



**BASELINE
ASSESSMENT
REPORT**

**IKAT US
COMPONENT 1
— POWER**

BUILDING SUSTAINABLE
PARTNERSHIPS TO PROMOTE
**WOMEN'S POLITICAL
REPRESENTATION**
IN SOUTHEAST ASIAN REGION

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Partnership for Governance Reform (Kemitraan)
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Building Sustainable Partnerships to Promote Women's Political Representation in Southeast Asian Region

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ABOUT THE PARTNERSHIP FOR GOVERNANCE REFORM (KEMITRAAN)

Kemitraan is a multi-stakeholder organization established to promote governance reform. It works hand-in-hand with government agencies, civil society organizations, the private sector, and international development partners in Indonesia to bring about reform at both the national and local levels. Kemitraan brings together the executive, legislative and judicial branches of government, with civil society and other stakeholders to sustainably promote good governance in Indonesia. Because of our national ownership, Kemitraan is uniquely positioned to initiate programs that need Indonesian partners in positions of authority.

Kemitraan was first established in 2000 following the successful first free and fair election in Indonesia in 1999. The election produced a more credible government following decades of authoritarian rule by the Soeharto regime. Kemitraan was initially set up as a program funded by multi-donor and managed by the United Nations Development Programme (UNDP). The main motivation of the establishment of Kemitraan was to create a multi-stakeholder platform which becomes the core supporter of the Indonesian society in navigating complex, long and often difficult process of governance reform. Kemitraan became an independent legal entity in 2003 and was registered as a not-for-profit civil law association, while retaining its status as a UNDP project until December

2009. Over the last eleven years, Kemitraan has grown from a UNDP project into a trusted, independent and prominent Indonesian organization.

Kemitraan has a mission to disseminating, advancing and institutionalizing the principles of good and clean governance among government, civil society and business, while considering human rights, gender balance, the marginalized and environmental sustainability.

We are effective in our mission when:

- Our stakeholders seek to continue program development with us and recommend us to others.
- Our innovation and efforts are transformed into improved governance in Indonesian government and society.
- Our influence engenders increased commitment to governance reform from governments at all levels.

Learning from the difficult process of reform in Indonesia, often resisted by vested interests, and the challenge of setting the right course of change, Kemitraan has discovered a unique approach in governance reform: building capacity from within and applying pressure from without - our multi faceted reform approach. It involves working on several fronts – initiating reform within government agencies, empowering civil society to advocate for reform, and empowering communities to push for demand-driven development plans and public services.

Throughout its 11 year existence, Kemitraan has accumulated experiences in managing USD 100 millions grants from various development partner countries including Australia, Canada, Denmark, Finland, France, Germany, Japan, Korea, the Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, the United Kingdom, and the United States of America, from international organizations including the Asian Development Bank, the European Commission, the International Organization for Migration, the UNDP, and the World Bank and from the private sectors including AXIS and Siemens.

Since 2000, Kemitraan has been working in 33 provinces in Indonesia in cooperation with 19 central government agencies, 29 local government agencies, 162 civil society organizations, 11 media organizations, 33 research institutes and universities, nine independent state agencies and five private institutions. Kemitraan has also been working with international organizations such as: TIRI-Making Integrity Work, Nordic Consulting Group (NGC), UNDP, UNODC, the World Bank and the Asian Development Bank in the implementation of projects, and has been working with Chemonics, Coffey International, GRM International, RTI and ARD in program design and development.

Kemitraan's success in implementing the above is due to the trust we have earned from various stakeholders (communities, corporations, NGOs, government agencies). We have been successful in facilitating public policy reform (the formulation of new laws and regulations

or the revision / amendment to the laws and regulations), bureaucratic reforms, judicial and democratization reform, anti corruption laws, national strategies and the establishment of the Commission for the Eradication of Corruption, creating the Governance Index, promoting and facilitating environmental and economic governance and ensuring that all genders are represented.

Kemitraan is governed by two bodies: The Partners and the Executive Board. The Partners (Teman Serikat) is the highest decision making body within Kemitraan. Their role is to set the overall strategic agenda of Kemitraan, to endorse the annual report and workplan, ensure that the affairs and assets of Kemitraan are properly managed, and appoint the Executive Director. The Executive Director implements Kemitraan's annual workplan and provides overall leadership to the staff. He also develops a common vision of the overall role of Kemitraan and communicates this vision to the government, non-government and international community with a view to building a constituency for governance reform.

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LIST OF ABBREVIATIONS

ACWC	Asian Church Women's Conference
AICHR	ASEAN Intergovernmental Commission on Human Rights
ASEAN	Association of Southeast Asia Nations
BN	Barisan Nasional
CCHR	Cambodian Center for Human Rights
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CNRT	Conselho Nacional de Reconstrução de Timor
Comelec	Commission of Elections
COMFREL	Committee for Free and Fair Election
CPE	Center for Popular Empowerment
CPP	Cambodia People's Party
CSO	Civil Society Organization
DPD	Dewan Perwakilan Daerah
DPR	Dewan Perwakilan Rakyat
EMPOWER	Persatuan Kesedaran Komuniti Selangor
FES	Friedrich-Ebert-Stiftung
FRETILIN	Frente Revolucionária de Timor-Leste Independente
FUNCINPEC	Front Uni National pour un Cambodge Indépendant, Neutre, Pacifique, et Coopératif
GAD	Gender and Development
Gerindra	Gerakan Indonesia Raya
GMPTL	Grupo das Mulheres Parlamentares de Timor-Leste

Golkar	Golongan Karya
Hanura	Hati Nurani Rakyat
HI	Handicap International
ICCPR	International Covenant on Civil and Political Rights
IKAT-US	Inisiatif Kemitraan Asia Tenggara – United States
Kemitraan	Partnership for Governance Reform
KPI	Koalisi Perempuan Indonesia
KPU	Komisi Pemilihan Umum
KPUD	Komisi Pemilihan Umum Daerah
LEMNA	Law on Elections in the National Assembly
MDG	Millennium Development Goals
NDI	National Democratic Indonesia
NEC	National Assembly Elections
NGO	Non-Governmental Organization
NPC	Nationalist People’s Coalition
PAN	Partai Amanat Nasional
PCWLM	Political Caucus of Women Leaders in Mindanao
PDI-P	Partai Demokrasi Indonesia – Perjuangan
PDSP	Philippines Democratic Socialist Party
PKB	Partai Kebangkitan Bangsa
PKS	Partai Keadilan Sejahtera
PMP	Performance Management Plan
PPP	Partai Persatuan Pembangunan
PR	Pakatan Rakyat
PRP	People’s Reform Party

SRP	Sam Rainsy Party
STAE	Secretariado Técnico de Administração Eleitoral
SWOT	Strength, Weakness, Opportunity and Threat
UMNO	United Malays National Organisation
UN	United Nations
UNDP	United Nations Development Programme
USAID	United States Agency for International Development

CHAPTER I

Introduction

In a democratic country, gender equality is an element that needs to be guaranteed by the government, particularly in political positions such as in government offices, political parties, and other decision-making institutions. Unfortunately, such condition faces a significant obstacle that comes in the form of patriarchy system in the society, especially in the parliament as an institution representing the society. Currently, there is already an internationally recognized minimum target of 30% women as political representatives in the legislature bodies, as part of the initiative to promote women representation in the parliament. It is expected that with this target, women would have a starting point to claim their rights and to have a significant influence in the decision-making process.

