women representativeness” (art 288 bis of the same code).

(21) Ms. Nouzha Skalli, Minister of Social Development, Family and Solidarity - Le Matin, 2008.

Thanks to the above mentioned 2008 reform, women were granted a 12% “quota” in the 2009 communal elections. Though well below the 30% quota claimed by women’s movements, women’s presence rates in local councils multiplied by 22, increasing from 0.56% to 12%.

Though the political domain has the largest resistance against the inclusion of women in the decision making process, reforms introduced at the juridical and institutional levels have had positive consequences on the presence of women in political decision spheres, i.e. the Government, the Parliament with its two Houses, local governance (municipalities), elected consultative bodies and political parties.

## **2- Women Participation in Political Life**

### ***2.1- Women in the Government***

At the level of the Government, 7 portfolios were assigned to women in the October 15, 2007 Government, including 5 full title-Ministers for the first time in Morocco.

These nominations, though reflecting decision makers’ commitment towards women integration in all various State structures, are still below Moroccan women’s aspirations, as formulated in the the Women’s Integration in Development Action Plan, and feminists’ demands, as on the one hand, the number of promoted women has not even reached 10% in the Parliament, and on the other, most departments assigned to women are not very different from the traditional distribution of roles.

In senior positions, one woman is advisor to the King, eight have been members of the Human Rights Consultative Council (CCDH) since 2002 and others are Secretaries General or Central Managers in the Public Administration. In other positions, they are absent or quasi absent. For instance, no woman has ever been appointed Wali, President of a Regional Council or Governor.

### ***2.2- Women in the Parliament***

The September 2007 legislative elections marked the election of 35 women to the House of Deputies (Upper House), representing 10,77% of all deputies versus 0.66% in the previous legislature; this enabled Morocco to move from the 118th position of 119 parliaments to the 69th position and be ranked second at the level of the Arab World, according to the World Classification made by the Inter-Parliamentary Union.

*The representation of Women in the House of Representatives (1977 – 2007)*

Date	Registered	Voters	Participation Rate	Candidates		Elected	
				Total Number	Number of Women	Total Number	Number of Women
1963	4 803 654	3 448 539	71,79 %	690	16 (2,32 %)		0
1977	6 519 301	5 369 431	82,36 %	706	8 (1,13 %)	176 (of 264)	0
1984	7 414 846	4 999 646	67,43 %	1 333	15 (1,12 %)	199 (of 295)	0
1993	11 398 987	7 153 211	62,75 %	2 009	33 (1,64 %)	222 (of 333)	2 (0,9 %)
1997	12 790 631	7 456 996	58,30 %	3 288	69 (2,09 %)	325	2 (0,61 %)
2002	13 884 467	7 165 206	51,61 %	5 865 (in 1 774 lists)	266 (4,53 %)	325	35 (10,77%)
2007	15 510 505	5 738 886	37%	6 691	269	325	34 (10,46%)

We note that : i) during the 2007 elections, women candidatures on electoral lists were limited : 269 candidates out of 6691 candidates, hence 4.5% in spite of the 2002 attempt to adopt a national list reserved for women, and the consensus reached by political parties about the introduction of quota for women on their lists; ii) in spite of feminist movements’ claims, the organic law adopted by the House of Deputies in 2002 did not introduce any quota. The political representativeness of women at the House of Representatives therefore depends more on respecting the moral engagement of political leaders, than on observing the ballot mode.

Similarly, the fact that a woman chairs a parliamentary group is the beginning of a new era to share responsibilities at the Parliament.

**2.3- Women in Local Governance**

During the last communal elections held in September 2003, 2 women were elected in rural districts, and 2 women were also elected as presidents of village councils out of 41 villages, while 22 women were elected vice presidents. No woman was elected chair of a regional council, while only one region elected a woman to be vice-chair of its regional council.

Though multiplied by nearly four in the 2003 elections compared to the 1997 elections, the number of women candidates remains trivial compared to men candidates. The reason evoked is the absence of parity on political parties’ electoral lists; similarly, the absence of women in the first third of every list, which is generally reserved for men.

*Representation of women in local governance*

Year	Registered	Voters	Participation Rate	Candidates		Elected	
				Total Number	Number of Women	Total Number	Number of Women
1976	6 566 961	4 331 438	65,95%	42 638	76 (0,17%)	13 358	9 (0,067%)
1983	7 069 385	5 085 226	71,93%	54 162	307 (0,57%)	15 493	43 (0,28%)
1992	11 513 809	8 793 682	74,64%	93 773	1 086 (1,16%)	22 240	77 (0,35%)
1997	12 941 779	9 724 199	75,13%	102 292	1 651 (1,61%)	24 236	83 (0,34%)
2003	14 620 937	7 918 640	51,55%	122 658	6 024 (4,91%)	23 689	127 (0,54%)

**2.4- Women in Political Parties**

Moroccan political parties play an important role in propelling women in elected political bodies, by training them politically and recruiting them in parties' structures. The Moroccan Constitution (Article 3) states that *"Political parties, union organizations, local councils and professional chambers work together towards the representation of citizens"*.

As for women's presence in political parties, we can say it is growing further to : i) the feminist dynamics existing in Morocco since the beginning of the last decade with a considerable impact on political parties; ii) the positive discrimination measures taken in order to increase the number of women within parties, and particularly at the level of leading structures. This is reflected in the results of the 2007 legislative elections, which enabled 34 Moroccan women to be elected among the 325 members of the House of Deputies. The 34 women seats have been won by : the Justice and Development Party (PJD), an Islamist Party with 7 seats; the Istiqlal Party (PI) with 6 seats; the Popular Movement (MP) with 5 seats; the National Independents Rally (RNI) with 5 seats; the Socialist Union for Popular Powers (USFP) with 4 seats and the Progress and Socialism Party (PPS) with 3 seats. The four remaining seats were conquered by women candidates on local lists, where they competed against men. They are Yasmina Badou, from the Istiqlal party, elected in Casablanca, Latifa Jbabdi, member of the USFP cabinet, prominent figure of the national feminist movement, elected in Rabat, Fatna Khiel, from the Popular Movement, elected in Kenitra, at 40 km from Rabat, and finally Fatiha Lyadi, the only candidate with no political affiliation, elected in the region of Marrakech in the southern party of the country. These women come from various horizons : some are popular, such as Yasmina Badou, who was Secretary of State in charge of the Family, Solidarity and Social Action ; Latifa Jbabdi, former President of the Feminist Action Union; Fatiha Lyadi, the only one candidate elected among the "Non Politically Affiliated" (SAP) is a trained journalist, currently Director of the Information Department at the Ministry of Communication.

"The characteristics of this new wave of elected women is their quality. They are young, educated, senior employees of the Administration and University graduates. This gives them the

ability to hold debates. They represent an asset for the country” says Moustafa Zaari, an editorialist in the Arab daily Assabah.

The number of seats could have been more than 34 if the list of the Constitutional Union (UC) was not revoked by the Ministry of Interior, while this party includes more than ten women in its political cabinet, who may have been well positioned on the party’s list.

Since the year 2000, a big number of political parties adopted the 20% quota in the composition of their leading instances at the national level. Article 22 of the Law on Political Parties requires that parties state in their rules the proportion reserved for women and youth in parties’ leading structures. We had to wait for the year 2006 to see the first woman (Zhor Chekkafi) become the Chairwoman of a political party, the Socialist and Democratic Party (PSD).

Over the last years, political parties have contributed in the constitution of government cabinets. However, while male leaders preach in favor of including women in political spheres, and although women have been involved in parties’ leading instances thanks to the adoption of the quota system, in reality however, political parties have not put forward enough women candidates. When they made it, they were not granted ministerial positions, still considered to be men exclusive. In their distribution, there is no overlap with the political role traditionally assigned to men, as political parties are still largely dominated by a male oriented culture.

### **3- Women and decision making**

A dynamic has been growing over the last years in favor of integrating women in decision making positions at the level of the public administration. For indication, we note the appointment of a woman as the Secretary General of the Ministry on charge of the Government’s general affairs; another woman as Secretary General of the Ministry of National Education, Higher Instruction, Training and Scientific Research.

With the exception of women associations, it is difficult to know the effective participation rate of women at responsibility positions.

At the professional level, of the 104 professional associations, one woman is president of the Stock Exchange Professional Association, while another woman is co-chair of the Office Automation and Computer professional association (APEBI). As for the 22 sector-based federations, the Plaster Industries Association (AFIP) is chaired by a woman.

### **4- Associations Network**

All women associations are chaired by women. This said, a number of development associations chaired by men include activities concerning women. Some associations focusing on children and childhood are run by women. One woman was elected president of the Moroccan Association of Human Rights “OMDH”, which was an unprecedented event in Morocco.

The analysis of women’s political experience and the vital environmental elements –mainly juridical and institutional- conditioning this experience, shows that a voluntarism policy is



not sufficient to reach political equality. Therefore, several actors shall work together, directly or indirectly, to make gender equality a tangible and effective reality in the political domain.

### III- Key actors likely to play a role to enhance women's participation in politics

Who are the actors involved in the political participation process in Morocco? Where do they operate? What are their abilities to change orders? Do they have free hand to operate change? These are some of the questions that the matrix developed to present key actors will try to answer.

His Majesty King Mohamed the 6th represents the key actor in the promotion of women statute in all various life domains. He is at the origin of changes operated at the political and cultural levels, mainly with regard to questions directly or indirectly related to Sharia (Islamic Law), including the Women Issue. He holds this power as he represents the Prophet.

Morocco's modern history has in fact shown that his positions with regard to issues subject of political debates concerning women have been determining. At the failure of the National Action Plan for the Integration of Women in Development (PANIFD), the Men-Women Plan defendants believed there was some weakening on the part of the highest political spheres of the Kingdom. However, a commission was created to be in charge of proposing substantial reforms of the mudawana and law bills with the aim of reducing existing inequalities between men and women. Other initiatives such as the nomination of women ministers in technical departments and not only social, confirm the importance of his intervention to bring about tangible changes.

Will other key actors, mentioned in the matrix, have the power to be efficient in terms of changes to be made with regard to women's presence and participation in political life?

*(See annex 1 : Key actors likely to play a role to enhance women's participation in politics).*

Actions performed by different actors, combined with efforts of women active within groups, associations of networks in order to improve the quality and quantity of their political and decisional rates could produce major steps towards the participation of women in the political destiny of their country. Therefore, a good number of initiatives are considered to be good practices, being efficient and performing as they boost women's permanent participation in public life that can be exported to other countries.

### IV- Good Practices

Good practices in the case of the UN-INSTRAW/CAWTAR initiative represent juridical and institutional measures as well as strategies, programs, and activities leading or contributing to positive changes to women participation in political life and decision making. These practices constitute the work of governmental institutions, non governmental organizations or individu-

als. The initiators of good practices may work on their own or together with other national or international groups or partners.

### **1- Quota, special temporary measure to fight discrimination**

The Moroccan Government has taken a transitional measure to promote the political participation and representativeness of women during the 2002 revision process of the organic law, held by the House of Representatives, by adopting the Quota system after introducing the ballot mode through regional lists and a 30-seats national list, representing approximately 10% of all seats. The political parties’ moral commitment reserved the national list to women candidates, enabling access of 30 women to the House of Representatives, while 5 women were elected from local lists after the September 2002 elections. This raised the political participation of Moroccan women from 0.6% in 1997 to 10.7% in 2002. In preparing the 2007 legislative elections, a group of women associations, parliamentary women networks and political parties’ women’s sections mobilized to reserve 30% of all seats to women. Unfortunately, these demands could not be fulfilled as only 34 women were elected to the House of Representatives, with an actual rate of 10.8%.

We also note the presence of three women to the House of Advisors, or the Parliament’s Lower House.

### **2- National Strategy for Equity and Equality between Genders**

The national strategy for equity and equality between genders currently implemented by the Ministry is the result of several initiatives and projects launched since the 90s’ by different successive mechanisms in charge of promoting women. The first was the State Secretariat in charge of Social Protection, Family and Childhood (SEPFE), implemented by the 1998 alternation Government, led by a man strongly in favor of women’s cause; this State Secretariat developed and became in 2002 a Ministry in charge of Women’s Affairs, Family Protection, Childhood and the Integration of the Handicapped.

SEPFE initiated in 1998 the National Action Plan for the Integration of Women in Development (PANIFD) based on : reinforcing women’s powers and capacities, both political and institutional; the promotion of women’s participation to formal and informal education; literacy and promotion of the egalitarian culture in the school curricula; implementation of a reproductive health policy improving women’s healthcare indicators; integration of women in the economic development : employment/training and fight against poverty.

Although not adopted and appropriated by the entire Moroccan society, PANIFD is cited as a “good practice” for various reasons : it represents an innovation in terms of approach to women’s issues through the “comparative analysis between genders”; it had positive effects on the visibility of women conditions and advocacy in favor of gender equality; it generated a “socio-political dynamics around the gender equality issue, by mobilizing public opinion, media, civil society and political decision makers; highlighted the strategic interest of partnerships with

civil society to raise the awareness of public opinion about the strategic character of women's issues and the importance of the multi-dimensional project of women empowerment.

Projects and programs implemented by the Ministry Department in charge of Women focus on gender and aim at institutionalizing it in all sectors. These projects include :

- The Gender I project on the “integration of gender questions in development and reproductive health programs to empower women and achieve equality”, implemented in the framework of the gender regional initiative (Morocco component), in partnership with the UNFPA, UNDP, UNIFEM and the Italian Government;
- The Gender II project concerning the “promotion of gender equality and the fight against gender-based violence” in partnership with UNFPA and UNIFEM;
- A project supporting state institutions, NGOs and the private sector to design a gender audit and implement policies and programs integrating this approach, conducted by SEFSAS in cooperation with GTZ;
- The multi-purpose space in Ouarzazate, a gender and development project funded by the Belgian cooperation;
- A project with the UNFPA, on the strategy to fight violence against women, including training, assistance and follow up of focal points and studies;
- The “gender integration in national statistics” project (Ministry of Plan and UNIFEM) i.e. production of statistics broken down by gender;
- The gender-based budgeting project (UNIFEM, World Bank and Ministry of Finance);

Projects listed above, though not directly related to the issue of women's political participation subject of our initiative, represent possible catalysts to improve the status of women, by acting on women themselves, on men and on the entire society to anchor equality values and to set the base for gender approach, through their components : training, advocacy, and communication-information.

To ensure the continuity of gender projects and further establish gender approaches and women empowerment, the Ministry of Social Development, Family and Solidarity started a new project on “*Women and Girls Empowerment in Morocco*” in relation with the D results of UNDAF Morocco for the 2007 – 2010 period, to achieve “significant progress in terms of gender equality, protection of women and girls rights and participation in public, political, economic, social and cultural lives”.

