

**IEAT working paper # 6:
OPTIONS FOR WOMEN'S REPRESENTATION**

1. Introduction. The Law on Provincial Powers adopted on 13 February 2008 requires an electoral law for the conduct of the provincial elections to be passed within 90 days. All political groups have agreed that the new provincial councils should have a minimum number of female members. As the Law on Provincial Powers is silent about representation of women, the Council of Representatives will have to introduce in the electoral law special measures to guarantee a meaningful representation of women quota. Since 2004 all elections conducted in Iraq for the TNA, KNA, Provincial Councils and CoR, have targeted at least 25% representation of women in the elected assemblies.

2. Achieving a meaningful women's representation will be affected by different issues:

a) **Electoral Formula.** Majoritarian systems tend to favor male candidates as most voters prefer male candidates. In Proportional Representation systems it is easier to facilitate the election of women (particularly if PR is applied in large constituencies).

b) **Unit of Representation and District Magnitude.** The larger the number of seats in the electoral constituency, the easier it is to facilitate the election of women. On the other hand, the smaller the district, the more problematic it becomes. There are current discussions on whether the constituency for the upcoming governorate council elections will be the existing provinces or the administrative districts. If the CoR supports the latter option, the district magnitude would be reduced dramatically and it would become more difficult to facilitate the election of women. If the province became the unit of representation, however, the district magnitude would increase, thus facilitating the election of women.

c) **Ballot Structure.** The choice on whether the elections will be party-centered or candidate-centered ("closed" or "open" list elections) will also have an impact on the options for women representation. Whereas in "closed" list elections the representation is secured by requiring parties to nominate women as candidates (for example, at least one woman in every three list candidates), in "open" list elections this requirement alone will not guarantee the minimum level of women's representation since in candidate-centered elections, voters tend to vote for male candidates.

3. Mechanisms to facilitate the representation of women in provincial councils

a) Introduction of a quota for women's membership of provincial councils. This should be done by the CoR in the electoral law.

b) The electoral law should adopt the province as the unit of representation.

- c) For both "open" and "closed" list elections, the electoral law should require that at least one in every three candidates on a list must be a woman.
- d) If the electoral system is "open" list, then the electoral law will have to include a provision by which, in case the number of elected female candidates for a provincial council is lower than the quota, the least voted elected men will be replaced by the most voted non-elected women until the quota is reached.

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