Throughout the Southeast Asia region, not one of the countries has met the target above. Therefore, increasing women's political representation becomes a critical challenge that should be addressed by every country in the region. Inline with this spirit, the Partnership for Governance Reform (Kemitraan) Indonesia, with full support from United States Agency for International Development (USAID), is currently working on a program called "Building Sustainable Partnerships to Promote Women's Political Representation in Southeast Asia"

under Inisiatif Kemitraan Asia Tenggara – United States (IKAT-US) Component 1. In this program, Kemitraan works closely with the National Democratic Indonesia (NDI) and other regional partners, i.e. Indonesian Women’s Coalition (KPI); Persatuan Kesedaran Komuniti Selangor (EMPOWER) from Malaysia; the Women’s Caucus from Timor-Leste; the Cambodian Center for Human Rights (CCHR); and the Center for Popular Empowerment (CPE) from the Philippines.

The goal of the program is to strengthen women’s political rights and democracy, by advocating the promotion of better women’s political representation through regional partnership initiatives. To achieve this goal, the program will work toward the following objectives: (1) to increase the capacity to conduct and collaborate on activities for the promotion of democracy in Southeast Asia; (2) to advocate policy frameworks towards the progress of achieving a minimum target of 30% women’s political representation in Southeast Asia.

Under the second objective, the outcome of the researches conducted by partner organizations will contribute to the discourse, through presentation at regional forums and wide distribution through media and online networks. This outcome would be essential, since dissemination of critical materials is key to women’s political progress. In politics, women, particularly the new leaders, often do not have access to resources that can support their work. It is for this reason then women must have access to critical materials specific to the challenges

they face, to better inform and support their work.

Kemitraan will support each partner organization to start the activities with a quick internal evaluation of the social, economic and political environment, also core issues related to women's political representation in each country. Quick update assessments at the beginning of the multi-year program are going to be very useful in targeting the next program activities. These assessments shall be used to identify major and minor challenges, also the opportunities. Aside from that, the baseline assessments will help the regional partners as well to monitor the progress made at the end of the project. Based on the Performance Management Plan (PMP) and the Workplan from IKAT-US Component 1 – Kemitraan, the baseline assessment report needs to be finalized in the first year of the project. As the follow-up of this report, partner organizations will then conduct their own research under the designed sub-grants.

CHAPTER II

Objective and Methodology

2.1 OBJECTIVE

One of the objectives of IKAT-US Component 1 – Kemitraan activity, the development of baseline assessment report, is to assist the regional partners' efforts in designing their country researches, which will fall under three main themes, i.e. electoral systems, women and political representation, and socio-cultural obstacles. The data and information in this report will be used further as key indicators for a number of papers and researches made under this project, for both national and regional level. In addition to that, this assessment will define key impediments to women's political participation and recommend priorities for policy advocacy.

Another objective from this activity is to enable the organizations under this partnership to assess their progress, from the beginning until the end of the project or even beyond their work on policy advocacy, towards the achievement of the minimum target of 30% women's political representation in Southeast Asia.

2.2 METHODOLOGY

The process of formulating the baseline assessment was first set up through several discussions among the

five organizations in IKAT partnership, consultants and divisions within Kemitraan to establish the framework of the assessment. The framework divides the focus of the study into three main elements, i.e. Basic Information on Electoral System; Women and Political Representation; and Socio-Cultural Obstacles.

The first element on Electoral System comprises several key factors that become the foundation of the assessment, which are the district magnitude (territory and number of citizens); the nomination; the balloting; and the electoral formulae (Norris, 2004). The element on Women and Political Representation pays closer attention to women representation in the elections, parliament, and government offices in various levels; also the support given by political parties for the representations above. While the last element, the Socio-Cultural Obstacles, dwells more on the social and cultural factors that hampers initiatives to improve women's awareness, education, and political positioning in the society. Concurring with Smith, Riengold, and Owens (2012), the framework was formulated in accordance with various previous researches that suggest how women representation in politics is interconnected with electoral, institutional, socio-cultural and political factors.

With the baseline assessment concentrating on Indonesia, the Philippines, Cambodia, Malaysia, and Timor-Leste as the main focus of the project, information and data collection was conducted through literature study from journal articles, organizational projects, and

government statistics. This method was complemented with a Strength, Weakness, Opportunity and Threat (SWOT) analysis by regional partners in each country. The SWOT analysis itself was based on the three elements of the assessment, categorizing the analysis in each country under the issue covered in each element. The information gathered overall was then summarized and analyzed further to form general arguments for South East Asian countries and specific countries for each focus country, in regards to the three elements.

CHAPTER III

Basic Information on Electoral System

It has been assessed extensively by many scholars how electoral system influences the voting result. Quoting Norris (2004):

“The electoral system concerns multiple aspects of electoral law, and the most basic features involve the *ballot structures*, determining how voters can express their choices, the *electoral threshold*, or the minimum votes needed by a party to secure representation, the *electoral formula*, determining how votes are counted to allocate seats, and the *district magnitude*, referring to the number of seats per district.”

Bawn & Thies (2003), concurring with many others, claim that electoral systems always affect the representation of interest in the parliament. It particularly shapes the way parliament members are elected, based on the broad constituency preferences or the narrow special interests.

According to Felsenthal & Machover (2012), the main distinction within different electoral systems lies in its **basis of representation and voting procedures.**

The most adopted classification of electoral rules is distinguished into the district representation, where candidates are elected solely from **the Majoritarian**, and the **Proportional**, where seats are allocated based on the proportionate vote share. Some countries have also practiced the Combined, a **combination of these two systems**. The recent development in the last decade has seen how established democracies undergoing reform have opted for an alternative system, which combines both majoritarian and proportional representation in a single election (Ferrara, Herron, & Nishikawa, 2005).

In relation to the notion above, the assessment takes a closer look at the electoral system used in the five focus countries, particularly on how the executive and legislative are structured, and how it affects the provision of legal framework to support women representation.

3.1 CAMBODIA

Referring to Election Guide (2010), Cambodia is led by the King, as the hereditary head of the government. However, the country also uses representative system by having Senate members elected for a 5-year term through indirect vote for 57 members, election by the National Assembly for 2 members, and direct appointment for 2 members by the monarch. The member of National Assembly (*Radhspea Ney Preah Recheanachakr Kampuchea*) itself are elected through proportional representation – (The party-list system).

Under the **proportional representation system**,

electorate casts a vote for the preferred party, which then determines the members gaining the seats through their own candidate list (Loy, 2010). Nevertheless, despite numerous commitments made by political parties in Cambodia on their support in promoting women in politics, none of those have been translated into a clear, **written gender policy or action plan**. This becomes problematic due to the power had by political parties in determining women's political empowerment, ascertained by the party-list electoral system (COMFREL, 2011).