We note that there is an evolution in the treatment of the gender issue, in addition to the involvement of several governmental, association and international partners.

### **3-The Moroccan Centre for Information, Documentation, and Studies on Women (CMIDEF)**

The Moroccan Centre for Information, Documentation, and Studies on Women (CMIDEF), created by SEFSAS, a governmental department in charge of women's issues, with the support

of the European Union, aims at supporting national policies for the promotion of women’s rights. In order to do this, it put in place multi-disciplinary technical departments to help SEF-SAS centralize and evaluate actions targeting women, and to enable a number of decision makers to initiate new actions, and implement new programs integrating equality between men and women at all levels of the decision making and execution process. With regard to the multiplicity of actors in the field of women issues and its cross-sectional aspect, CMIDEF aims at coordinating said efforts, centralizing information and highlighting all actions and achievements concerning women.

#### **4- The Associations Dynamics**

Numerous and active since the beginning in all different facets of social life and in the economic and political domains since the 90s’, they constitute a real negotiation and proposition power. Results achieved by women NGOs are remarkable with regard to the dynamic they created about women’s issues in Morocco in general, and women’s participation to political life and to decision making in particular.

Women NGOs’ in Morocco, which constitute today a tremendous power, have achieved a number of positive actions conducted in all different domains including politics. They : contributed to reforms which transformed the economic and social landscape in Morocco and changed mentalities; constituted a space for free expression and position taking in Morocco; were behind innovative approaches to promote women, such as i) the constitution of a network to fight against gender based violence (similar networks may be created in order to reinforce women’s participation); ii) campaigns to defend PANIFD; iii) advocacy for the reform of Mudawana; iv) campaigns to raise public awareness about equality, the fight against violence, promotion of human rights, tolerance and citizenship, conducted by associations, and which developed thanks mainly to their media coverage; v) decentralization of NGOs and the creation of mini mechanisms such as : Anaruz, (national network of counseling centers for women victims of violence), the Leadership Centre (Clef), Ennakhil Centre ... which are all initiatives working on reflecting women activism at the central level onto local scales, which will boost women participation to local governance.

#### **5- 2007 DABA... for Morocco**

This association included Moroccan men and women of various horizons, bound to the founding values of democracy, united by a common Charter and convinced that real democracy cannot be built without the involvement and participation of all citizens.

2007 Daba included four commissions – Youth and NGOs, intellectual and economic elites, women and political parties- as well as regional chapters. The main objectives for the creation of this movement was : to mobilize men and women citizens to ensure large scale participation to the 2007 elections; create among women and youth a real impetus in favor of politics; work on opening up political parties to women, youth and the elite.

50% of the staff making up the 2007 Daba teams were women. All commissions (4) were chaired by university women graduates or businesswomen.

The women's commission mobilized women associations, women managers and parliamentarians. A special guide for candidate women was designed and published.

The positive effects of Daba 2007 include reducing the average age of candidates on national lists of some political parties, by integrating young businesswomen, the adoption of the gender approach into the association since its launch, the opening –somehow limited- of parties for women and the election of businesswomen to the parliament.

### **6- Partnership at different levels**

Partnership was established on the one hand between SEFSAS and different ministry departments through their involvement in cross sectional programs and strategies (women and development commission) and on the other, between SEFSAS and Civil Society. This partnership represented a driving force to mobilize energies in favor of reinforcing women's rights and statute. For indication, the Ministry of Islamic Affairs and Habous trained 36 preachers (Mourchidates) to work at mosques, cultural clubs, social centers as well in prisons, while this mission used to be men exclusive. For the first time, a woman became member of the Higher Ulemas Council (Religion Authorities), chaired by H.M. King Mohamed the 6th as well as in local councils. These innovative nominations are of course the result of an inter-department partnership. We also cite the creation of councils/commissions, the holding of campaigns such as the one denouncing gender-based violence (in 1998) or the involvement of NGOs in projects conducted in cooperation frameworks (UNFPA, GTZ, Canada...).

### **V- Ways to explore identified in brainstorming workshops and national studies**

See page 32.

## Annex 1 : Key actors likely to play a role to enhance women’s participation in politics

Key actor and main characteristics	Fields of Interest and relations with the issue of women political participation	Involvement and commitment capacities to bring about change	Actions likely to reinforce their intervention to improve women’s political participation
<p><b>The Government : Coalition Government</b></p>	<p>It plays an important role. This is reflected in the key role played by the 1998-Alternative Government (A. Youssoufi) which set up governmental mechanism in charge of promoting women, headed by a “man”.</p>	<p>The Yousofi Government also facilitated the apprehension of questions that were for long considered as “taboo”, such as gender-based violence, by adopting a SN-LCVFG. The same applies for the Government chaired by Driss Jettou which included 5 women (2 Ministers and 5 Secretaries of State); the adoption of an operationalization plan for the SNLCVFG, involving national partners – governmental/non governmental- and international partners.</p>	<p>While previous years (1998-2002) were marked by an up and down evolution of the statute granted to the Ministry in charge of women affairs : Secretary of State, then Minister Delegate, then new promotion to the rank of Minister- while the Ministry’s prerogatives have grown.</p>
<p><b>Ministry of Social Development, Family and Solidarity (commonly referred to as SEFSAS an acronym resulting of its first statute as Secretary of State for Women, Solidarity and Social Action).</b></p>	<p>This Ministry is the official institutional mechanism in charge of the preparation, coordination and evaluation of the Government’s policy with regard to the promotion of women. “... the ambition of the Ministry and of all its partners is to provoke by means of a targeted and coordinated action, a positive dynamics and a participatory synergy to better channel and optimize the country’s efforts aiming at achieving the societal project of a Modern, fair and democratic Morocco”<sup>(*)</sup>.</p>	<p>The Ministry department holds prerogatives to engage legislative and institutional reforms that would introduce changes in the status of women within the family as well as in society. SEFSAS initiated thorough actions in partnership with State institutions, NGOs and stakeholders. Regardless of their impact, reforms are worth efforts as they contributed to more equality and hence at less discrimination, bringing the country to Beijing process and CEDAW’s principles.</p>	<p>SEFSAS, which has shown commitment and capacities to conduct strategies for change, is considered to be a major actor in the dynamics aiming at women better participation in political life (see gender strategies, gender focal points, reform of the mudawwana, appointment of women at important positions ...). Training, information, advocacy, partnership with governmental and non governmental actors –listed in this table- are tools that may bring about change of women status in politics.</p>

(\*) Portal of the Ministry of Social Development, Family and Solidarity

<p><b>Women members of the Cabinet (Government)</b></p>	<p>They play the role of catalysts, as their emergence on the political scene represents a driving force to incite women to be more present in political spheres. The status of Minister grants them with a higher self esteem. This way, Ms. Yasmina Beddou, former Minister of women conditions and current Minister of Healthcare dared to be candidate on her party's list and won one seat at the parliament. However, other women Ministers failed in the same elections : the case of Ms. Nezha Chagrouni, who though was at the Cabinet before Ms. Beddou could not be elected through ballots to the National Assembly.</p>	<p>Women, members of the Government have the possibility to impose their points of view, to introduce gender at all political levels, to confirm women's aptitude to participate, at the same level as their colleagues at the Government to the management of the country's affairs.</p>	<p>Take profit of past experiences of women candidates, members of the cabinet to be used as good practices; provoke debates to raise bigger interest about the gender issue and subsidiary questions, including women's participation in political life.</p>
<p><b>The Parliament (the two houses)</b></p>	<p>The Parliament represents the space where the country's laws and programs are voted, and which have an impact on the situation of all citizens including women, as it is in fact at the Parliament that decisions are made to place the country in a modern, democratic and egalitarian process. It also constitutes a frame where women's participation is recognized as a form of power, the legislative power, through the formal political participation, a result of elections, in other words the voters' choice.</p>	<p>- the 2002 organic law modified the ballot mode by replacing the uninominal ballot by proportional list ballot, and introduced the two-list system : local lists and national lists; this enabled more women to accede to the parliament (35 women in 2002 and 34 in 2007). - The amendment of the Electoral Code and of the Communal Chart, adopted in 2008, allowed the following measures : creation of a consultative commission called "Equality and Chance Equity Commission"; the implementation of a "strategic communal development plan for a 6 year period according to a gender based participatory approach"; creation of "additional electoral districts" in urban or rural communities and districts and creation of a "support fund for the promotion of women representativeness".</p>	<p>- The Parliament may introduce amendments by ratifying new law bills in favor of women's political participation; - A structure in charge of the application of gender equality in the political domain will add into the efficiency of the gender concept in politics. It is not necessary that this structure be solely made up of women. On the contrary, mixing genders will give it more credibility and efficiency.</p>

<p><b>Women in Parliament (two Houses)</b></p>	<p>Today there are 34 women in parliament. This represents 10.34% only of all deputies representing 11 political parties</p>	<p>In spite of all barriers, mainly cultural, these women could have access to the Parliament; they even solicited their vote as chief candidates. Their presence at the parliament has certainly contributed to ratify important juridical amendments related to women’s rights (Mudawwana and other texts).</p>	<p>They pave the way for other women members of their parties; by gathering in coalitions, (deputies and senators) they may suggest actions supporting women’s political participation.</p>
<p><b>Political Parties</b></p>	<p>Women have always represented a considerable power for political parties, with their 50% portion of voters. This electorate body can be influenced by men and has for very long neglected politics mainly due to illiteracy, traditions and mentalities. Women started to act when they felt how important they were in the different structures of political parties, and especially at the level of the leading structures. This enables them to impose their points of view in political parties’ programs.</p>	<p>Some political parties have valued the importance of women involvement in their structures and created women’s units/organizations, such as the Istiqlal party which women organization was created in 1988 and was at the origin of several initiatives contributing to a better participation of women in political life (i.e. : to answer demands raised by feminist movements to introduce quotas at the level of political parties, parties holding their congress during the last decade, granted women between 10 and 20% of the leading positions. Besides, political parties reached a consensus at the level of legislative elections to grant 10% of the seats to women at the level of the House of Representatives and the adoption of the national list.</p>	<p>Political parties represent nurseries providing skilled women to political spheres : an increasingly important level of instruction, better staffing, awareness raising and the advocacy of women associations have led to political parties being more open to women and to their presence on electoral lists competing for senior positions.</p>



<p><b>Women associations</b></p>	<p>Women associations are increasing and spread throughout the country. Their field of intervention is very diversified. After independence, NGOs' activities (mainly the Moroccan National Women's Union) were limited to the social domain. The Istiqlalian women's organization has the merit for launching a purely political women's organization. At the end of the 90s', and along with the democratization of the political life in Morocco, we noted the multiplication of associations : several women NGOs were launched with a wide range of activities; however no association name explicitly reflects specialization in political rights. It is important to note that some NGOs', leading women's associations have also focused on reinforcing political rights, such as :</p> <p>*1. Democratic Association of Women's Rights (ADFM).</p>	<p>*1. ADFM is defined as a non-profit non governmental association, feminist, autonomous, free of the external tutelage of governmental structures, political parties, unions and stakeholders. Its interventions express women's fight for equality and full citizenship, and is marked by a political and strategic dimension.</p>	<p>*1. holds the logistic and scientific resources to reinforce its intervention on the political domain. We cite : i) Centre for Women Leadership (CLEF) which is a "tool" for AFDM to reach equality between men and women, which objective is to reinforce women's capacities through training and access of women to political, economic and administrative decision making positions. Its target public includes institutions, NGOs', elected people (Parliament, local councils, Chambers, Unions ..), women candidates to decision positions ... ii) The Nejma Center for counseling, training and the juridical orientation of women victims of violence. Created in 1997, it fights against all forms of violence based on Gender.</p>
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	<p>*2. Women’s Action Union (UAF)</p>	<p>*2. UAF is a non profit non-Governmental organization. It was created in 1987 and is made up of 33 chapters spread over different Moroccan cities. Its objective is to promote the situation of women at the social and juridical levels, remove all types of discrimination towards women and enable women to have access to decision making positions.</p>	<p>Conducted the first campaign organized by women’s associations, with the purpose of collecting one million signatures to ask for the revision of the Mudawwana. Although it was not directly related to the women’s political participation issue, this campaign had the privilege of pointing towards inequalities in the private spheres i.e. the family, reflected in public spheres. This association holds an important experience in terms of mobilizing the population to promote women’s rights.</p>
	<p>*3. Moroccan Women’s National Union Chaired since its creation in 1969 by the sister of the King (Lella Fatma Zahra than Lella Meriem), it has relied since the beginning on the human and material resources facilitating the execution of actions it defined. Today, the Union is present throughout the territory through organizational structures (observatories, sections and antennas), and an orientation council.</p>	<p>*3. It aims at promoting Moroccan women through professional training / and sanitary education. Today, activities are being diversified, through projects the Union is concluding in partnerships with civil society actors, governmental institutions and stakeholders affecting all categories of women and operating in all different domains.</p>	<p>The Union is influential, it is chaired by a member of the Royal Family active in the field of associations. It led important fights in favor of childhood (abandoned children, street kids, handicapped children, house maids, ...) which are usually topics difficult to tackle. Relying on its long history, its wide presence throughout the territory, the charisma of its president, the Union will be able to contribute and ensure the success of women’s movements for a de facto equality in the political domain.</p>
	<p>4. JOSSOUR/Moroccan Women’s Forum aims at promoting the richness of civil society in the Maghreb and in the Machrek, and at bringing their visions close together in the field of development, democracy building and social justice.</p>	<p>The association’s achievements include : an Internet Portal called “E-JOUSSOUR” for the Maghreb / Machrek civil society, with the objective of : contributing to the participation of civil society actors from the Maghreb and the Machrek in social movements proposing citizen alternatives; encourage the exchange of experience and expertise between civil society organizations; reinforce communication; networking with civil society organizations and social movements throughout the World.</p>	<p>Joussour, which works in networks may play an important role in changing the statute of women in politics through exchange and information and communication technologies (ICT).</p>

<p><b>Human Rights Defense Associations</b></p>	<p>Made up of men and women, and are key actors in the protection and reinforcement of women's rights.</p>	<p>These associations (OMDH, LMDF...) supported women in their various Human Rights protection initiatives. We can cite their intervention to support SNLCVFG and the ANARUZ network.</p>	<p>The involvement of these associations with an advocacy experience, will have great input for the achievement of Moroccan women's aspirations to equally share the political arena.</p>
<p><b>Employers / Businesswomen</b></p>	<p>a- the Moroccan Association for the Promotion of Women Entrepreneurship / Departure Point Space (ESPOD) : created in 1991, Espod is a meeting place to help entrepreneurial women improve their environment, contribute to its future and to the evolution of mentalities. b- Moroccan Businesswomen Association (AFEM), is an independent association created in 2000 to offer businesswomen a framework enabling them to contribute to the growth of the national economy, through better involvement in the economic and social debate, and to participate to the decision making process orienting the country's economic life. AFEM includes approximately 400 members, and is made up of women leading major entities : SA, SARL, SNC.</p>	<p>Businesswomen's organizations have always been associated with major events marking Moroccan women's march towards equality. They are associated as women claiming more space, more presence in all life spheres, but also as women holding important powers : Money that can help them accede to political positions.</p>	<p>Businesswomen need to be called upon by SEFSAS, NGOs' and political parties in order to be better involved in all types of electoral courses, as candidates, or to support women candidates, particularly women coming from rural areas with limited resources.</p>

**Unions**

Structures making up the Moroccan syndicate are: Moroccan Workers Union (UMT); the General Confederation of Moroccan Workers (CGTM) and the General Union of Moroccan Workers (UGTM). Where women are under represented in grassroots structures and even more in leading structures. For indication, out of 320,000 members in 2006, the UMT included 57,600 women, hence a proportion of 12%. Unions are represented at the House of Advisors, which can make union women activists potential political actors. Unions prepare women to take part in political life through guiding, training, tasking, and associating them in union campaigns. Some demands expressed by unions call upon women willing to be active in political life, such as the action conducted by the Women Commission of the UMT to multiply nurseries and kindergartens, in order to facilitate conciliation between family life and professional commitments and hence political life.