Notwithstanding this fact, several legal instruments in relation to women empowerment in politics are already in place. They are:

- **Ratified CEDAW on 15 October 1992.** The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) came into force on 12 January 2011, allowing various parts of the society to file reports or complaints to the United Nation's (UN) committee for women's rights should any of them feel to have their rights violated (UN Human Rights; UN WOMEN, 2011).
- **The Constitution of the Kingdom of Cambodia.** Article 31 declares the country's adherence to UN Charter, the Universal Declaration on Human Rights, also relevant covenants and conventions in relation to human rights, women's and children's rights. The provisions also relate to political participation, universal suffrage, also free and fair elections. Article

34 specifically guarantees the right to vote by citizens of either sex in elections and to stand as a candidate, subject to certain age requirements. Article 35 provides the foundation that Khmer citizens of either sex have the right to participate actively in the political, economic, social and cultural life of the nation (The Constitution of the Kingdom of Cambodia, 1993).

- **Law on Elections in the National Assembly (LEMNA).** However, there are still no detailed provisions that promote women's representation (LEMNA, 2008).

3.2 INDONESIA

As a country, Indonesia is led by the President, based on absolute majority vote. The parliament system is divided into two houses, with the first one, the Regional Representative Council (*Dewan Perwakilan Daerah*), works as an advisory body consisting of 128 members. Each province serves as a multi-member district with allocation of 4 seats, which are gained by single non-transferable vote. The second house, the House of Representatives (*Dewan Perwakilan Rakyat*), elects its 560 member through open list **proportional representation** in multi-member constituencies. A 2008 constitutional court ruling have set up that voters are free to either vote for the party or the individual. Under this system, political parties is obliged to secure a 2.5 percent threshold nationwide in order to be eligible for the election. Although the party list is decided by candidate preference votes, parties also

need to ensure the representation of **at least 30 percent female candidate**. Overall, both the President and the representatives serve for a 5-year term (Election Guide, 2010).

In ensuring fair women representation in politics, Indonesia has already established several legal frameworks as follows:

- **The 1945 Constitution.** Article 27(1) contains explicit statement that recognizes political equality of all citizens (The 1945 Constitution, 2005).
- **Law No.7 Year 1984 on Ratification of CEDAW** (EC/UN, 2007).
- **Law No.12 Year 2005 on Ratification of International Covenant on Civil and Political Rights (ICCPR)** (USIG, 2012).
- **Article 11 of Law No.2 Year 2008.** The article places the requirement for political parties to take gender into consideration in recruiting their officials. Unfortunately, no sanctions have been set for non-compliance (UU 2/2008, 2008).
- **Article 8 Subsection 1(d) of Law No.10 Year 2008.** The article requires political parties competing in election to have at least 30% women representation at the management level. This marks the first affirmative action initiated by the government. However, the enforcement still receives many questions (Depdagri, 2008).
- **Article 53 of Law No.10 Year 2008.** An explicit statement is given on the requirement to include at

least 30% women representation in the party election lists (Depdagri, 2008).

- **Article 55 Subsection 2 of Law No.10 Year 2008.** A “zipper system” is introduced, where the party list should include one woman of every three candidates. Regrettably, this system was then rendered null by the Constitutional Court in December 2008, which returned the basis of election for legislative candidates on a pure majority vote (Depdagri, 2008).
- **The General Election Committee (*Komisi Pemilihan Umum/KPU*) Regulation No.44 Year 2008.** KPU has the right to publicly announce any violation made by political parties in regard to Article 53 and 55 of Law No.10 Year 2008, as noted above, to the media. Aside from this type of “social sanction”, no other legal consequences have been made (Peraturan KPU 44/2008, 2008).

3.3 MALAYSIA

Malaysia owns a separate head of state and head of government. Once in every five years, one Sultan as the hereditary state ruler is appointed by the other nine Sultans in the country, to serve as a King. While the Prime Minister, like any other nation, is assigned by the parliament. The parliament itself is separated into two tiers of houses, where the Senate (*Dewan Negara*) works for a 3-year term, consisting of members in which 44 of them are appointed by the monarch and the other

26 are elected by the state legislatures. The House of Representatives (*Dewan Rakyat*), on the other hand, works for a 5-year term with its 222 members **elected based on the majority votes**, using the first-past-the-post system with single-member constituencies (Election Guide, 2010).

Despite the routine implementation of national election, Malaysia has long scrapped the election for local authorities since 1965, making every position at the local level, down to village heads, can only be achieved through direct appointment (Ling, Ibrahim, Ng, & Ahmad, 2005). Notwithstanding the existence of appointment for women, the absence of these local elections has ultimately deprived women from an important access for political involvement. It becomes an encouraging state then, when women currently appear to display more courage and interest in local-level decision making. Their concern in their most immediate needs, such as personal safety; transport and road conditions; water and sanitation, manages to push them to overcome the lacking access to politics and contribute in the decision-making process (NGO Shadow Report Group, 2005).

This lack of emphasis on attention to women participation by the Malaysian government, particularly in politics, can be seen from the following legal frameworks:

- **Ratification of CEDAW in 1995.** In spite of the ratification, the Malaysian Government has not passed an Act through the Parliament to fully implement

CEDAW in the country. Giving it a piecemeal fashion, CEDAW principles are merely incorporated in some domestic legislations and Article 8(2) of the Federal Constitution (NGO Shadow Report Group, 2005).

- **Article 8 (2) of the Constitutional Amendment 2011.** Gender becomes one of the factor inserted within the anti discrimination article, as quoted as follows: “...*There shall be no discrimination against citizens on the ground only of religion, race, descent, place of birth or gender in any law or in the appointment to any office or employment or in the administration of any law...*” (Constitution of Malaysia, 2011).
- **Elections Act 1958** (Elections Act, 1970). There is no requirement for political parties to allocate a certain number of seats for discriminated groups or a minimum of 30% women in their legislative nominations. Added with Malaysia’s electoral systems, this increases the challenge faced in promoting women’s representation. The amendment of the Act in 1970, in Article 19, has also increased the difficulty for women to run for office, due to the rise of maximum amounts of deposits levied for each candidate.

3.4 THE PHILIPPINES

The government of the Philippines is led by a President, elected for a 6-year term based on plurality vote. Similar to the countries above, the parliament is divided into

two different houses. The Senate (*Senado*) consists of 24 members who work for 6 years in office, with one-half of them get re-elected every three years. Since there is only one national constituency, senators are elected by plurality vote through multi-member constituency system. The larger house, the House of Representatives (*Kapulungan Ng Mga Kinatawan*), have two different types of members, where 230 of them are elected in single-member constituencies by Plurality vote, while the last 57 are elected using the Closed-list proportional system. All of the members have a 3-years period in office (Election Guide, 2010).

The distinction of member type above is built under constitutional provisions that require proportional representation to comprise 20 percent of the total seats. It should be noted that the constitution does not limit the number of members in the House, thus the representation number can vary in accordance with the total number of House members. This allocation generally represents special “sectoral” minorities. Nevertheless, the latest 2009 court ruling related to the 2007 legislative elections established that political parties that have secure seats through the plurality vote cannot take the other tier seats. This decision effectively reserves the 20 percent tier to minor parties only. In order to gain these seats, the minor parties should fulfill the 2 percent threshold, with no more of three seats granted to each party (Election Guide, 2010).

An initiative to raise women’s representation in local

legislative bodies have been made in the past, through a provision in the Local Government Code of 1991 that ensures Local Sectoral Representation, allocating three sectoral seats in every local legislative body (Philippine Commission on Women, 2009). Unfortunately, this bill seems to have lost the interest and momentum around it, leading it into the eventual waning of the initiative after the last four Congresses.

Benedicto-Angping (2011) claims that the recently filed House Bill No.2100, a legislative proposal on gender balance, might be able to reach the goal of strengthening women’s representation to at least 30 percent of all national and local appointive and elective posts, also government bureaucracy. Piloted by some local governments with still limited application, the results are yet to be seen.

Overall, the legal framework owned by the Philippines government in relation to women representation, up until now, is as follows:

- **Ratification of CEDAW on 5 August 1981.** The ratification of the Optional Protocol to CEDAW on 12 November 2003 provides venue for individuals and groups who believe to have their rights violated to submit complaints to the UN committee dealing with women’s rights (Philippine Commission on Women, 2009).
- **The 1987 Philippine Constitution.** *“The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.”* – Article II Declaration

of Principles and State Policies, Section 14 (The 1987 Constitution of the Republic of the Philippines, 1987).

- **The Party-list System Act (Republic Act 7941).** Before the enactment of this act, the sectoral representative for women was appointed directly by President. The implementation of this act now requires the use of party-list system, including for the women sector (Philippine Commission on Women, 2009).
- **Republic Act 9710 or the Magna Carta of Women (2009).** Under this Act, every right recognized in the Philippine Constitution and ratified international instruments by the Philippines should be in accordance with the rights of women under the Magna Carta of Women. It essentially prohibits any form of discrimination against women, whether done by public and private entities or individuals (Philippine Commission on Women, 2009). The Magna Carta, among others, details women's rights to: a) *Participation and representation, including undertaking temporary special measures and affirmative actions to accelerate and ensure women's equitable participation and representation in the third level civil service, development councils and planning bodies, as well as political parties and international bodies, including the private sector;* b) *Equal treatment before the law, including the State's review and when necessary amendment or*

repeal of existing laws that are discriminatory to women. Aside from the section above, section 36 of the Magna Carta also institutionalizes the Gender and Development (GAD) Plan and Budget (Republic Act No.9710, 2009).

- **Republic Act 7192 or the Women in Development and National Building Act.** The act fundamentally promotes the integration of women as full and equal partner of men in development and nation building. It is under this Act where the government institutionalizes the GAD agenda, serving as the main strategy to ensure gender quality from the bureaucracy in all aspects of the development process. The final goal lies on a vision of a gender-responsive society where everyone, regardless of gender, is equally contributive and receives benefit from development.
- **The 1991 Local Government Code (Republic Act 7160).** The code provides the foundation of decentralization and democratization for local governance. The representation in local special bodies would comprise implementation in the health board, school board, housing board, also gender and development council. In a more specific layer, the code functions as a passage of an enacting law to operate the Local Sectoral Representation. This passage creates a composition of workers, women and other sector to fill up three seats of legislative councils. This way, women’s position is assured in

at least one of three sectoral representatives in every municipal, city, and provincial legislative council (Republic Act No.7160, 1991).

3.5 TIMOR-LESTE

In Timor-Leste, the President serves a 5-year term after being elected through a two-round system by Majority vote. While the Prime Minister is chosen by the major political party alliance in the parliament and formally appointed by the President, the National Parliament members are elected through a closed-list proportional representation system. Serving for 5 years, the 65 parliament members come from one, nationwide constituency and should pass a 3 percent threshold. The party list itself should contain the names of the 65 candidates, with no fewer than 25 alternate candidates and a female candidate in every third candidate. This arrangement is in accordance with the amendment to Law No.6 Year 2006 Article 12(3), based on the d'Hondt method for seats allocation (Election Guide, 2010).

Similar to other countries above, Timor-Leste has also owned a legal framework on women representation in place:

- **Accession to CEDAW on 16 April 2003** (CEDAW SEASIA, 2012).
- **The Constitution, Part III – Organization of Political Power, Title III – National Parliament, Section 92-102.** This section deals with the elections and functions of the National

Parliament (Constitution of the Democratic Republic of Timor-Leste, 2001). Nevertheless, the language in Part III is gender-neutral, therefore it is difficult to determine women’s position in this section.

- **The Constitution, Part III – Organization of Political Power, Title II – General Principles, Section 63 – Participation by Citizens in Political Life, Item 2.** *“The law shall promote equality in the exercise of civil and political rights and non-discrimination on the basis of gender for access to political positions.”* (Constitution of the Democratic Republic of Timor-Leste, 2001).
- **The Law on the Election of the National Parliament, as approved on 18 December 2006.** This part of Electoral Law provides concrete incentives to women’s political participation through their mandatory inclusion in political parties or coalitions’ list of candidates and their substitution by same-gender candidacy in the event of vacancy (Law No.6/2006, 2006).
- **Election Law for Parliament, Title III – Electoral System, Article 12 – Organization of the Lists, Item 3.** This particular item was previously written as, *“The list of effective and alternate candidates must include at least one woman per every group of four candidates, under pain of rejection.”* (Law No.6/2006, 2006). Currently it has been amended to one woman per every group of three candidates.

- **Election Law for Parliament, Title III, Article 14 - Distribution of Seats, Item 2 and 3.** *“In the event of death of the candidate or illness that renders such candidate physically or mentally unable to become a Member of Parliament, the seat shall be attributed to the next candidate in the aforementioned list.”* – Item 2. *“Where the candidate to whom any of the circumstances referred to in Item 2 above applies to a woman, the seat shall be attributed to the next woman candidate on the respective list, where applicable, even as an alternative candidate.”* – Item 3 (Law No.6/2006, 2006).
- **Election Law for Parliament, Title III, Article 15 – Vacancies in the Parliament, Item 3.** *“Where the candidate that gave rise to the vacancy is a woman, the seat shall be filled with the next woman candidate on the respective list, where applicable, and the same rule shall apply to party coalitions.”* (Law No.6/2006, 2006).
- **Law No.3 Year 2004 on Political Parties, Section 8 – Principles for the Promotion of Women and for the Rejuvenation of Parties.** *“Political parties shall encourage the participation of women in party politics, particularly in the leading organs of the party by defining, if they so wish, a system of quotas or other similar measures aiming at promoting the participation of women in activities related to party politics.”* (Law No.3/2004,

2004).

- **Law No.3/2004, Section 4 – Associated Organizations.** This section states that parties should establish their own women’s organizations (Law No.3/2004, 2004).
- **Law No.3 Year 2009 – Community Leadership and Their Elections (revoking Law No.2 Year 2004).** The legal clause provides the arrangement for women representation in each village council (Law No.3/2009, 2009). In the current period (2009-2014), there are already 1,326 female council members (Scanagri Denmark Consortium, 2009).