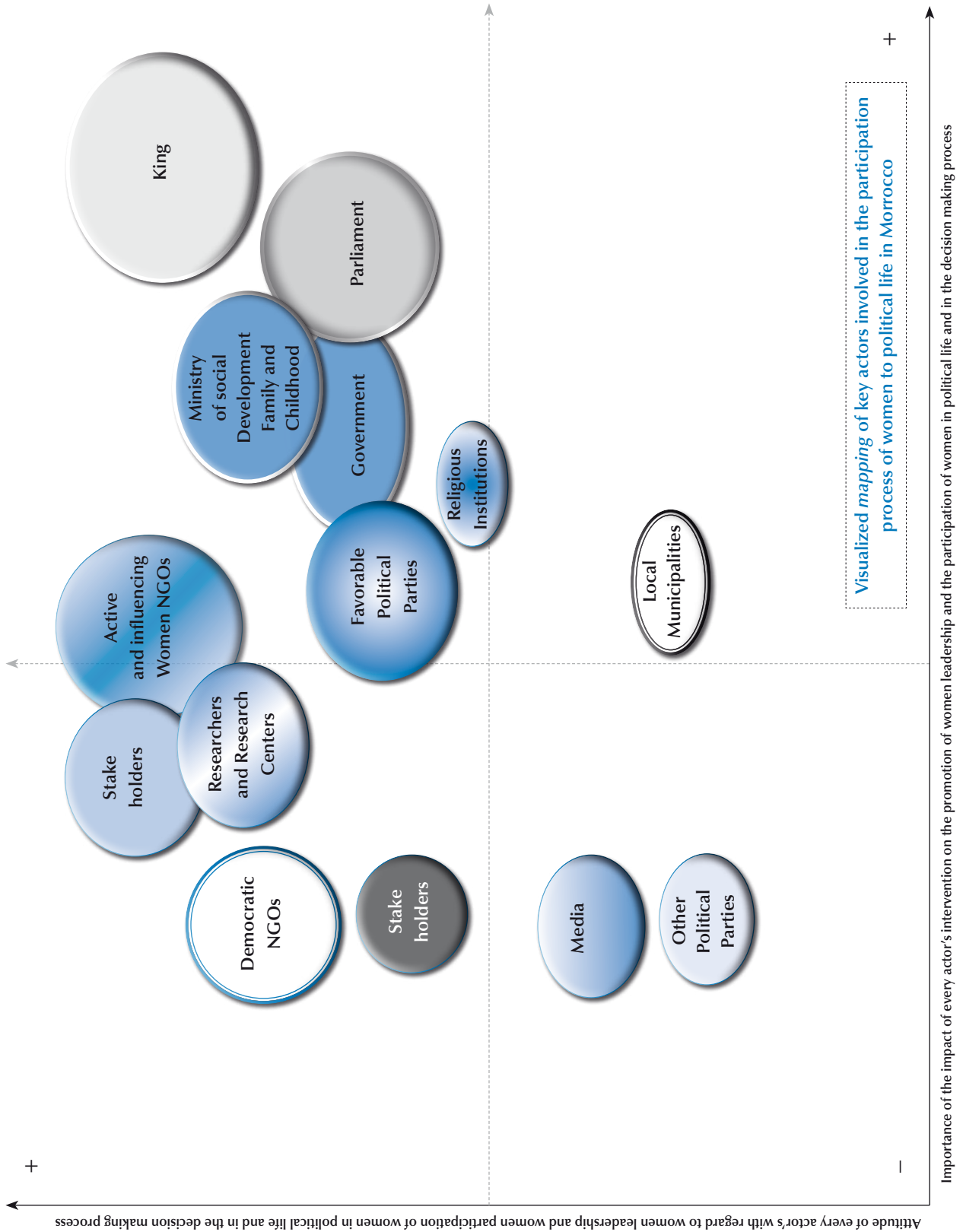
Since the 60s, the Union Central Office -UMT- provided for a specific framework for women “the Progressive Union for Moroccan Women”. The National Working Women Commission, a statutory body including 23 members and permanent member of the Administrative Commission, which is a deliberative body. It favored the progressive integration of women at all levels of UMT structures (deliberative, congress, national councils, professional federations, regional and local unions, base unions and functional committees). In the last UMT congress, the visibility of women was 20%.

The experience acquired by Union Women’s structures in terms of demands, advocacy, campaigns, and sensitization empower these structures to be an actor of change for a better political and decisional participation. We may point to the campaign conducted by UMT Women’s commission in the frame of the international union campaign on “Women for Unions” aiming at increasing by 5% women’s affiliation rate, the identification of obstacles to women’s activism and solutions to overcome them, reinforcing training of Union women trainers, the feminizing of union structures at all levels, and particularly at decision making levels, and finally the creation and reinforcement of women’s committees at the local, regional and sector-based levels.

<p><b>Media</b></p>	<p>Media represent an important vector for women's progress. The Ministry of Women has a partnership strategy with the communication sector to valorize the image of women in the media.</p>	<p>A study on the "image of women in the media : situation and perspectives", which results were presented in April 2008, points to the fact that media always neglect women's new roles, influenced by social stereotypes and hence contribute to widening the gap between Moroccan women's realities and the image transmitted by the media.</p> <p>The Ministry of Women and the Media, which are, in the framework of the strategy, supposed to contribute to changing mentalities and fighting stereotypes, must consolidate their actions, means and tools in order to achieve strategic objectives.</p>	<p>Improving the image of political women in the media requires actions in order to intensify the training of experts specializing in the media (written and audiovisual press), and to tackle the issue of the political participation in its different forms : Studies/debates, TV series, sitcoms, TV news (coverage of women's political activities ...).</p>
<p><b>Researchers / Research groups on gender..</b></p>	<p>Research institutions on women/gender are increasing in Morocco. In addition to CMIDEF, there exists a series of women studies, CREGAM (Research and Studies Group on Gender in Morocco), the Moroccan Centre on Research in Social Sciences (University of Ain Chok in Casablanca).</p> <p>While research and studies on gender have considerably grown, that has not been the case on women's political participation. We note that few research studies have been conducted on the issue of women's political participation. :</p> <ul style="list-style-type: none"> <li>* "Gender and Political Participation" in Feminin-Masculin, the March towards Equality in Morocco 1993-2003, edited by the Friedrich Ebert Foundation;</li> <li>*Alami M'Chichi Houria (2002), Gender and Politics : Challenges of Men-Women Equality between Islamism and Modernism, Paris,</li> <li>* Alami M'Chihi Houria and Benradi Malika : "Moroccan Men and Women Facing Politics" 2002)</li> </ul>	<p>The multiplication of studies and research on this issue will highlight women's political participation, enable the rising of questions directly or indirectly related to this issue.</p> <p>Results of studies and research are taken in consideration by decision makers.</p>	<p>CMIDEF /Women's Studies Chair, CLEF... are research spaces open to researchers in order to deepen reflection on gender issues from different perspectives, including the political perspective : this will contribute to collecting more data broken down by gender, guide decision makers on measures to take for the better participation of women in political life.</p> <p>Cited key actors must coordinate their efforts to support researchers/groups/ research institutions and sensitize them about the importance of the issue in the socio-cultural and political environment of Morocco.</p>

<p><b>Stakeholders</b></p>	<p>Many actors in Morocco operate in the field of gender. The political domain, subsidiary of gender is rarely funded by stakeholders. However, all projects aiming at considering the gender approach have an impact on the political participation of women : in terms of sex disaggregated statistics (see UNIFEM project, Ministry of Finance), the elimination of stereotypes (see. Gender Projects 1 and 2 (UNFPA, UNIFEM, PNUD, Canadian Cooperation, GTZ...)).</p>	<p>Stakeholders participate in women’s political action, mainly on the occasion of political campaigns, by bringing an institutional support.</p>	<p>Stakeholders are likely to support actions to implement in favor a better political participation of women, mainly through institutional, technical and financial support as well as by importing good practices.</p>
<p><b>Religious Leaders</b></p>	<p>The Ministry of Religious Affairs and Habouss supports the Government’s strategies through the intervention of religious leaders associated with communication campaigns conducted in various sectors.</p>	<p>Imams have already contributed in raising the awareness of the public opinion about strategies and reforms related to the juridical and social domains : we cite an example advocacy for the religious legitimacy of reforms concerning the mudawwana and the SNLCVFG.</p>	<p>The role of religious leaders is possible as advocacy for this issue is based for both strategies (gender and VFG) on the equality principle cited in the Koran and also on the life of the prophet who allowed his wife to “lead”.</p>
<p><b>Moroccan Observatory for the Integration of Women in Political Life</b></p>	<p>The Moroccan Observatory for the Integration of Women in Political Life was created in 2006. it aims at promoting women’s participation in political life, defining and removing barriers and resistances preventing Moroccan women from taking part in the political action and having access to decision making positions.</p>	<p>It focuses on the participation of women in local governance (rural and suburban areas in particular). It conducts sensitization actions with positive impacts on women’s participation, targeted campaigns, and supports future candidates in elections by training them on the management of local affairs.</p>	<p>The importance of its future intervention is “scientific”, planned in the framework of the annual national index on the participation of women in political life. (parties, unions, elected Assemblies, Government and Administration) with 100 values on December 31, 2006.</p>

## Annex 2 : Interpretation of the visualized *Mapping of Morocco*



Morocco’s contemporary history shows that when “the King wants, everyone can”. Opening towards women has been since the nineties the King’s achievements. It is important to remind the King’s position in 2000 when the Women Integration Action Plan was put into question. The King then settled the issue by ordering the constitution of a commission which later made proposals to amend the *Mudawwana* and the introduction of other legislative and institutional reforms in favour of women. Similarly, the introduction in 2002 of “national lists” reflects the King’s positive attitude towards the promotion of women.

The mapping first variable concerns **the attitude of key actors** with regard to women leadership and participation in political life and in the decision making process. This can be detected through interviews that the project team during site visits.

**The impact of the action generated and initiated** by these actors can be measured by the rate of change with regard to women’s participation in political life.

The size of the circles (political actors) and their positioning with respect to others actors, are two important elements, because they give the importance of actors, not in quantitative terms – i.e. number of adherents for NGOs - but mainly in qualitative terms, sizing the extent of actors, their influence and their actions impact... likewise that their positioning points out existing relationships among actors : we can reveal very close relationships, less close or even weak or almost absent relationships among partner actors.

Taking into consideration these variables, gives us the latitude to interpret the visualized mapping, as follows :

Consideration of the two variables gives us the opportunity to interpret the visualized as mapping as follows :

- **The King** : since his enthronement, he has shown a progressively favourable attitude towards women. This attitude has been reflected by the different measures taken by his Majesty : nomination of women in the Government, in the Parliament, in communal councils, amendment of the *Mudawana*...

With regard to the King’s position, the attitude of key actors and the impact of their intervention/involvement has ranges between “very favourable” to “unfavourable”.

- **The Government** : the Head of the Government is in charge of implementing the King’s program and must also carefully handle on the hand the very modernist parties and the other the most conservative ones. At this level, the Ministry in charge of women conditions (Ministry of Social Development, Family and Solidarity –MDSFS) plays a catalyst role in the Government. Being a cross sectional Ministry, it is required to advocate its different strategies towards other Ministries, such as the Ministry of Interior, Ministry of Public Health... the Ministry of Religious Affairs contributes to this advocacy effort to improve women’s political participation, through Friday preachers and radio or TV broadcast messages. This role has been demonstrated when involving religious leaders in the



implementation of the national strategy for the fight against violence based on Gender, initiated in Morocco since 2003.

- **The Parliament** : its position is the result of the democratization process introduced in this structure through the multiparty system. This was reflected in the last reform of the electoral code and the 12% quota vote for women only to implement during the next 2009 elections, versus 30% claimed by women's movements. Women structures in the Parliament have little influence. This accounts for the position of the Parliament on our mapping (below the King and the Government);
- **Political Parties** : they preach two distinct attitudes and actions : some parties support women's effective participation by making effort not only to propose their names on lists but also to place them on top of their lists; however, even those applying the quota rule, have not made it through. Results of the legislative and communal elections reflect this somehow favourable attitude but with little impact.
- **Local councils** : convinced of the important role played by local councils in women's political education, and their contribution in the management of councils' affairs, Moroccan women try to invest local councils, where they are guided and supported by women's currents, the Ministry of Social Development, Family and Solidarity as well as by Stakeholders. The output of joint actions conducted by actors cited above is considered by women themselves to be limited (12% of seats during the June 2009 communal elections instead of the desired 30%). Similarly, action conducted so far by political parties is believed to be timid, as they still call upon women as voters rather than as eligible candidates.
- **Religious structures** : in Morocco, despite the opening of official religious structures (Ministries, Imams sensitized by the Ministry ...) on women issues in general , and their support to women's emancipation policy preached by the Government, this opening has not yet marked considerable strides at the political level. It is true that the Islamic party –PJD – encourages women to be candidates in elections, but this attitude is interpreted by some actors as an excuse-attitude to mobilize women voters.
- **Women NGOs' are divided into three categories** : i) Dynamic and influential NGOs acting towards women's better political participation and which voice is heard, as they have gained considerable experience in the field of advocacy, particularly in politics, and are close to authorities represented by the MDSFS – such as ADFM -; ii) NGOs that are active in the political sphere but which have little influence as they do not hold enough tools to bring about change – example UAF; iii) Active women NGOs, but in other sectors, such as micro-credits, environment, literacy, rural women, ... and which involvement in change in favour of women's political participation is very important.
- **Media** : this mapping grants them a very average position justified by : i) results of their coverage during the last electoral campaigns (evoked by actors met during site visits held

by the project team); ii) results generated by a research conducted by the MDSFS highlighting the little objective image given to political women;

- **Stakeholders** : always motivated by their willingness to support the country in its effort to integrate and institutionalize the gender approach at all levels, they must however face resistances dictated by variable political contexts. This was the case in the implementation of the 2004 Women Integration in Development Action Plan; and also for the study supervised in 2008 by UNDP on “Women and Politics”...
- **Researchers** : Research centres / institutes created a dynamics around the gender approach, which has become since 2002 the feminists’ spearhead. In spite of their number and variety, research studies are not exploited as they should, as their results are not disseminated on a wide scale.

### Annexe 3 : The Moroccan Electoral System

by Malek Baklouti

Category		Legal Base	Reference	Ratified Protocols
Electoral System	Monarchical system	Organic Law N 32-97 related to the House of Counsellors <a href="http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C1997%5CBO_4518_fr.PDF">http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C1997%5CBO_4518_fr.PDF</a>	First Article	- International Pact related to economic, social and cultural rights (1979) ; - International Pact related to civil and political rights (1979); - Convention on the elimination of all forms of discrimination towards Women; - Conventions of the International Labour Organization ;
	Legislative elections :	<b>House of Representatives :</b> Proportional representation list ballot  <b>House of Representatives :</b> Proportional representation list ballot  <b>President of communal councils :</b> Indirect	Organic Law N 31-97 related to the House of Representatives as modified by the organic law n°06-02  <a href="http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C2002%5CBO_5018_fr.PDF">http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C2002%5CBO_5018_fr.PDF</a>	- Convention n° 111 concerning discrimination (employment and profession) ;
	Communal elections	<b>Communal Advisors :</b> *Cities of less than 25.000 inhabitants Uninomial ballot with the relative majority * Cities of more than 25.000 inhabitants Proportional representation list ballot	Electoral Code as modified by Law n°64-02  <a href="http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C2003%5CBO_5096_fr.PDF">http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C2003%5CBO_5096_fr.PDF</a>	Article 200

<p><b>Electoral Barrier</b></p>	<p><b>Legislative elections : 3%</b></p>	<p>Organic law n°31-97 related to the House of Representatives as modified by the organic law n°06-02 <a href="http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C2002%5CBO_5018_fr.PDF">http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C2002%5CBO_5018_fr.PDF</a></p>	<p>Article 78</p>	<p>- Convention n° 100 on wage equality between men and women workers; - Convention n° 4 concerning women’s night labour; - Convention n° 45 concerning the employment of women in underground works or in any kind of mines</p>
<p><b>Electoral Districts</b></p>	<p><b>Communal elections : 3%</b></p>	<p>Electoral code as modified by Law N 64-02 <a href="http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C2003%5CBO_5096_fr.PDF">http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C2003%5CBO_5096_fr.PDF</a></p>	<p>Article 209</p>	
<p><b>Form of Candidature</b></p>	<p><b>Legislative elections : Plurinominal</b> <b>Communal :</b> * Districts of less than 25000 : Uninominal ; * Districts of more than 25000 : Plurinominal</p>	<p>Electoral code as modified by Law N 64-02 <a href="http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C2003%5CBO_5096_fr.PDF">http://www.sgg.gov.ma/BO%5Cbuletin%5CFf%5C2003%5CBO_5096_fr.PDF</a></p>	<p>Article 200</p>	
<p><b>Law on quotas/ Positive measures in favour of women’s political participation</b></p>	<p>Closed lists with neither mixing nor preferential vote for all types of elections</p> <p><b>Legislative :</b> No laws but for the 2007 legislative elections, political parties agreed to reserve the 30 seats of the National List exclusively for women</p> <p><b>Municipal :</b> Additional lists are planned for the June 2009 elections to ensure at least 12% of women in municipal councils</p>	<p><a href="http://www.quotaproject.org/display-Country.cfm?CountryCode=MA">http://www.quotaproject.org/display-Country.cfm?CountryCode=MA</a></p>		

<p><b>Funding of electoral campaigns</b></p>	<p>The participation of the State in the funding of electoral campaigns for the legislative and communal elections takes in consideration the number of collected votes and seats won by every political party</p>	<p>Decree n°2-02-188 dated July 17, 2002, related to the participation of the State in financing electoral campaigns conducted by political parties in the framework of general, communal and legislative elections. Decree n°2-08-745 dated December, 30, 2008, modifying and completing the decree n°2-06-360 related to participation of the State in financing electoral campaigns <a href="http://www.sgg.gov.ma/BO%5Cbuletin%5CFr%5C2002%5CBO_5026_fr.PDF">http://www.sgg.gov.ma/BO%5Cbuletin%5CFr%5C2002%5CBO_5026_fr.PDF</a></p>	<p>First Article</p>	<p>- Convention n°3 concerning the employment before and after delivery and convention n° 103 concerning protection of maternity</p>
<p><b>% of women deputies and senators during the last elections</b></p>	<p><b>Women senators : 2006</b> 1.11% (or 3 femmes out of 270)</p> <p><b>Women deputies : 2007</b> 10.46% (or 34 women out of 325 members)</p>	<p><a href="http://www.ipu.org/parline-f/reports/1222_A.htm">http://www.ipu.org/parline-f/reports/1222_A.htm</a></p> <p><a href="http://www.ipu.org/parline-f/reports/1221_A.htm">http://www.ipu.org/parline-f/reports/1221_A.htm</a></p>		
<p><b>% of women mayors during the last elections</b></p>	<p>0.13% (or 2 women Presidents of Town Councils out of 1497)</p>	<p><a href="http://www.aufaimaroc.com/fr/actualite/maroc/article/elections-communales-les-femmes-reclament-une-representativite-plus-elargie/">http://www.aufaimaroc.com/fr/actualite/maroc/article/elections-communales-les-femmes-reclament-une-representativite-plus-elargie/</a></p>		
<p><b>Abstention rate during the last elections</b></p>	<p><b>Legislative elections : 2007</b> 63%</p> <p><b>Communal elections : 2003</b> 45.84%</p>	<p><a href="http://www.ipu.org/parline-f/reports/1221_E.htm">http://www.ipu.org/parline-f/reports/1221_E.htm</a></p> <p><a href="http://www.elections2003.ma/StatG8.aspx">http://www.elections2003.ma/StatG8.aspx</a></p>		

The Moroccan legislation organizing elections is based on three main legal texts :

1. Law n° 9-97 forming the electoral code : This Law includes among others provisions related to local elections.
2. Organic law n° 31-97 related to the House of Representatives covering elections of the Lower House.
3. Organic Law n°32-97 related to the House of Advisors covering the election of the Upper House of the Parliament.

Morocco has a monarchical system, hence no presidential elections are held.

### **Legislative elections**

The two Houses making up the Moroccan Parliament are :

- House of Councillors, *Majlis Al Mustacharin* : this is the Parliament’s Upper House. It includes 270 members elected through the indirect ballot by regional electoral colleges. Colleges, made up of local elected representatives, appoint 3/5 of the House of Councillors, while regional colleges made up of representatives elected by professional chambers and unions elect 2/5 of the House of Councillors.

Only three women are members of the House of Councillors, hence 1.11%

- The House of Representatives, *Majlis Al Nuwab* : The Lower House of the Parliament is made up of 325 members elected through proportional representation lists. 295 members are elected by 91 districts while the 30 remaining members are elected based on one national district. Participation in the distribution of seats is only open to parties obtaining at least 3% of expressed votes.

For the 2002 elections, political parties in Morocco, following calls of the “Movement for the third” have decided to reserve all the seats of the national district, ie 30 seats exclusively for women, thereby improved representation of women in the lower house. Today, the Board has 34 women out of 325 deputies, which is 10.46%, against 2 women, or 0.62% in 1997.

### **Communal elections**

Communal advisors are directly elected according to the size of districts. In fact, in cities with less than 25000 inhabitants, districts are uninominal and advisors are elected based on the simple majority ballot<sup>(22)</sup>. However, in cities with more than 25000 inhabitants, advisors are elected based on the proportional representation list ballot.

Lists which obtained less than 3% of the votes do not participate in the distribution of seats.

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(22) In the framework of this ballot, winners are candidates obtaining most votes.

Further to the 2003 communal elections, we registered the election of 127 women as municipal advisors (hence 0.53%) only two of whom were assigned Presidents out of 1497 city councils in the Kingdom.

It should be noted that for the next communal elections planned for June 2009, *additional women's lists* are planned; this measure will guarantee the election of at least 12% of women in municipal councils (against 0.53% now).





## TUNISIA



## Introduction

Soon after independence, initial steps towards women's emancipation were put in place thanks to the promulgation on August 13, 1956, of the avant-gardist and revolutionary Personal Statute Code for an Arab and Muslim country, that had just freed itself from the yoke of colonialism, and facing numerous development problems. Since then, the legislator confirmed in texts the principle of equality between men and women in terms of socioeconomic, cultural and political rights. Further to a strong impetus of the then Tunisian Head of State, and to demands expressed by women and human rights activists, the Tunisian legislator reinforced women's rights in the public and private spheres by means of successive reforms, enforced in 1993, 2001, 2004 and 2006 ... therefore, the Tunisian policy in terms of women promotion, which has witnessed constant evolution as we will see in the present mapping, represents an enlightened re-reading of the Shariaa founded on exegesis, the political willingness and women's movement's activism.

A wide range of legislative reforms, supporting mechanisms and accompanying measures have been adopted to fight gender-based discrimination, and remove barriers preventing the active integration of women in all life spheres, including political.

### I- Juridical Reforms

The Personal Statute Code provided Tunisian women since 1956 the right to be equal to men in the private sphere. It abolished polygamy, fixed a minimal age for girl marriage, required women's agreement to get married, banned repudiation and set up the juridical divorce with the strict equality between genders. Reforms introduced since 1992 have confirmed women's assets and boosted their evolution towards more equality and rights in the political sphere.

Trying to settle polemics raised with the rise of religious fundamentalism, observed at the end of the eighties and in the beginning of the nineties, a set of measures and juridical reforms will reinforce the right of women, by eliminating juridical provisions that may be ambiguous or likely to be interpreted with a discriminatory and sexist way.

#### 1- At the level of the Constitution

Non discrimination is ensured by equality in the Law announced in the 1957 Constitution.

As for equality in the political and public life, the 1997 Constitution reform grants the right of eligibility to the Chamber of Deputies equally to all voters, of Tunisian mother or father.

#### 2- At the level of legislative texts

##### 2.1- Personal Statute Code

Provisions of the Personal Statute Code, promulgated on August 13, 1956, provided women with egalitarian rights in the private sphere. Important reforms were introduced in 1993, reflecting the political change taking place in the country aimed at better status and a greater participation of women in the decision making process within the family. We cite the following examples :

- Obligation on both spouses to “mutually treat each other with respect, and help each other in the management of the household and children’s affairs”, replacing the provision stating that “women must respect the husband’s prerogatives”.
- The right for mothers to manage their children’s affairs with the collaboration of fathers, related to education, travel and financial accounts (article 23 new – paragraph 3)
- The mother’s agreement about her minor child’s marriage;
- Granting a minor married girl the right to conduct her private life and personal affairs;
- Creation of a fund to pay food allowances to the profit of divorced women and their children. This fund covers the food allowance or the divorce pension, subject of enforceable sentences in favor of divorced women and their children, born of their marriage with debtors, in case of difficulties to enforce sentences issued in this regard;

However, some discriminations between men and women still persist within the CSP :

- The notion of family leader, always referring to men
- Guardianship is granted to women only with conditions
- As is the case for all Muslim countries, succession rights are still unequal, in compliance with Koranic texts. Therefore, Tunisia expressed reservations with regard to CEDAW’s Article 16 related to this issue.

Reform introduced by Article 24 related to the adoption of the properties community system reduces inequalities hindering women in terms of inheritance but does not abolish them. An advocacy action has indeed been initiated to reform the Inheritance law by women from governmental and non governmental structures. Meetings on women’s conditions often discuss claims to change the inheritance law for better equality between genders, and to remove reservations raised by Tunisia concerning CEDAW.

The committee of follow-up of CEDAW<sup>(23)</sup> implementation invited Tunisia to engage a debate to move forward on the question related to equal inheritance, which is not only an issue of “parity” but also an economic development challenge, of interest to both men and women”.

## **2.2- Citizenship Code**

A Tunisian mother married to a non-Tunisian may legally grant her own citizenship to her child, with the reservation of the father’s agreement.

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(23) Examination of combined third and fourth periodical reports of Tunisia (June 2002)

(Art. 6. – *Is considered to be a Tunisian citizen any child born of a Tunisian mother and an unknown father or without nationality; a child born in Tunisia of a Tunisian mother and a foreign father*).

### **2.3- Penal Code**

Reinforcement of incurred sanctions in the case of violence between spouses, considering matrimonial relations as aggravating circumstances.

### **2.4- Labor Code**

Non discrimination between men and women in all work aspects : recruitment, promotion and salary, is expressly stated in article 5 bis.

### **2.5- Code of Obligations and Contracts**

The Code of obligations and contracts bans all forms of discrimination related to gender in terms of possession, acquisition, management and transfer of property.

## **3- Non-discrimination reinforcement measures**

- Automatic attribution of family allocations to mothers holding the custody of their children;
- Unification of criteria granting benefits, in terms of social coverage, between the public and private sectors, so as to ensure equality between genders;
- Possibility for both spouses to contract an individual loan for the purchase of a common house;
- Law issued on July 23, 2002, providing for the reform of the education system, states in its first article that the fundamental objective of the education system sought through instruction and learning is to prepare youth for life with no gender based discrimination or segregation.

## **4- Women's Political Rights**

### **4.1- The Constitution**

The Tunisian Constitution recognizes in its 1956 initial text the status of citizens to all Tunisians with no discrimination. Article 6 of the Constitution states that “all citizens hold the same rights and have the same duties. They are all equal before the Law”.

The Constitution does not refer to gender for presidential candidates : it mentions THE Presidential Candidate : the candidate to the presidency of the republic must be Tunisian.

The 1997 amendment of the Constitution confirmed principles of equality and non discrimination based on gender in politics “*as no political party can fundamentally rely in its principles, objectives, activity or program on religion, language, race, gender or region*” (paragraph 5 of article 8).

The same applies for paragraph 3, Article 8 new of the 1997 constitution, which states that political parties must respect people’s sovereignty, values of the Republic, Human Rights and principles related to the personal statute.

Articles 20 and 21 respectively confirm the right for every citizen to be voter and eligible.

Based on these constitutional provisions, all texts promulgated after independence and later amended, confirm the non discrimination principle in politics.