Election System used in the Focus Countries

COUNTRY	BASIS OF REPRESENTATION
Cambodia	Proportional
Indonesia	Proportional
Malaysia	Majoritarian
The Philippines	Combined
Timor-Leste	Proportional

CHAPTER IV

Women and Political Representation

4.1 WOMEN REPRESENTATION AT NATIONAL AND LOCAL LEVEL

While composing up to more than half of the population, women still constitute only 18% of parliament members around the world (IPU, 2009). This brings the assessment to view the condition of women representation in the parliament in the five focus countries.

At the national level, the most of the five focus countries are still struggling to achieve the 30% women representation in the parliament. Based on the report from (UN Women; IPU, 2012), Timor-Leste is on the only one achieving the 30% target with 32.3% of women in its Parliament, taking 21 out of 65 seats in total. The Philippines takes the spot closest to the target, with 22.9% of women in the Lower House, taking 65 out of 284 seats in total, and 13% in the Upper House, taking 3 out of 23 seats in total. Cambodia follows next with 20.3% of women in the Lower House, taking 25 out of 123 seats in total, and 14.8% in the Upper house, taking 9 out of 61 seats in total. Having only one level of parliament house, Indonesia reaches 18.2% of women in its national legislature (DPR), taking 102 out of 560 seats in total. Malaysia, for now, takes the last among the five, with 10.4% of women in the

Lower House, taking 23 out of 221 seats in total, albeit a quite high 21.5% of women in the Upper House, taking 14 out of 65 seats in total.

Aside from the internationally known parliamentary house system, Cambodia also has a Commune (Sangkat) Council, with women taking 15.12% of the seats, which are 1,717 out of 11,353 of the elected members (Griffith, 2010). Similar to Cambodia, Indonesia also has an additional representative house, which is the Regional Representative Council (DPD). Throughout the last election period, women is taking 26.52% of the seats, with 35 taken out of 132 in total (UNDP Indonesia, 2010).

Legislative position is not the only place where women has taken position in. In Ministerial positions, currently Timor-Leste is leading again among the focus countries, with 23.1% representation from 3 ministers out of 13 in total. The Philippines comes second with 18.2%, having 6 female ministers out of 33 positions in total. Unlike the rank in legislative representation, Indonesia fares slightly better with 11.4%, having 4 female ministers out of 35 positions available. Malaysia also climbs up a bit, with 6.5% representing 2 women out of 31 ministerial positions available. Cambodia slides down in the rank with 4.9%, having 2 women out of 41 ministerial positions available (UN Women; IPU, 2012).

On the other side of the coin, scholars have claimed that situation at the local level is useful in examining women's representation in political offices, since many of them who hold position at the national level generally

began their steps at the local level (Sanbonmatsu, Carroll, & Walsh, 2009). In reality, however, Carroll & Sanbonmatsu (2010) reiterate how the representation number at the local level is often as low as the national level.

Reverberating the notion above, this assessment found that the numbers that have come out at the national level often do not represent the situation at the local level. Timor-Leste, for instance, despite having the top rank among the focus countries for women representation at the national level, has surprisingly only 13% in 2009 at the local level, with only 2% being *chefes de suco* (local council heads) (UN Women ESEASIA, 2012). The Philippines holds a more stable condition with 20.5% (25 out of 138) of urban offices and 19.8% (13 out of 81) of provincial councils are occupied by women (Philippines improving on women leaders, 2011). At the provincial level, the number of Cambodia's female councilors comprises up to 9.89% (37 out of 374 members), while the number for municipalities, districts and Khan councilors reaches 12.68% (363 out of 2,861 members) (UN Women; IPU, 2012). Indonesia fares similarly, having 14.34% of women in provincial parliaments (288 out of 2,008 members) (UNDP Indonesia, 2010) and 11.79% in Intermediary/District Councils (1,818 out of 15,427 members) (UNDP, 2010). With local elections banned in the 1960s, Malaysia selects their councilors through direct appointment, having 9.8% women representatives in 1999 (UNESCAP, 2001).

All of the information can be summarized into this

table. It is similar to the sub-section above (support from political party)

COUNTRY	OUTPUT			
	WOMEN REPRESENTATION			
	NATIONAL		LOCAL ELECTION	
Malaysia	Lower house	10.40%	Appointment	9.80%
	Upper House	21.50%		
Indonesia	Lower house	18.20%	Province	14.34%
	Upper house	26.25%	Districts	11.79%
Cambodia	Lower house	20.30%	9.89%	
	Upper House	14.80%		
Timor-Leste		32.30%		13.00%
Philippines	Lower house	22.90%	Urban	20.50%
	Upper House	13.00%	Province	19.80%

While ensuring sufficient women representation in the election through adequate election regulations, Election Commissions in these countries have also tried to adopt such policies in their own management, albeit still lacking in many places. The National Assembly Elections (NEC) in Cambodia has only two female commissioners out of nine seats and 15% of female staff, with repeated pattern at the local level and lack of decision-making positions (UN Women; IPU, 2012). Indonesia’s KPU has 43% women among the members, while its local commission (KPUD) only has 19% (UNDP Indonesia, 2010). A Qanun (religious regulation) in Aceh province has started to mandate a 30% quota for the election commission in that

province as well (UN Women ESEASIA, 2012), marking a good start in ensuring sufficient women representation in the management. Among the countries above, the Philippines have had quite a history of having female commissioners in the Commission of Elections (Comelec), starting from the late Haydee Yorac who served since 1986 until the latest one Luzviminda Tacangco (Newstheme, 2011). Timor Leste's Technical Secretariat for Electoral Administration/ *Secretariado Técnico de Administração Eleitoral* (STAE) has also employed 3 female staff out of 12 permanent ones at the office, with 19% female *brigadas* (head of polling station) and 29% female polling staff (Chinaud, Tuzon, & Da Silva, 2007). Unfortunately, compared to the other focus countries, Malaysia does not seem to have any record of having women inside their election commission up until now.

4.2 SUPPORT FROM POLITICAL PARTY

Efforts to increase gender balance within the electoral system alone of course would not be sufficient to raise women representation. The outcome of women representation in political offices is always affected highly by features of political party system that shape the game and influence women's venue to attain power (Kunovich & Paxton, 2005). Since caucuses serve as a key network in recruiting legislative candidate (Sanbonmatsu, 2006), it is then essential to ensure that women in each focus country have a special caucus for them as a networking venue.

Within the parliament, women caucuses have

been established, with various level of effectiveness in the implementation in each country. Cambodia's women caucus currently only involves the Cambodia People's Party (CPP) and its ally, *Front Uni National pour un Cambodge Indépendant, Neutre, Pacifique, et Coopératif* (FUNCINPEC). According to the report from Griffith (2010), due to the political context that prevents cooperation among parties, attempts to set up a cross-party women's caucus has been stalled. In Indonesia, *Kaukus Perempuan Parlemen Republik Indonesia* and *Kaukus Perempuan Politik Indonesia* has come forward during Wahid administration (1999-2001) (Parawansa, 2005). Malaysia has established its Gender Caucus Malaysian Parliament; The Philippines with its Women's Caucus and Political Caucus of Women Leaders in Mindanao (PCWLM); and Timor-Leste with its *Grupo das Mulheres Parlamentares de Timor-Leste* (GMPTL).