#### ***4.2- Electoral Code***

The electoral code recognizes to Tunisian men and women aged eighteen and more the right to vote. According to the Tunisian Law, Tunisian women are as much as men voters and eligible.

The electoral code states that : “to be eligible for Parliament, one must hold the Tunisian citizenship, be born of a Tunisian father or a Tunisian mother, and be at least twenty three years old”. No condition based on gender is mentioned.

#### ***4.3- Law organizing political parties***

Law n.° 88-32 dated May 3, 1988 organizing political parties states in its article 2 the necessity for any political party to respect a number values, the first of which being human rights as defined in the Constitution and in international conventions ratified by Tunisia, as well as principles organizing personal statutes. Every political party must in addition ban all forms of fundamentalism, racism and all other forms of discrimination (article 3).

### **5- International Conventions**

Tunisia ratified a big number of international conventions related to Human rights, directly or indirectly dealing with Women’s rights. On top of these conventions, we cite the Human Rights Universal Convention, that Tunisia ratified soon after independence. Convention on Women’s political rights (1967), Convention on the Citizenship of married women (1967), Convention related to minimum age, agreement and registration of marriage contracts (1967) and Convention against discrimination in the field of education (1969).

Consequently, Tunisia ratified most international charters related to economic, social and civic rights of women, including in particular :

- *The international convention on women’s night labor in 1957;*
- *The international convention on labor and pay equality (social security) in 1967.*
- *The international convention on labor and recruitment policies*

- *The O.T.T convention on payment equality for the same work between male and female labor force in 1968;*
- *The 1985 Copenhagen convention on the elimination of all forms of discrimination against women (CEDAW)* with reservations about articles concerning the family and citizenship. Therefore, reservations were formulated about Article 16, in particular. The Tunisian Government states on the one hand that it is not bound by provisions granting the same rights to women and men in terms of marriage and towards children, and on the other, that provisions related to the name of the family and to the acquisition of goods through inheritance shall not contradict with provisions of the personal statute code.
- *CEDAW Facultative Protocol, 2008*

The ratification of CEDAW (1985) and of its facultative protocol (2008) by Tunisia expresses its commitment to respect equality as a universal value. Reports presented by Tunisia before a committee in charge of following up the implementation of CEDAW certainly reflect progress registered on the way to enforcing provisions of the international convention; however, according to the committee's opinion expressed during the presentation of the combined reports 2 and 3 in 2002, some deficiencies persist. The committee has therefore invited Tunisia to lift reservations about articles 9 (nationality), 15 (equality before the law) and 16 (international law) of the Convention seen as "not being fair with accomplished achievements"<sup>(24)</sup>. The State tried to reassure the Committee about its determination to lift these reservations, particularly those related to Nationality that is not automatically transmitted from the mother to her child. The same also applies with the inheritance issue, where the State explained that it had to overcome religious and cultural obstacles with regard to their reservations, particularly those related to inheritance.<sup>(25)</sup>

Tunisia has also ratified in 1991 the International Convention on Children's Rights and the additional protocol (n.89) to the Convention on Women's Night Labor, in 1992, and CEDAW's facultative protocol (2008).

With the juridical reforms and Tunisia's adherence to international conventions related to women's rights, the Legislator wanted to protect women's rights by removing discriminatory connotations towards women from the entire juridical system. Reforms placed Tunisia within the egalitarian dynamics boosted since the Beijing Conference (1995). In order to reflect this equality in reality, and to transpose rights from the private sphere to the public one, different institutional mechanisms have been created.

## V- Institutional Reforms

(24) France's expert, Ms. Françoise Gaspard, invited the party State to launch a debate on the issue of equality in terms of inheritance, which is not only a question of parity, but also an economic development challenge.

(25) 25 See the Committee's final observations - CEDAW : Tunisia. 21/06/2002. A/57/38, paras.171-210. (Concluding Observations/Comments) the third and fourth combined periodical reports of Tunisia (CEDAW/C/TUN/3-4) at its 567th and 568th sessions, on June 14, 2002 (see CEDAW/C/SR.567 and 568).

Due to persistent discrepancies between women’s Rights and Reality, positive discrimination measures in favor of women have been initiated in Tunisia. They are reflected in the emergence of several institutions contributing to the mitigation of inequalities observed in practical life. This mainly includes :

*a) The Ministry of Women Affairs, the Family, Childhood and the Elderly* : the Secretariat of State for Women and the Family was created in 1992, and saw its attributions reinforced to become in 1996 a full-fledged Ministry. In September 2002 and in October 2004, its missions further developed to cover respectively Childhood then the Elderly. On the other hand, the Ministry is represented in the regions by seven (07) districts in charge of women, the family and childhood, providing it with a larger working scope at the regional and local levels;

*b) The Center for Research, Studies, Documentation and Information on Women (CR-EDIF)*, launched in 1990, represents a space for national and international exchange and is specialized in gender issues. CREDIF initiates actions in favor of promoting women for decision making positions and in the public and political spheres, through studies conducted on this issue, and national and regional training sessions (at the level of Governorates) aimed at reinforcing women’s leadership and political participation;

*c) National Council for Women, Family and the Elderly*, consolidated by the creation of three commissions. Created in 1992, the Council is a consultative organ serving the MAFFEPA to develop partnerships with governmental and non governmental organizations working on the cross-sectional issue of women promotion, among others;

Chaired by the Minister, the CNFFPA includes representatives of Ministries, governmental institutions and non governmental organizations directly involved with women family affairs, as well as skilled resource people. Its structure is likely to create synergies that are necessary for projects aiming at the promotion of women.

In 1997, the CNFFPA was reinforced by three commissions : a commission to monitor the promotion of women’s image in the media, a commission to promote equality of chances between genders and to monitor the enforcement of laws, and a commission in charge of preparing national and international events related to women and to the family.

In 2005, the three commissions were replaced by three new commissions, which choice was dictated by intervention priorities to reinforce women’s participation in the development of all life sectors, particularly women’s political and public participation, a priority defined in the Presidential Program (2004-2009) and the 11th Development Plan (2006-2011); the three new commissions are the following : commission on women’s participation in public life; commission on reconciling family and professional lives and a commission on the promotion of the elderly.



*d) The “Women and Development” Commission*, created by Decree in 1991, to prepare the five-year development plans, their implementation, follow up and evaluation. It includes national competencies concerned by the gender approach or representing Ministries, governmental institutions, and non governmental organizations directly related to women’s and family affairs.

This commission was structured according to the evolutions, orientations and priority objectives of each plan. It aims at highlighting women’s concerns and at promoting equal opportunity strategies.

*e) Observatory on Women’s Conditions* : created in 1997 with UNDP’s support, it aims at collecting, analyzing and disseminating data related to women, at enhancing the production of statistics broken down by gender, at developing gender-specific indicators, and at assessing the development of women’s conditions through the execution of surveys and studies; the Observatory also publishes reports based on the gender approach, concerning both specific topics as well as women’s specific groups.

*f) Gender focal points* : special advisors have been appointed at Ministerial cabinets since 1991, when the Women and Development Commission was launched in order to monitor the “Women” Dossier at the level of key Ministries, such as the Ministries of Education, Public Health, Employment, Agriculture, Environment, Transport ...These special advisors are MAFFEPA’s counterparts for all cross-sectional issues of which the Ministry is in charge.

### III- Gender programs, projects and Politics

The Ministry of Women Affairs, the Family, Childhood and the Elderly works on improving the integration of women in the development process, evaluating programs executed in favor of women, coordinating the action of public institutions aiming at the promotion of women and the family and supporting women’s associations dynamics. In order to achieve these objectives, the MAFFEPA designs and initiates strategies, action plans and programs, of which the following :

- *The National Action Plan for the Family (Phases I and II)* : MAFFEPPA designed two national action plans for the family recommending legislative and institutional measures aiming at promoting the harmony and stability of couple relationships, socializing children according to social needs and improving material life conditions between different partners involved in family politics;

In implementing the Family Action Plan, MAFFEPA relies on :

- An information, education and communication strategy;
- A network of governmental and non governmental actors;
- Studies and research;
- A system to observe and follow up Tunisian families’ conditions;

- The training of actors in the field of family(26).
- ***The national action plan for the promotion of rural women*** : adopted in 1998, it is based on the creation in every Governorate of a regional commission in charge of designing, implementing and following up the execution of a regional action plan adapted to the region’s economic specificities. This action plan recommends programs and actions aimed at increasing the participation of rural women in community life through the creation of outreach poles representing meeting and dialogue places with the local authorities and development NGOs.
- ***The national strategy for the fight against gender-based violence*** : initiated with the support of UNFPA-UNDP and the Spanish Cooperation, this strategy was designed in 2007, and aims at promoting gender equity and contributing to reducing this phenomenon by preventing violence towards women victims of violence. More specifically, it suggests to :
  - Improve knowledge in terms of gender based violence (GBV) in order to better apprehend this phenomena and prevent or mitigate it;
  - Develop service providers’ skills (healthcare professionals, social workers, police, etc...) in terms of diagnosis and prevention of violence as well as assistance to women victims of violence;
  - Sensitize different target publics (men/women, youth, media, religious leaders, police, justice professionals ...) about the GBV phenomenon, and promote the culture of respect towards human rights;
  - Reinforce the institutional capacities of MAFFEPA’s partners (institutions and NGOs) to provide better medical, psychological and socio-economic assistance to women victims of the GBV;
  - The strategy will be implemented through research, advocacy, information and communication, training and national, sub-regional and regional networking,

In parallel, counseling centers have been created in institutions such as MAFFEPA, social defense centers related to the Ministry of Social Affairs, Solidarity and Tunisians Abroad, the UNFT, ATM, OTEF, ATFD ... offering psychological and socio-judicial assistance services. The UNFT offers, since 2003, temporary residences to threatened women and women victims of violence : one in Tunis and the other in Sousse.

#### **IV- Women and Political Participation**

According to Tunisian Law, Tunisian women and men are eligible voters alike.

Tunisian legislation –as explained above (Paragraph 2) – bans all forms of discrimination towards women’s political participation.

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(26) MAFFE, *Les acquis de la famille tunisienne, 10ème anniversaire de l’année internationale de la famille*, Tunis, MAFFE, 2004, p. 5.

But to which extent is non discrimination stressed in texts reflected in real life ?

## **1- Women and the Executive Power**

### **1.1- The Government**

Since the change, women's presence in the Government has not been interrupted : at least one woman. In July 2001, the Tunisian Government included 9.25% of women, or two women out of a total number of 29 Ministers and three women out of 25 Secretaries of State. Currently, the Government includes only one (01) Minister out of 30 Ministers and five (05) women Secretaries of State out of 18, as follows :

- Minister of Women Affairs, Family, Childhood, and the Elderly;
- Secretary of State in charge of Childhood and the Elderly;
- Secretary of State in charge of Social promotion;
- Secretary of State in charge of Hospital Institutions;
- Secretary of State in charge of Computers, Internet and Freeware;
- Secretary of State in charge of American and Asian Affairs.

At the level of the Central Government, on November 1st, 1983 Bourguiba appointed the two first women Ministers : Ms. Fethia Mzali as Minister of Women and Family Promotion and Ms. Souad Yakoubi as Minister of Public Health.

History revealed that the appointment of a Minister for Family and Women Affairs, recommended by the Nairobi process, could not resist the political tergiversations of that time, as the Minister was dismissed soon after the removal of the Prime Minister, her husband.

### **1.2- Senior Positions**

In 1993, a position of Advisor to the President in charge of women affairs was created, but later disappeared. However, we noted that the number of women advisors at the Presidency increased to two.

Since 1999, a woman has been holding the Administrative Mediator's position.

For the first time in Tunisia's history, a woman Governor was appointed in Zaghuan in 2005, but today no Governor is a woman.

Special advisors : the number of special advisors at various ministerial cabinets increased from 6 women 1992 to 12 today.

Diplomatic functions : the first woman ambassador was appointed in 1978. In spite of the evolution marked since then, women are still under represented in diplomatic positions. Their under-representation grows the higher we get in the hierarchy of diplomatic functions.

### **1.3- Consultative Structures**

Women integrated most consultative structures, but their proportion remains very limited both at the central and regional levels.

In order to enforce the President’s decision to integrate women in consultative structures, and reinforce their participation in the management of the country’s affairs, the presence of women in some constitutional and consultative instances has been strengthened according to the following indicators which show that women represent :

- 25% of the members of the Constitutional Council ;
- 20% of the members of the Economic and Social Council;
- 13,3% of the embers of the Magistracy Higher Council ;
- 6,6% of the members of the Communication Higher Council

#### ***1.4- Decision Making Positions***

Recent statistics show that out of 100 functional positions, 23.59% were granted to women in 2007, versus 21.3% in 2004. We note however that women proportion decreases the higher positions are : in 2007, women represented only 8.27% of all General Managers, 20.97% were Managers, 24.62% were deputy Managers, versus respectively 7,76%, 17,86% and 22,59%, in 2004.

#### ***1.5- Women in various activity sectors***

The structure of the active population by sector of activity shows that in 2006, women were present at a rate of 48.6% in the sector of Trade and Services, 19.3% in the sector of Agriculture and Fishing, and 32.1% in the field of Industry, mines, Energy, Construction and Public Works.

Classification according to the profession statute shows that 15.7% of all women were independent managers while nearly 18,000 women had their own companies, out of which 79% have high level education. They are represent in different sectors as following : 41% in services, 25% in industry, 22% in trade and 12% in handicrafts.

Other figures illustrate women’s integration rates in new sectors. For instance, women represented between 2004 and 2007 nearly 20% of real estate agents and 27% of advertising agents; they lead nearly 70% of the main companies based in Tunisia specializing in commercial advertising.

#### ***1.6- Women in National and Professional Organizations***

The presence of women in unions is limited to 1% at the level of the high committees of the Tunisian National Labor Organization (UGTT), 12% at the level of the leading structures of the executive bureau of the Tunisian Union for Industry, Trade and Handcraft (UTICA) and 9.1 % of the members of the executive board of the Tunisian Agriculture and Fishing Union (UTAP).

***Summarizing table of women’s participation rate in decision making positions and in some sectors***

Sector	% /(number)
Pharmaceutical Sector	72
Scientific Research	50
Secondary Education	48
Elementary Education	46,9
Medical professions	42
Higher Education	40
Lawyers	31
Magistracy	29
Journalism	44
Manufactures	21
Public Administration	21
Agriculture and Fishing	16,7
Services	37
Active Population	27,1
Businesswomen	(18 000)
Women Managers	15,7
Members of Organizations and Associations	42
Associations Leaders	20
Chamber of Deputies	22,7
Chamber of Advisors	15,2
Diplomatic corps	24
Government : 6 women (one Minister and 5 Secretaries of State)	13,4%
Ministerial Cabinets	12
Constitutional Council	25
Governors ( 2004-2007)	(1)
Economic and Social Council	20
Magistracy Higher Council	13,3

Communication Higher Council	6,6
Governorates’ Regional Councils	32
Municipal Councils	27,4
RCD Central Committee (since the “Challenge” Congress)	37,9

## 2- Women and Legislative Power

According to Article 6 of the Constitution, all citizens are equal before the Law in terms of rights and duties.

The legislative power in Tunisia is performed in Tunisia by the Chamber of Deputies and the Chamber of Counselors.

### 2.1- Chamber of Deputies

- The Chamber of Deputies : it includes 189 members elected with the direct universal ballot. The legislative elections for the present parliament took place on October 24, 2004 and involved nearly one thousand candidates representing seven (7) political parties for 189 seats. It should be noted that women’s rate at the Chamber of Deputies increased from 4,3% in 1989 to 11,5% in 1999 and 22,7% in 2004, with 43 women elected as members of the Parliament.
- The first woman to be elected to the Parliament in Tunisia was Ms. Radhia Haddad in 1959;
- Women represented 25% of the ruling party RCD candidatures,
- Women represented 30.05% of all legislative electoral lists in 2004 against 19.6% in 1999,
- A member of the Parliament is vice-speaker of the Chamber of Deputies. Another woman chairs a commission;
- An ad-hoc women’s commission was created in 2007 at the Chamber of Deputies. It aims at monitoring the enforcement of women’s rights and at better representativeness of women parliamentarians in the national and international political structures.

### 2.2- House of Councillors

Created after the 2002 constitutional reform, the Chamber started operation after the October 2004 elections; it is made up of 112 members, including representatives of all Governorates, professional categories and members appointed by the President of the Republic. 15 women are members of the Chamber of Councillors, hence representing a rate of 15.2%.

## 3- Women and the Jurisdictional Power

Women have registered the most significant breakthrough when access to power was based on merit as is the case in the jurisdictional sector.

In Tunisia, there is no discriminatory measure against women interested in working in this sector. The first woman judge was appointed in 1968. Since 1988, the various jurisdictional instances have included a rate of 24% of women magistrates. Women are present at all jurisdiction levels and constitute nearly 15% of senior responsibility positions.

Women's progress in the magistracy has been accompanied by progress in associated sectors but at various paces. The bar activity has witnessed the highest growth of women's rates. Women's position in other judiciary professions remains limited. In 2005, Tunisia had : 509 women judges out of 1764, hence a rate of 28,85% ; 1303 women lawyers, of a total of 4295, hence a rate of 30% ; 53 women legal experts, out of 1863, or 2,5% ; 185 women notaries out of 994, or a rate of 19% ; 94 women bailiffs out of 796, hence a rate of 13% ; 20 women sworn translators out of 81, or 24,5% ; 7 women proxy agents and official receivers out of 76 hence a rate of 9%.

#### **4- Women and Local Governance**

##### ***4.1- Presence of women on regional councils***

In order to consolidate women's presence in local structures, and make of them a full-pledged partner acting for the development of local democracy and public life, both regional and local, the rate of women in Governorates' local councils has been increased to 23%.

##### ***4.2- Presence of women in municipal councils***

- In municipal councils, the rate of women advisors increased from 13.3% in 1990 to 16.6% in 1995 to reach 26% in 2005. The proportion of Tunisian women's representativeness in municipal elections is more the result of the President of the Republic decision to bring women's presence in municipal councils to 25% at least of the seats. Political parties were also instructed towards this action. The Presidential Party, or RCD, increased the rate of women on its lists to 25%, and is expected to pull other parties on this track;
- In the May 2005 municipal elections, women candidates represented 35.67 % on RCD electoral lists, their presence in municipal councils grew from 21.48% in 2000 to 29.09 of RCD elected representatives in 2005;
- Women, once elected, do not hold interesting mandates. Municipalities chaired by women are exceptional : 5 women are presidents of municipalities, 13 are deputies to the Mayor, and 10 are heads of districts.

#### **5- Women in political parties**

The limited presence of women in the legislative and executive branches is the result of their poor political engagement and their limited presence in political parties' leading structures. Women's participation often remains marginal.

However, this general observation can differ from one party to the other, as parties’ perception about women’s presence depends not only on their programs but also and mainly on their leaders.

### **5.1- The Constitutional Democratic Rally (RCD)**

Though initially very limited, the presence of women within the Constitutional Democratic Rally (RCD) has progressively grown over the last decade :

- 30% of the RCD grassroots base is made up of women ;
- All Coordination Committees’ General Secretaries are men;
- In 1992, decision was made to appoint in every committee a Deputy to the Secretary General in charge of women affairs;
- Since 1992, the RCD’s Permanent Secretaries have included a Secretariat for women affairs, which promoted to become Deputy to the Secretary General in charge of Women’s Affairs. In the party’s hierarchy, this position comes immediately after the Secretary General’s position; it is tasked with coordinating 1500 women units at the grassroots level with the collaboration with the regional committees’ women general secretaries.

The presence of women was consolidated in the party’s management structures, the party’s central committee which included only 3.1% of women in 1957, then 21.2% in 1998, 26,4% in 2004 and 37,9% en 2008.

- A woman was appointed member of the Political Bureau, the highest structure of the ruling party;
- A woman was appointed Deputy to the Secretary General in charge of the RCD’s external relations.

### **5.2- Opposition Parties**

- They timidly support the promotion policy of women in political life ;
- Women are rare in opposition political parties at the grassroots level, as well as at the level of leading structures (absence of statistics);
- Women’s participation is witnessing a new dynamics, reflected in : i) access of women to highest instances of their parties : one woman heading a political party (Democratic Progress Party-PDP); four women in the political board of the Green Party for Progress; three women in the political board of the Movement of Socialist Democrats (MDS); one woman in the political board of the Party of Popular Union (PUP) and ii) the integration of women on the electoral lists of some opposition parties.
- 4 women from the opposition could have access to the Chamber of Deputies thanks to the Presidential measure to grant 20% of the seats at the Parliament to the opposition

In spite of these achievements, the rise of women to senior political positions remains weak and needs further consolidation. Further to the presentation of the combines reports 2 and 3,



CEDAW follow up committee asked Tunisia to take measures to increase the representation of women in high level responsibility positions, mainly by adopting special temporary measures, as provided for in said Convention's Paragraph 1, Article 1, in order to enable women to enforce their right to take part in all facets of public life, and particularly accede to high level positions.

Besides, the Commission praises the adoption of Law No 83-112 preventing gender-based discrimination in public institutions, but regrets that this legislation is not extended to the private sector.<sup>(27)</sup>

## **V- Programs contributing to the reinforcement of women participation in political life**

### **1- Gender, a growing process : Mainstreaming to institutionalizing**

Well before the Beijing Conference in 1995, Tunisia adopted a "gender mainstreaming" policy in order to enforce women's rights in real life. In fact, Tunisia has adopted since 1991 in its planning policy the "gender" concept, which has grown along with international processes recommended since the Beijing Conference to tackle the equal opportunity issue between boys and girls, men and women. The Mainstreaming adopted during the 8<sup>th</sup> Plan paved the way for the gender issue. A series of measures contributed to the adoption by MAFFEPA and its partners of the gender concept in terms of planning; this again paved the way for the institutionalization of gender, prepared by the 9<sup>th</sup> Development Plan and instituted by the 10<sup>th</sup> Plan.

With the 11<sup>th</sup> Plan, another step has been achieved to further anchor the Gender approach : In fact, the Chapter devoted to women provides for the introduction of gender budgeting as a financial approach aiming at the consolidation of the equal opportunities principle, both at the national and regional levels. To this effect, officers of the Ministries of Interior and Local Development, Finance and Regional Development have been trained about this approach. Besides, MAFFEPA intends to launch a gender auditing program, in partnership with 5 pilot-departments which are : Ministries of Economic Development, Finance, Public Health, Interior and Local Councils, and Public Administration.

### **2- The Presidential Electoral Program devotes a Chapter for Women**

The (1999-2004) and (2004-2009) electoral programs include an important Woman component; initiatives have been taken in the framework of these programs to grant women the place corresponding to their potential and consolidate their participation to political life and their presence in decision making and managerial positions.

Point 5 of the (1999-2004) Presidential program entitled "new horizons for women" enabled the access of more than 20% of women to decision making positions and to electoral structures.

(27) See Concluding Observations/Comments - CEDAW : Tunisia. 21/06/2002. A/57/38, paras. 171–210. Third and Fourth combined reports on Tunisia (CEDAW/C/TUN/3-4) at its 567<sup>th</sup> and 568<sup>th</sup> sessions, June 14, 2002 (see CEDAW/C/SR.567 et 568).

Point 16 of the (2004-2009) electoral presidential program entitled “Women from Equality to Active Partnership” aims at reaching a minimum rate of 30% of women’s presence in decision making and managerial positions before the year 2009.

Several partners contribute to the implementation of this point. The evaluation, follow up and execution of this point has been subject of Ministerial councils presided by the President of the Republic or his Prime Minister, in order to ensure the achievement of objectives set by the Presidential program.

To this effect, MAFFEPA works in partnership with other national and international governmental and non governmental actors, by :

- The implementation of a cooperation project with the UNFPA and the UNDP on “Gender integration and the fight against Gender based Violence” including a component on the reinforcement of women in the public and association life;
- The design of a report on the presence of women in decision making jobs (2004-2007).
- Organization of training sessions by CREDIF, at the central and regional levels. These training sessions will contribute to building women’s capacities and their empowerment in terms of leadership and participation to public life. The involvement of male high officials in charge of promotion at different institutions and companies in debates concerning women access to decision making positions enabled them to be better sensitized about the importance of involving women to decision making at the level of their institutions/companies.

### **3- MAFFEPA-UNFPA/UNDP (Tunis) Cooperation Project on the “Gender Integration and fight against Gender based Violence” / Component 2 : Building Women Capacities and strengthening their participation in the public and association lives, at the national and local scales.**

The project mentioned above started in 2007 and includes a component on “Building Women Capacities and strengthening their participation in the public and association lives, at the national and local scales” that will be implemented by MAFFEPA, in partnership with governmental institutional organizations, and civil society organizations and associations interested in the issue of women participation in public life.

The component’s strategic and priority axes are as follows :

- Technical and organizational support to the “Women and Public Life” Commission at the National Council for Women, Family and the Elderly;
- Evaluation of women’s participation in public life (political, economic and social) including in the private sector;

### **4- National Plan for the Promotion of Rural Women**

The importance of this plan with regard to the question of women participation resides in the fact that one of the axes of this plan focuses on the participation of women in community life. Measures are taken in the framework of this Action Plan in order to initiate women to the

decision making process at the community level. In fact, 12 outreach poles have so far been created in rural areas aim, in addition to the training of rural women in traditional crafts, at raising women's awareness about participation in public life, by supporting them in the creation of development associations, showing them how to participate in debates after film showings, etc...

### **5- Decentralizing institutions and structures in order to decentralize policies and programs targeting a better participation of women to public life**

The interest granted to the regions in terms of development, and to decentralizing MAFFEPA's activities, and mainly activities targeting women with specific needs, is translated by the creation of new mechanisms at the regional level, responding to recommendations and hopes expressed in several meetings :

- Setting up of regional commissions for the promotion of rural women by Decree n° 2001-2902 dated December 20, 2001, with the aim of enforcing the non exclusion and gender approach initiated by Tunisia since 1991.
- The creation of seven districts in charge of women, family and elderly affairs. In fact, at the recommendation of the sector-based commission focusing on the "Women and Development" Plan, regional antennas for MAFFEPA have been created to look after the management of Women/Family/Childhood/Elderly issues. This measure reinforced women's representativeness at the regional level, especially that the only structures that used to operate regionally were part of :
- The National Union for Tunisian Women (UNFT), first women organization created soon after independence, on March 20, 1956, represented in all regions by means of 27 regional delegations and 300 sections disseminated in the remotest parts of the country;
- The Democratic Constitutional Rally (RCD), which took the initiative in 1992 to appoint women deputies to regional secretaries general at the coordination committees spread in all Governorates.

Districts, MAFFEPA's regional and governmental counterparts were tasked among others, to contribute to the consolidation of women's rights by working on gathering the most suitable conditions for women's better participation in the public, political, socioeconomic and cultural life.

### **6- Training on Gender**

With the aim of decentralizing training and building the capacity of MAFFEPA's staff and regional personnel, MAFFEPA worked on training trainers in the field of gender. Selected among supervisors operating in various domains, trainers enabled the transmission of the approach to a very wide public, including officers involved in the operation and planning at the national and regional levels, through training workshops organized in all Governorates of the country.

Thanks to support provided in the framework of bilateral and multilateral cooperation, MAFFEPA and its scientific mechanism –CREDIF- organized a series of training sessions targeting members of the “Women and Development” Commission, and also members of other Plan sectoral commissions at the central level. Such an approach enabled a better control of the approach by planners.

## **VI- Good Practices**

### **1- Positive discrimination towards women, a political willingness output**

The Tunisian political willingness usually takes temporary special measures to accelerate the participation of women in public life. Such was the case of the measure taken by the Democratic Constitutional Rally (RCD : ruling party) to integrate on its lists to the legislative and communal elections at least 20% of women. This was reflected in a 11.5% rate of women elected at the Chamber of Deputies for the (1999-2004) legislature and 22.75 % (for 2004-2009). The number of female deputies has therefore doubled in the Parliament.

As for the (2000-2005) period, a similar measure has been taken to integrate a rate of 20% of women on municipal elections’ lists and 25% for the 2005-2010 period.

The President of the Ruling Party (RCD) decided to reserve 30% of the seats for women in the forthcoming legislative (2009) and municipal (2010) elections.

### **2- The Presidential Electoral Program devotes a Chapter to Women**

President Zine El Abidine Ben Ali has granted women an important place in his electoral programs for the (1999-2004) and (2004-2009) mandates; several initiatives have been taken in the framework of these programs to give women the place that fits their potential and to consolidate their participation in the political life and their presence at decision making and managerial positions.

Point 5 of the (1999-2004) Presidential program entitled “new horizons for women” enabled the access of more than 20% of women to decision making positions and to electoral structures.

Point 16 of the (2004-2009) electoral presidential program entitled “Women from Equality to Active Partnership” aims at reaching a minimum rate of 30% of women’s presence in decision making and managerial positions before the year 2009.

(See section 2, page 95)

### **3- The Juridical and Legislative Referential in favor of Women**

The Tunisian juridical and legislative referential constitutes at the same time an asset in favor of women’s rights and an opportunity to enforce the content of international conventions in favor of equality and gender equity as well as to empower women and implement development policies and programs supporting socio-cultural changes. These provisions and engagements offer a suitable context to better involve women in the political, social and economic life, as

much as men. Laws offering women an egalitarian status favor women participation in all life spheres.