From many aspects, Paxton, Hughes, & Painter (2010) argue that political parties are the ones that hold the power to determine legislative representation, including the gender balance within. This takes commitment and cooperation between parties and the election commission to establish a system that ensures gender balance in legislative composition. In response to this, many political parties these days have also taken the initiative to establish a gender quota voluntarily, without being forced by the legislative rule, ensuring participation of at least 20% or 30% women in the party and for the electoral candidates (IDEA, 2006).

In terms of voluntary gender quotas from political parties, none has been heard from Indonesia and Timor-Leste, since the quota requirement is generally given by the election regulations. However, Malaysia's opposition parties have been very favorable to women, shown by the People's Justice Party's constitution amendment, ensuring 30% of leadership positions for women, and the Democratic Action Party's increase of female candidacy up to twice the previous amount in the election (Gooch, 2011). Sun (2004) confirms the Philippines' commitment in voluntary quota by parties, shown by 25% quota for women by the Philippines Democratic Socialist Party (PDSP), the existence of Gabriela Women's Party that represents 250 women's organizations, and 30% women representation in Akbayan Party's leadership and electoral candidates. Griffith (2010) also claims that the Sam Rainsy Party (SRP) from Cambodia has given their formal commitment to place 20% of top positions in the party to women. Nevertheless, apparently no party, including SRP, has formulated any written gender policy or action plan to realize this commitment. The result of each party's policy can be reflected through the parliament composition below:

Women's Political Representation by Party

1. Cambodia (Xinhua, 2012; GADC, 2012)

POLITICAL PARTY	SENATE	SANGKAT COUNCIL
Cambodian People's Party (CPP)	(17.39%) 8 out of 46 seats	21.48%
Sam Rainsy Party (SRP)	(18.18%) 2 out of 11 seats	11.00%
Norodom Ranariddh Party	-	5.77%
FUNCINPEC	-	3.31%
Human Rights Party	-	1.50%
League for Democracy Party	-	0.00%
Cambodian National Party	-	0.00%

2. Indonesia (UNDP Indonesia, 2010)

POLITICAL PARTY	DPR
Partai Demokrat	24.32%
Golongan Karya (Golkar)	16.04%
Partai Demokrasi Indonesia – Perjuangan (PDI-P)	21.28%
Partai Keadilan Sejahtera (PKS)	5.36%
Partai Amanat Nasional (PAN)	13.04%
Partai Persatuan Pembangunan (PPP)	13.16%
Partai Kebangkitan Bangsa (PKB)	24.14%
Partai Gerakan Indonesia Raya (Gerindra)	15.38%
Partai Hati Nurani Rakyat (Hanura)	17.65%

3. Malaysia (Parlimen Malaysia, 2012)

POLITICAL PARTY	DEWAN RAKYAT
Barisan Nasional (BN)	(8.6%) 12 out of 140 seats
Pakatan Rakyat (PR)	(12.20%) 10 out 82 seats

4. The Philippines¹ (Senate of the Philippines, 2012)

POLITICAL PARTY	SENATE
Nacionalista	(20%) 1 out of 5 seats
People’s Reform Party (PRP)	(100%) 1 out of 1 seat
Nationalist People’s Coalition (NPC)	(50%) 1 out of 2 seats

5. Timor-Leste (East Timor Law and Justice Bulletin, 2012)

POLITICAL PARTY	PARLIAMENT
Conselho Nacional de Reconstrução de Timor (CNRT)	(30%) 9 out of 30 seats
Frente Revolucionária de Timor-Leste Independente (FRETILIN)	(32%) 8 out of 25 seats
Partido Democrático	(25%) 2 out of 8 seats

1 The official website of the House of Representatives of the Philippines provide information on the representatives along with the photographs, enabling identification of female representatives. Unfortunately, many part of those details do not include information on political party affiliations, making it difficult to track the ratio of women representation in each political party.

CHAPTER V

Socio-Cultural Obstacles

Electoral system, in affecting women representation, does need to interact with a set of cultural, social, and political variables. In taking a better look on these variables, the cultural and social factors often have a bigger determinant power in influencing the result of election, hence the percentage of women in the parliament (Paxton, Hughes, & Painter, 2010). The positive correlation between these socio-cultural factors and women's success to political seats then creates the need to take a closer look to how the factors was shaped from the most fundamental view, i.e. on how society perceives and values equality between women and men. To do this, he subsections below break down the socio-cultural condition happening in each focus country.

5.1 CAMBODIA

Despite some improvements in gender roles and attitudes, discrimination against women's participation in the public continues. This still shapes women's willingness to join politics, voter perceptions, and the outlooks of male associates and decision makers. The research at the commune level shows that, notwithstanding the positive views on women's participation, 37% of male respondents' views are still overwhelmed with the idea of women's inferiority, and 62% consider women as soft and

weak (Griffith, 2010). Another survey done by COMFREL (2011) shows that 18.2% of female councilors still feel to be discriminated, and in some cases, are constantly criticized by male associates under the prejudice that they work ineffectively.

Griffith (2010) also portrays how the burden of domestic responsibilities impinges on women's willingness to stand for office, also their performance, if elected. This often comes from the lack of family support. However, the loss of income resulting from taking up office with low salary seems to be quite a deterrent factor as well. Added with the unequal access to education for girls and women, going for office becomes a major obstacle, with lower literacy rates and level of qualification compared to men as a result.

As if it is still not enough, the lack of childcare facilities and other practical support measures hampers women even more, since it creates a difficult environment for women to participate in both public life and income-generating activities. The lack of transport, stemming from women's concerns over physical security and mobility, discourages women further from seeking political engagement and puts off their family from giving their support (Griffith, 2010).

The COMFREL (2011) survey, in cooperation with the Cambodian Disabled People Organization (CDPO) and Handicap International (HI) Federation on 'The Political Participation of Women with Disabilities in Cambodia', shows how women disabilities face such a low participation rate in the voter registration and balloting

process. Comparison between disabled and able-bodied women during registration in 2010, in Phnom Penh municipality; Kampong Cham province; and Kampong Speu province, shows that 53.1% of disabled women went to register as voters in comparison to 76.7% able-bodied women. The participation rate in the 2008 National Election has also been lower, at the rate of 58.8% as opposed to 94.4% of able-bodied women.

5.2 INDONESIA

Referring to an opinion poll by UNDP Indonesia (2010), 77.6% of respondents from both genders consider that the role of decision-makers and leaders of the community should be left to men. The poll, focusing on attitudes and perceptions to women's social, economic and political participation, reveals another result of 95% respondents preferring men to be the leader of the households, and 94% believing that women should not work without permission from their husbands.