#### **4- Observatory of Women Conditions - CREDIF**

In the framework of consolidating the gender approach in terms of planning, MAFFEPA put in place a cooperation project with the UNDP, in order to develop MAFFEPA's tools and technical know how in the field of gender, and build the capacities of the Ministry and related national and regional institutions with regard to this approach. The project includes a component related to the creation of an Observatory of women conditions in CREDIF, with the aim of reinforcing the Center's capacities in terms of collection, analysis and dissemination of "gender-focused" data among decision makers, users, etc... The collection of data and input in databases is done by means of tailored studies complementing national statistics produced by the National Statistics Institute.

The Observatory of women conditions, which has acquired an experience in data collection, analysis and dissemination techniques, may design activities related to the presence of women and their political participation, while developing a focused and decentralized database on "Women and Politics".

#### **5- Ratification by Tunisia of CEDAW's facultative protocol**

Tunisia ratified international conventions related to the improvement of women statutes in all domains, and particularly their political rights.

The last ratification concerns CEDAW's facultative protocol boosting Tunisia's full adherence in the international dynamics aiming at reinforcing women's rights, and which represented one of Beijing's main demands and a Millennium Goal. This measure shall reinforce Tunisian women's rights.

### **VII- Key actors likely to play a role to enhance women's participation in political life**

#### **1- The Executive Branch**

With its three components, which are : the political willingness of the President of the Republic, the Government and the Ministry of Women, the Family, Childhood and the Elderly. The Executive branch constitutes the driving force to introduce new measures and propose new laws. Therefore, it is considered to be a key actor in charge of introducing reforms leading to the better participation of women in political life. This is further reinforced by presidential programs and national policies which reflect a true willingness to push a larger number of women up to higher managerial positions.

##### **1.1- Political willingness**

The 1991 experience is edifying : an ad-hoc commission set up and called upon by the President of the Republic was asked to think about a big number of juridical and institutional reforms concerning the status of women, and which results have been considered by the State’s highest authorities. In fact, the August 12, 1992 speech announced measures recommended by this commission, reflected in reality thanks to the Government’s intervention.

### **1.2- The Government**

It engages in the follow up of programs targeting women : for instance, point 16 of the presidential program has been subject of ministerial councils chaired by the Head of State or limited ministerial councils chaired by the Prime Minister.

### **1.3- MAFFEPA**

It was for several years the only Governmental mechanism working for the promotion of women at the Arab level, and played an engineering role in the implementation of women policies : the national strategies, programs and projects it developed, were made thanks to the collaboration of governmental and non governmental partners associated with the Ministry’s actions, due to the cross sectional aspect of its mission : i) participation of several ministries, governmental institutions and NGO’s in the implementation, follow up and evaluation of the Action Plans related to the Family, to women and to rural women.

MAFFEPA is required to continue the action engaged in terms of political participation, by reinforcing initiatives taken in the field of research, training, partnership mechanisms with key actors, especially with the fact that this department can rely on already developed subsidiary scientific and consultative organs and mechanisms in order to facilitate its interventions (mainly CREDIF, CNFFPA, the women in development commission).

## **2- Parliament**

The legislative branch is exercised by the Parliament made up of two Houses :

- The Chamber of Deputies including 182 members elected every 5 years with direct universal ballot. 152 deputies are members of the RCD. A women ad-hoc group has been created at the Parliament in charge of supporting women promotion policy and reinforce the representation of women deputies and their participation in parliament activities at the national, regional and local levels;
- The Chamber of Counselors includes 126 members with a 6 year mandate. They are elected by members of the Chamber of Deputies and by municipal councils. The RCD is the only party represented in this House. Only RCD member women are represented (12). Compared to the number of women in the first Parliament after the Independence in 1959, only one, this number (12) is considered as important.

## **3- Economic and Social Council**

The economic and social council is a constitutional body with a consultative character in the economic and social fields.

The organic law dated March 7, 1988, adopted after the November 7, 1987 Change, extended its composition to include representatives of all components of the Civil Society and opinion currents in the country as it improved its field of competence.

This Council is necessarily consulted on all Law projects and legislative code projects with an economic and social character as well as about all texts modifying them.

The Economic and Social Council is also consulted about economic and social development plans as well as about their execution.

The Council may also choose to study economic and social issues and issue comments and suggestions about them.

#### 4- Political Parties<sup>(28)</sup>

Tunisia currently includes seven (7) political parties :

Parties	Logos	Number of seats in the Parliament	Number of women seats in Parliament
Democratic Constitutional Rally	RCD	152	39
Socialist Democratic Movement	MDS	14	1
Popular Unity Party	PUP	11	1
Unionist democratic Union	UDU	7	1
Ettajdid Movement	Ettajdid	3	1
Social Liberal Party	PSL (ex-PSP)	1	
Green Party for Progress	PVP	1	
Progressive Democratic Party (former Progressive Socialist Rally)	(PDP)	0	
Democratic Forum for Labour and Liberties	(FDTL)	0	

All parties do not grant women the same place to women, mainly at the level of leading structures. Even in the absence of related data, the presence of women in the Parliament shows that political parties, with the exception of the RCD, do not make enough effort –through discriminatory measures (quota system)- to push women up to political positions, political parties

(28) It was difficult to collect accurate elements on the presence of women in opposition parties –members of grassroots or leading structures – due to the absence of such data.

do refer to women in their programs, without setting clear objectives, as is the case for the RCD which President puts forward numbered objectives to reach.

In the occasion of its periodical congresses, the RCD dedicates a special motion to “women and family”, which, designed from the roots, contains clear objectives.

An action must be taken with political parties to increase the presence of women and give them better consideration, not only as voters but also as leaders and candidates. In fact, “the presence of women in political parties is a necessary prerequisite for their full citizenship, as well as for the real democratization of the political participation in general”.

### **5- Associations : Women Associations, Pressure Groups**

After years of political monolithic nature, where the UNFT was the only voice available for women, the women’s association landscape has been enriched by nearly twenty women associations which activism and presence differ from one association to the other.

#### **• *Tunisian Women National Union (UNFT)***

The UNFT includes more than 100,000 women members, 27 regional delegations and 650 local sections. It relies on a political heritage that is more important than other NGOs’, as it has taken part since independence in all political events (presidential, legislative, municipal elections and referendums).

The main objective of the UNFT is to provide a multi-form assistance to women population, in the humanitarian domain as well as in terms of economic, social and cultural development. More often, UNFT operates in the framework of partnerships with governmental structures or national organizations. The UNFT plays an important role in terms of fight against illiteracy as well as in the field of professional training.

Alliances gathering professional women and women with special interest have widened the organization’s audience : Legal Women Alliance, Medical Women Group, Women Communicators, Women and the Environment, Banking and Insurance Sector Women, Chartered Accountant Women, Engineers, ... In addition to its field activities, the UNFT also conducts studies to reflect on specific questions such as “reasons of school drop outs among girls”, “violence affecting women” or the “role and status of women in society”.

It initiated an action to improve women participation in municipal elections by producing several tools : the 1995 seminars funded by USAID, debates, sensitization flyers, advertisements, ...

With regard to its experience, the UNFT plays an essential role in the mobilizing of women during elections as eligible voters. In this framework, it should be noted that most women having reached decision making positions, particularly political, have been members of the UNFT.

#### **• *Tunisian Mothers Association (ATM)***



Founded in 1992, the Tunisian Mothers Association is a United Nations general consultative member and relies on many sections inside and outside the country. It works on raising the awareness of decision makers about mothers specific conditions, and on mobilizing mothers to improve their conditions within the family and society.

Its action focuses on the integration of mothers in the development process. Despite the association's young age, ATM women members have achieved major strides in the political sphere. The Association' section presidents belong to the "women elite" in the regions, and are active and mobilizing agents during national events, and in particular during presidential, legislative and municipal elections.

- ***Tunisian Association of Democratic Women (ATFD)***

The ATFD was founded in 1989, and aims at removing all forms of discrimination against women, for women's effective equality and full citizenship. In spite of the limited number of its members, the Association conducts considerable actions, particularly in the capital, in order to reinforce women's assets, eliminate discrimination both in the private and public life, and constitute a women's solidarity network at the level of the Maghreb; the ARFD also campaigns against violence targeting women. In 1993, it created a Counseling and Orientation Centre for Women Victims of Violence in order to :

- Assist and support women subject of violence;
- Break the wall of silence, free women of societal guilt;
- Free women of the feeling of victims and create solidarity ties between them;

The Centre offers counseling and psychological assistance services, as well as juridical and social advice.

In politics, democratic women conduct joint activities with their North African counterparts, in the framework of the Maghrebi Action Group for the reinforcement of women leadership.

- ***Tunisian Women Association for Research and Development (AFTURD)***

Created in 1989, AFTURD is an output of the African Women Association for Research and Development based in Dakar. It gathers university women of various specialties. AFTURD aims at conducting studies on the integration of women in development to increase their participation in the decision process in the economic and social development.

AFTURD a) performs research on the integration of women in development, b) reconsiders development with women for women, c) encourages the participation of women in the design and execution of development projects, d) valorize and develop the creativity of women and rehabilitate their role in history, e) develop exchanges and communication networks between Tunisian and African women.

The *Tanassof* space, created by AFTURD in 2002 offers counseling and assistance services in favor of women. Training is also offered on women leadership and empowerment.

- ***National Commission of Working Women***

Created in 1991 within the Tunisian General Labor Union (UGTT) the national commission of working women includes 27 sector based commissions based inside Tunisia.

It aims at monitoring the situation of women at work at the social, economic and juridical levels.

- ***National Businesswomen Chamber (CNFCE)***

Under the authority to the Employers Federation, the Tunisian Union for Industry, Trade and Handcraft (UTICA), the National Businesswomen Chamber was created in 1990.

It gathers now approximately 18.000 women members. Its objectives are to defend businesswomen’s assets, train them on the modern management techniques and build their entrepreneurial capacity in addition to encouraging women to take initiatives in this domain. Members of the Chamber could have access to political positions, to the Senate, to the Economic and Social Council and also to Municipal councils. Also, a woman is now chairing the Transports Commission.

- ***National Federation of Women Farmers (FNA)***

Created in 1990 within the Tunisian Agriculture and Fishing Union (UTAP), the National Federation of Women Farmers supports women farmers by helping them in the economic and financial management of their farms and the promotion of their family agricultural production.

The Federation relies on regional delegations providing assistance throughout all regions.

## **6- Syndical Unions**

Tunisian women are increasingly present in national labor unions. The presence of women in these structures is estimated in 2002 at 12% of all members of the Tunisian Union for Industry, Trade and Handcraft (UTICA), the national employers federation. This rate is 9% of members of the executive bureau of the Tunisian Agriculture and Fishing Union (UTAP). Women also represent 1% of the members of Tunisian General Labor Union’s higher committees.

Nonetheless, systems to relieve women of family load and a better organization of their working time would favor their better integration in the political and mainly public life.

## **7- Media**

Statistics show that media are feminized at a rate of 30%. This figure is important as it shows that women have speakers to talk on their behalf in the media about better access to public spheres including the political sphere.

CREDIF and CAWTAR respectively conducted in 1999 and 2004 studies on the “image of women in the media” which highlighted the lack of objective messages in the media, in terms of women statute, as well as the little presence of women in media outlets. The study recom-

mends more presence of women in managerial positions, and more focus on women related issues. A series of meetings and training sessions targeting the sector professionals have had an impact on the content of media.

Today, we are witnessing a slight gendering of audio-visual production, reflected in the “positivising” of women presence in TV debate shows, and also in TV series showing women holding decision making positions and managerial functions.

### **8- Institutes, Research centers and groups specializing in gender**

At the initiative of some female students, the Tahar Haddad club for the study of women conditions was created in 1979. Few years later, in 1988, the Tunisian Women University Graduates for Research and Development (AFTURD) was created with the objective of conducting studies on the integration of women in the economic and social development process.

A first core group of women researchers on women issues was then created, It was later reinforced by the creation in 1990 of CREDIF, which constitutes the gender specialized center, and which activities in the field of research, studies, training and information propelled it to be selected by U.N. agencies – UNFPA & UNDP – as a Center for Excellence, which expertise has been transposed mainly through African and regional training programs related to “Gender, Population and Development”.

A professional Master degree specializing in Research on Women Issues was created in 2003 at the Institute of Human and Social Sciences. This Master program enables a large number of University graduates from various horizons to study the gender issue from different angles, which enriched research in this domain;

Today, research in Tunisia on focus topics related to women’s political participation is reinforced and enriched by CAWTAR and the Arab Institute of Human Rights (IADH) which activities and publications on this issue reflect the growing interest in this field at a regional level. For indication, we may cite studies conducted on “Women and Decision Making”, “Women and Local Governance, “Women and Access to Local Services”. In addition, CAWTAR also advocated for the consideration of the “Gender” issue in African national reports on “Good Governance” ordered by the African Economic Commission (CEA). Similarly, studies conducted by IADH, such as the study about “The political participation of arab women”<sup>(29)</sup> and the training manual on the same topic<sup>(30)</sup>.

### **9- Stakeholders**

Stakeholders have always played an important role in the implementation of the Tunisian policy for the promotion of women, including their political participation, as multiple research projects, training sessions, communication and information campaigns have been supported by various stakeholders in the framework of bilateral and multilateral cooperation agreements.

(29) IADH, Tunis, 2004

(30) IADH, Tunis, 2004

Tunisia has taken profit of the intervention of UN agencies in favor the integration of the Gender approach in national development policies and the international dynamics created after Beijing, which favored the exchange of good practices in terms of gendering policies.

*The United Nations Development Program (UNDP) and the United Nations Fund for Population (UNFPA)* have invested more than other agencies in the execution of national strategies aiming for women promotion. For indication, we mention funded projects for the launch of CREDIF, the creation of an Observatory on Women Conditions (OCF), institutionalizing gender, initiation of a regional African training on “Gender, Population and Development”.

*The UNIFEM* joined stakeholders in 2004 to fund a mechanism for the follow up of Tunisian families’ evolution.

*The World Bank* has also contributed to the realization of development plans’ objectives concerning the gender dimension : this was reflected in particular by a project on “Gender and Regional Development” conducted by CREDIF during the 2002-2004 period.

Bilateral cooperation has also played an important role in reinforcing national capacities in order to improve the status of women.

Thanks to *the Spanish Cooperation*, Tunisia designed a national strategy to fight gender based violence implemented by MAFFEPA in partnership with several institutions and associations, including in particular the National Office for Family and Population (ONFP).