The findings above seem to come from the ideology of sexual division on labor, defining women's primary roles to be at home as mothers and wives, exclusively giving the privilege of having productive roles in the public sphere to men. Such ideology causes women in Indonesia to be lacking in social capital, since they rarely become the head of community or have independent power base. It becomes a domino effect and vicious cycle at the same time, where the lack of social capital leads to the lack of financial support from political parties to entering formal

politics. Without independent financial means, social and economic power base, all of these circumstances create an extremely difficult situation for women to enter the male-dominated world of politics (UNDP Indonesia, 2010).

5.3 MALAYSIA

Years of social conditioning in Malaysia's environment, which defines women's primary role is as mothers in the domestic sphere and not as breadwinners and citizens, have left women in a lack of confidence to enter politics, which has been portrayed as a men's world. They have been left to believe that their existence in politics would not last and give any impact. Even if when they are willing to face such challenge, they lack the necessary support mechanism. Married women with children need to consider much more on who would replace their responsibility at home, since men always have lesser household roles. Such cultural stereotypes have greatly discouraged those intending to take up the challenge. Since political office is a type of work that needs long and grueling hours to successfully run it, the stereotype and lack of support mechanism becomes a hindrance for women to do such work effectively (Abdullah, 2008).

Evidence of strong sexist attitude among male politicians is also clear, as shown by an example by Abdullah (2008) where a pro-tempore chief, Roselan Juhar of Kota Kinabalu UMNO, made a remark on rape victims, saying that if they cannot fight rape, they better just lie down and enjoy it. Furthermore, he also proposed

for psychological assessment for rape victims to identify whether they enjoy the incident. While this caused uproar among women’s organizations, it becomes a clear picture of how gender sensitivity is very low among male decision-makers.

5.4 THE PHILIPPINES

The overall perspective in the Philippines still remains in seeing ideal Filipino women as motherly and feminine, attributed as “the light of the house” and “the household manager” (Cruz, 2005). The country profile from FES Philippine Office (2008) shows how leadership is still conceptualized in terms as male strength. Women’s role is only expected to support the “leader husband” through entertaining constituents by socializing and diplomacy, also holding charity works. The “glass ceiling” obstacle in the world of politics further complicate the challenge faced by women. In the political family, the wives are expected to raise the next generation well, limiting their role and access to decision-making activities.

5.5 TIMOR-LESTE

The foremost challenges for women in Timor-Leste are the deep poverty and terrible impact of conflict felt, resulting in the need to build women’s capacity to better participate in decision-making processes in various level. Reports from NGOs claim that 45% of married women in the country became widows due to the conflict, forcing them to be the heads of households and the only breadwinners

for their families (CEDAW SEASIA, 2012).

Up until now, Timor-Leste is considered to hold an extremely patriarchal culture, with one of the impacts being the limited access to education for women, further reducing their opportunity to take more ranges of roles in the public (ADB, 2005). A survey by The Asia Foundation (2004) shows how even women’s rights over land ownership are still in dispute, due to this strong patriarchal culture. Some of the reasons mentioned in the report, among others, are the view that women are essentially subservient to men, with some of them feel that the existence of bride price making the man to have rights over the woman.

Common Socio-Cultural Obstacles in the Region

	CAMBODIA	INDONESIA	MALAYSIA	THE PHILIPPINES	TIMOR-LESTE
Perception of women’s inferiority	√	√	√	√	√
Burden of domestic responsibility	√	√	√	√	√
Unequal access to education	√				
Lack of facilities supporting women’s public participation and mobility	√		√		
Lack of social capital and financial support		√			√
Portrayal of politics and leadership as men’s area			√	√	

CHAPTER VI

SWOT Analysis

Strength, Weakness, Opportunity and Threat (SWOT) analysis has been long used by many as a strategic planning method in conjunction with other audit and analysis tools. Originated from researches during the 1960-1970s, it is presented in form of a matrix that matches the internal factors (strength and weakness) and the external factors (opportunity and threat) (Zavadskas, Turskis, & Tamosaitiene, 2011). Considered as one of the most suitable tools to systematically generate response to problems at hand, this baseline research has used this tool to study the issues faced by the five focus countries in regards to women representation in politics.

6.1 ELECTORAL SYSTEM

Reflecting from the condition of electoral system from the five focus countries, all of them have ratified CEDAW and have had several regulation or mechanism relating to affirmative action for women in politics in place. Cambodia, to start, has guaranteed the right of either sex to participate in political life of the nation in the constitution. Gender mainstreaming has become a part of the country's development policy, with the Rectangular Strategy for Growth, Employment, Efficiency and Equity 2004. Overall, Cambodia has managed to provide foundation for affirmative action for women through the provision of

participation quota for women in political office, which is strengthened by collaboration by the Ministry of Women's Affairs and the Ministry of Interior.

Indonesia, going in the same direction, has also enacted a number of regulations that ensure channels for women participation. The government has also streamlined the Millennium Development Goal (MDG) no.3: Promote Gender Equality and Empower Women into many of their standard procedures and guidelines. A Women's Parliament Caucus has also been established in the parliament.

In terms of showing the commitment at the international level, Malaysia has ratified CEDAW in 1995 and also become a party to the 1995 Global Platform for Action that promotes at least 30% of women participation in decision-making positions. Recently, the government has undertaken an extensive research entitled "Towards achieving at least 30% decision-making levels in Malaysia". Several consultations were also held among government officials and CSOs to develop an action plan for increasing women's political participation in 2009. However, the final report is still yet to be published. As of now, the Cabinet Committee has established a goal to achieve the 30% target. Complementing the initiatives above, Malaysia has also become a member in the ASEAN Intergovernmental Commission on Human Rights (AICHR) and the Asian Church Women's Conference (ACWC).

Similar to Indonesia, the Philippines has already

placed several legal framework that ensures women participation in politics. Aside from those acts and regulations, the government has also established a GAD Council and the Philippine Commission on Women, along with the implementation of the GAD budget. CPE as the main partner in the Philippines has identified the existing legislations above as a policy package that contributes to the improvement of women representation, participation and performance in politics and governance. Timor-Leste, although still without clear guidelines and separate institutions to push gender agenda yet, has recognized gender as a cross-cutting issue, both by the government and many civil organizations.

With a generally well-placed legal framework for women participation in each focus country, the problem left is in determining the success of the implementation. This is the case for the Philippines, where despite the existing Acts, the implementation is weak or even non-existent. Much of the existing GAD allocation is used for social gathering expenses such as Bingo Socials and Ballroom Dancing, causing a lack of funds in establishing the features needed the most by women, i.e. the women crisis centers and women's desk and staffing. Indonesia also had an overturn of article 214 of Law No. 10 Year 2008 on determination of elected candidates by a Constitutional Court Decree No.22-24/PUU-VI-2008, which changes the determination of elected candidate based solely on majority vote, reducing women's chance to have a share of seat. The Women's Parliament Caucus

is also, unfortunately, still not yet recognized as a formal body by the DPR.

Malaysia has a different issue, where albeit the ratification and participation of international convention and action for women, none of those has been translated into a clear law and regulation. Up until now there is no legislated quotas for women at any level of government. Policies and legislations are not in place to legally bind political parties, government departments and ministries to include women's rights and participation within their activities.