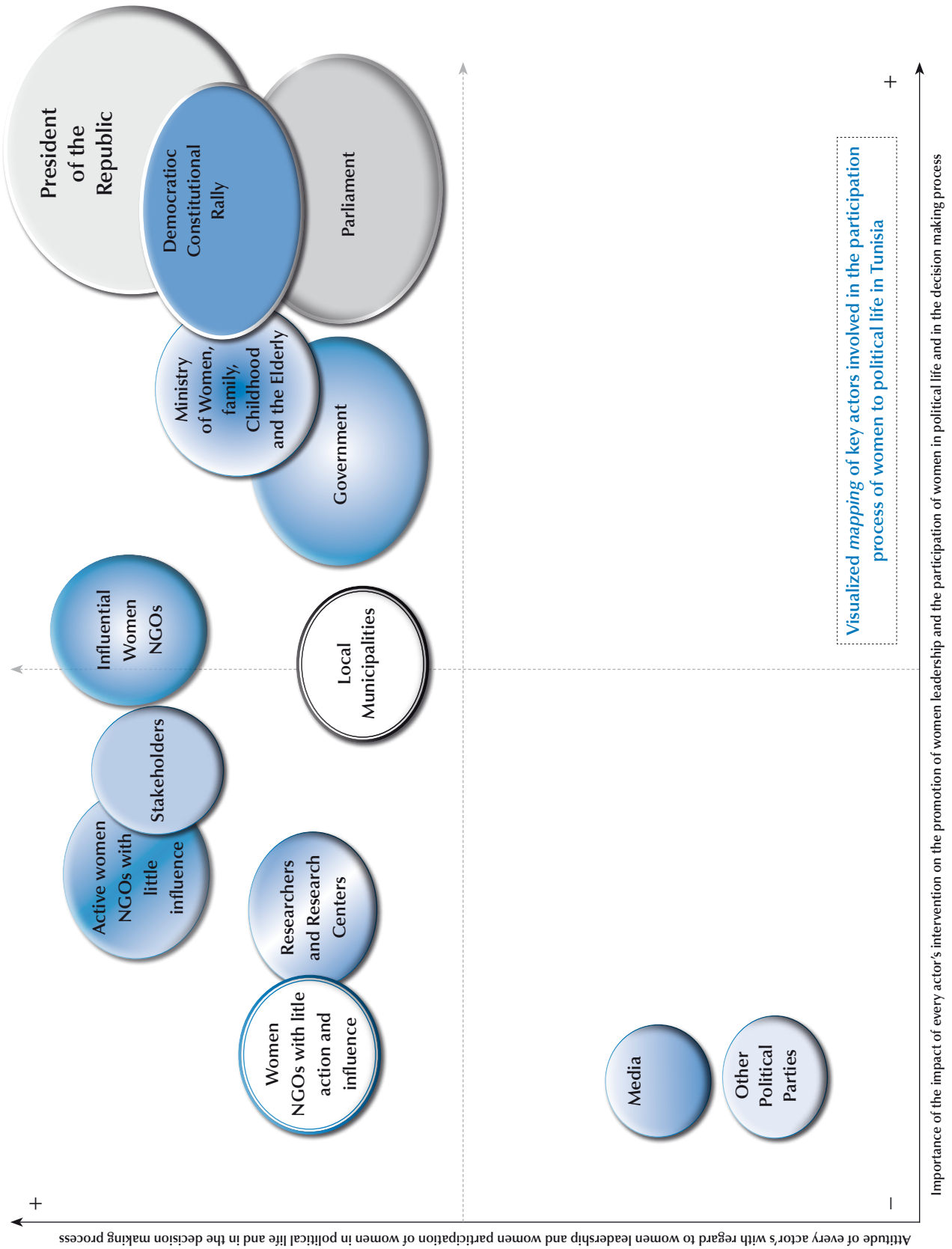
*Canada (ACDI), Germany (GTZ, Ebert Foundation...), and Finland* support Tunisian policy for the reinforcement and political empowerment of women, mainly through gender related training, leadership and participation to political life targeting men and women.

Today the contribution of stakeholders for a better participation of women in political life and decision making process has been strengthened. It aims at removing disparities characterizing the presence of women and men in public spheres and mainly at the level opposition parties, disparities reflecting the anchorage of patriarchal thoughts and beliefs in collective unconscious, and the deep-rootedness of the traditional division of roles in public spheres, where political issues remain men’s prerogatives, in spite of positive actions taken in favour of women by the Tunisian State since independence.

## **VIII- Ways to explore identified by brainstorming workshops and national studies**

(See page 32).

### Annex 1 : Interpretation of the visualized *Mapping* for Tunisia



The two Presidents of the independent Republic of Tunisia have had a favourable position with regard to the emancipation and promotion of women. However, measures taken to improve women’s participation in the political sphere have not coped with juridical and institutional measures, which have had an obvious impact on the socio-economic and cultural promotion of Tunisian women.

The mapping’s first variable concerns **the attitude of key actors** with regard to women leadership and participation to political life and to the decision making process. It can be detected through actions undertaken by these actors, their messages and the content of interviews they held with the project team during field visits.

**The impact of the action generated and initiated** by these actors can be measured by the degree of change already made or likely to be made, with regard to women’s participation in political life.

The size of the circles (political actors) and their positioning with respect to others actors, are two important elements, because they give the importance of actors, not in quantitative terms – i.e. number of adherents for NGOs - but mainly in qualitative terms, sizing the extent of actors, their influence and their actions impact.....likewise that their positioning points out existing relationships among actors : we can reveal very close relationships, less close or even weak or almost absent relationships among partner actors.

Taking into consideration these variables, gives us the latitude to interpret the visualized mapping, as follows :

- **The President of the Republic** : the mapping highlights and underlines the positive attitude of the highest authority in the State and his actions in order to improve women’s participation in the political sphere; however, this position has not reached its height as actions for change are still beyond attitudes expressed out in political speeches. For instance the quota system has not been transformed into law binding all political parties.
- **The Government** : it looks after the enforcement of the presidential program and incites various actors to implement the different points of the program, including measures to rise women’s presence in decision making positions up to a rate of 30%;
- **Ministry of Women, Family, Childhood and the Elderly (MAFFEPA)** is the driving force for any change in favour of women. Responsible for the integration of Gender in terms of planning and institutionalizing, including in the political sphere, it works in its quality of the first coordinator of different commissions (Gender and Development, Women’s National Council, Family and the Elderly, follow up of women-related points in the Presidential program) to implement measures taken at the level of the Government related to women’s presence in decision making positions;

- **The Government is placed below MAFFEPA**, due to the slow action characterizing other departments in the implementation and institutionalizing of the Gender approach (example : introduction of gender-based budgets at the central and local levels);
- **The Democratic Constitutional Rally (RCD)** being very close to the Government, is slightly above MAFFEPA and very far above other political parties is explained by initiatives taken by the RCD President to improve the political participation of women and the importance of measures taken, and the engagement of all parties to enforce them;
- **Other political parties** : they try to follow the line drawn by the RCD. However, their recent experience, the fragility of their presence at the central level and mainly at the regional and local levels, slow down the effect of their action in favour of women, as is the case for the ruling party;
- **Municipal councils** : women representing nearly 27% of the municipal councils are relatively over-represented compared to women in Morocco and in Algeria. However, the number of women Mayors and Commission Presidents is still limited, though higher than in the other countries (e.g. : only 5 women mayors), when compared to their presence in Municipal councils. The attitude of men and women advisors must be changed to enable more women to chair municipalities and commissions, both at the social and technical dimensions;
- **NGOs** : there are no associations specifically acting in the political domain; however, they contribute through meetings, publications, participation in political events ... We also note that there are three types of women associations; i) outspoken advocating their messages as they can rely on necessary means and have coordination relationships with governmental actors; ii) active NGOs in women advancement but not having an important impact, due to weak human and financial resources at their disposal; iii) NGOs participating in women dynamics initiated by the RCD and MAFFEPA, but which action is not very important due to their limited resources.
- **Stakeholders** : they support Tunisian policy in terms of gender. The United Nations Country Program includes a “disparities” chapter, one component of which is Gender. The new 2007-2011 project includes a section on the “integration of gender and the fight against gender-based violence” conducted with MAFFEPA and the ONFP; The European Union also supports, in the framework of the Istanbul Conference’s recommendations, women associations acting on the reinforcement of women’s rights.
- **Research centres/Researchers** : CREDIF, working on women and decision making, through training programs provided since 2000, has not developed reports/essays/researches specifically on women’s participation in politics and in the decision making, based on the gender approach. However the CREDIF worked on the topic through train-

ing session on leadership. A study on the impact of these trainings could provide a better knowledge on this topic.

- **Media** : the study conducted by CREDIF in 1997 on the image of women in written press and TV series, shows an occasional interest in political women; this interest is expressed during elections or on the occasion of the national women’s day (August 13) or international women’s day (March 8).



## Annex 2 : The Tunisian Electoral System

by Malek Baklouti

Category		Legal Base	Reference	Ratified Protocols
Electoral system	Presidential elections : Two ballot uninominal vote	<b>Electoral Code</b> <a href="http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf">http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf</a>	Article 70	- Human Rights Universal Declaration; - Convention on women's political rights (1967); - Convention on the nationality of married women; - Convention related to the minimal age to agree on registering marriage contracts (1967) ; -Convention against discrimination in education (1969) ; International Labour convention on Equal Treatment (Social Security) in 1967 ; -International Convention on Women's Night Labour (1957) ; - International Labour Convention on Recruitment Policies; - Copenhagen convention in 1985 on the elimination of all forms of discrimination against women (CEDAW) (with reservations); - The 2008 Facultative Protocol to CEDAW.
	<b>House of Councillors :</b> Indirect Vote + Nomination	<b>Electoral Code</b> <a href="http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf">http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf</a>	Article 134	
	<b>Legislative :</b> <b>Chamber of Deputies :</b> <b>Mixed Vote :</b> List majority vote for 75% of the seats and vote based on the proportional representation list for 25 % of seats	<b>Electoral Code</b> <a href="http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf">http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf</a>	Article 105 et Article 105bis	
	<b>Municipal</b> <b>Mayor :</b> Indirect vote	<b>Electoral Code</b> <a href="http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf">http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf</a>	Article 153	

<b>Electoral barrier</b>	Legislative elections : No barrier		<b>Electoral Code</b> <a href="http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf">http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf</a>	Article 154
	<b>Municipal Elections : 3%</b>			
<b>Electoral Districts :</b>	<b>Presidential :</b> Uninomial	<b>Legislative :</b> Plurinomial	<b>Electoral Code</b> <a href="http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf">http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf</a>	
	<b>Municipal :</b> Plurinomial			
<b>Form of candidature</b>	Closed lists for legislative and municipal elections			
<b>Law on quotas/ Positive measures in favour of women’s political participation</b>	<b>Presidential :</b> The uninomial ballot does not enable the enforcement of quotas	<b>Legislative :</b> No	<b>Electoral Code</b> <a href="http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf">http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf</a>	Article 88/ Article 121/ Article 153
	<b>Municipal :</b> No	<b>At the level of political parties :</b> Measures taken by the President of the Democratic Constitutional Rally (Ruling Party) to ensure 30% of seats for women in the November 2009 elections.		
<b>Funding of the electoral campaign</b>	Grant awarded with conditions by the State to political parties for all kinds of elections			<b>Electoral Code</b> <a href="http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf">http://www.tunisieinfo.com/references/lecode/CodeElectoral-fr.pdf</a>
	Article 45bis			

% of women deputies and senators during the last elections	<p><b>2008</b></p> <p>Women senators : 15.8% (or 17 women out of 112 members)</p>	<p><a href="http://www.ipu.org/parline-f-reports/1322_A.htm">http://www.ipu.org/parline-f-reports/1322_A.htm</a></p>	
	<p><b>2004</b></p> <p>Women deputies : 22.75% (or 43 women out of 189 members)</p>	<p><a href="http://www.ipu.org/parline-f-reports/1321_A.htm">http://www.ipu.org/parline-f-reports/1321_A.htm</a></p>	
% of women mayors during the last elections	<p><b>2005</b></p> <p>Mayor : 1.51% (4 women out of 264)</p>		
	<p><b>2005</b></p> <p>First Vice Mayor : 4.92% (13 out of 264)</p>		
Abstention rate during the last elections	<p><b>Legislative elections 2004 :</b></p> <p>8.55%</p>	<p><a href="http://www.ipu.org/parline-f-reports/1321_E.htm">http://www.ipu.org/parline-f-reports/1321_E.htm</a></p>	
	<p><b>Municipal elections 2005 :</b></p> <p>17.25%</p>	<p><a href="http://www.tunisie.com/municipales2005/n_1_10.html">http://www.tunisie.com/municipales2005/n_1_10.html</a></p>	

Law n° 69-25 dated April 8, 1969 describing the electoral code includes all provisions related to the different elections in Tunisia.

Title II of the Code concerns the election of the President of the Republic, while Titles III and IV respectively concern the election of members of the House of Deputies and the House of Counselors. Modalities related to the election of municipal councils are defined in Title V.

### **Election of the President of the Republic**

The President of the Republic is elected at the absolute majority of expressed votes. If the absolute majority was not reached, a second tour will be held between the two candidates who obtained the greatest number of votes in the first round.

### **Legislative elections**

The Parliament is bicameral, and is made up of :

- The House of Councillors, *Majlis Al Mustacharin* : this House is made up of 112 members. The President of the Republic appoints 41 members selected from national competencies while the 85 other members are elected through the indirect ballot by an electoral college.

After the August 2008 renewal of the House of Councillors, we noted the presence of 17 women senators of the 112 members making up the House, hence 15.8%.

- The House of Deputies, *Majlis Al Nuwab* :

On 24 March 2009 at its plenary session, the Chamber of Deputies passed an amendment to article 72 of the electoral code, changing the number of seats allocated at the national level (from 20 to 25% of the all seats) and the revision of the procedure for calculating the number of seats in each electoral district. Such amendment has a direct impact on the number of seats that include the Chamber of Deputies which was 189 seats in last parliamentary elections in 2004.

The electoral system adopted for the election of members of the House of Deputies is a mixed system. In fact, 75% of the members are elected based on the list majority ballot<sup>(31)</sup> while the remaining 25% are elected based on the proportional representation list ballot.

The President of the Democratic Constitutional Rally (RCD), the ruling party, decided that women represent at least 30% of the RCD’s candidate’s lists for the legislative elections of 2009 and Municipal 2010.

We note here that women’s presence rate at the Lower House is one of the highest in the Arab World with 43 women deputies, or 22,75%.

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(31) The list winning the majority of votes is elected and takes all district seats.

## **Municipal Elections**

At a decentralized level, municipal councils are elected based on the proportional representation list. Every list of candidates must obtain at least 3% of expressed votes to be able to take part in the distribution of seats.

After the last municipal elections held in 2005, 26% of the local elected representatives were women. Four of them are Presidents of Municipalities and 13 are Vice-Presidents.



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D : Available at CAWTAR library

D.I : Available on Internet

N.D. : Not available



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