Nevertheless, it should be acknowledged that not every regulation has poor implementation, which gives good expectation for potential progress. The law that mandates political parties to have 30% of women in their national structures and that ensures women's political representation through a minimum of 30% candidacy has been implemented consistently in Indonesia. The legal framework of Timor-Leste has also received a good enabling environment, with the amended election law for national parliament has forced political party leaders to invite more women to join their parties. CCHR, the local partner in Cambodia for this project, have conducted specific forums that involve women on electoral processes and democratic participation, raising the issue of women participation to a broader audience. EMPOWER from Malaysia has also been actively involved in the local government elections process, starting from campaigns to negotiating the fixed schedule for the implementation

of the local elections.

In the Philippines, after regular implementation of national and local elections, the present Aquino Administration has shown quite a commitment to ensure equal opportunity between men and women. Within Aquino Cabinet itself, many non-traditional and progressive leaders have been appointed, giving a fresh breath of women empowerment spirit and keeping up with the international and regional solidarity for women's position. Aside from this, CPE has been consistently monitoring or lobbying for the better implementation of Magna Carta of Women and other related laws.

While progress has been made, alertness should be kept high in fear of the looming threats that might arise. The laws mandating 30% women representation in Indonesia, at one point, still has no strict adherence or specific sanction given to political parties that ignore the requirement. Moreover, with the zipper system lifted, the chance for women in becoming legislatures are getting tougher. On the other hand, Timor-Leste is prone to a technical challenge where potential donors for electoral processes often have late disbursement of funds, stalling the facilitation of the activities.

Malaysia, specifically, has been noted with wariness by international community for its government's tendency to clamp down on democratic spaces. There has also been a history of persecution of marginalized community by the state, mainly focusing on transgender and sex workers community, showing the lack of attention to

gender issues. Low engagement between EMPOWER and the government, particularly the Ministry of Women, Family and Community Development, has not succeeded in addressing the issues above in significant manner.

In general, the evidence for each focus country's commitment to improve women representation in politics has been shown by how all of them have ratified CEDAW and translated the principle into their legislation frameworks. The process of translating these principles into strong and practical regulations, however, differs from country to country.

Indonesia and Timor-Leste are recorded to be the countries that have clear requirement to fulfill a quota for women in political office within their regulations. With a standard quota of 30% for women, the step to ensure better women representation has been taken seriously by both countries. The implementation, nevertheless, has a slightly different story. The lift of zipper system and the change of election mechanism to solely majority vote in Indonesia have caused women's chance of winning to suffer. Not to mention that the 30% quota requirement still has no sanction for any violation or any other adherence mechanism. This issue of implementation is also felt by The Philippines and Cambodia, where the existing laws that support women seem to have no teeth. On the other hand, Malaysia, with its track record of clamping down democratic spaces, seems to be slow in translating its international commitment on women's rights into applicable laws and regulations.

6.2 WOMEN AND POLITICAL REPRESENTATION

The analysis for this subsection has started with a somewhat somber note, with low level of women representation in politics since to be the similar situation in all focus countries. Cambodia, for instance, has recorded low women representation in all branches of the government. Indonesia has the same note, where the number of woman in parliament has not yet reached 30%, although it has increased indeed from the past election. Nevertheless, not all political parties submitted 30% of women representation in their candidate lists. The placement of women candidates is still largely determined by the parties, requiring women candidates to obey decision whether or not they are placed in the working area relevant with their skills and knowledge. Similar situation occurs in Timor-Leste, where party leaders still have limited confidence in women's competencies.

Efforts to improve the condition can already be seen, be it from the government, political parties, or the community organizations. In Cambodia, discussion of gender quality amongst key actors in the government and political party has taken place many times. Political will in Timor-Leste has been evident, with women being mobilized and motivated to participate in the next elections. Due to the direction political parties take in Indonesia, where many of them has established well-known women's mass organizations, they have started to seek and recruit women as potential members/cadres as caretaker of the party. Koalisi Perempuan Indonesia, one

of the example of a mass-based organization with tiered pattern of cadres, has produced a number of potential female legislative candidates.

With somewhat less provision of legal framework on women representation compared to the other focus countries, Malaysia has had quite a good result in Penang and Selangor state. For the current administration, Selangor has eight women (15.6%) as state assembly persons out of 51 positions, while Penang has three women (7.5%) out of 40 positions. Where each state has 10 Executive Committee, Selangor has four women seating in the committee and Penang has two. There are 12 local councils in Selangor with a total of more than 288 councilors, out of which about 10% are women, while Penang has two local councils with eight women (16.6%) out of 48 councilors in total. This result is expected to become a starting example for other states. In addition to that, EMPOWER has contributed in this process by playing an advisory role in the formulation of the Selangor Women's Action Plan and acting as a part of the committee within the Action Plan, and also the Joint Action Group Against Gender Discrimination, a women's group initiative that functions as a pressure group.

Unfortunately several areas are still prone to a declining progress. Not all political parties in Indonesia currently have a clear system and agenda on political education for their cadres, especially for women. Disinterest is apparent among opposition-based parties in Malaysia to engage

in cross-party training regarding women participation. As the case with the Philippines, despite the consistent implementation of election, the government has a long history of maintaining political dynasty or warlords, where the seats of political leader generally do not go far from the ones currently in office, which is dominated by men. Division among women's groups and organizations is also worrying, since it might divide the united front needed to support women representation.

Considering that the focus countries have had legal framework ensuring better women representation in place, the actual number of women representation is still quite low. This happens generally in all branches of the government, with the lack of or even non-existent impact from the women quota. By and large, the majority of political parties still do not assign women accordingly with the expected quota or the suitable working area, which stems from the still existing lack of confidence in women's abilities and competencies.

All the same, each country has shown its own distinctive efforts to progress and make up for the situation above. Cambodia, for instance, has focused on holding various forums and discussions with different key actors to formulate the most suitable action plan. Mobilization has been the key action taken by Timor-Leste and Indonesia, by recruiting and motivating more women to be cadres of political party and join the election.

6.3 SOCIO-CULTURAL OBSTACLES

Examples from prominent women figures have shown to provide motivation for the overall women community in Cambodia. Mu Sochua, a leading figure in politics, and a politically active *Boeung Kak Lake* group become the example of successful women in the public life. While significant awareness has been raised among the people in Timor-Leste in regards to the legal framework that promotes gender equality and women's human rights.

Many socio-cultural challenges still stand in the way of equal access and participation for women in all five focus countries. Most of these challenges revolve around the traditional, patriarchal perspective that positions women's role in the domestic life only. In Cambodia, the cultural attitudes towards women still expects them to be the ones responsible for the family, resulting in the low level of education among women, since they are considered to have no need of extensive education.

Similarly, the strong cultural mindset in Indonesia has been derived from the patriarchy system, limiting women's participation in public sphere. The male-dominated culture in the Philippines has resulted in uneven opportunities and wealth distribution for women, and even gender-based violence.

In Malaysia's case, patriarchal attitude and lack of interests within government agencies, parliamentarians, and political parties continue to obstruct the advancement of gender equality and non-discrimination. Women in Malaysia themselves lack the confidence and resources to

take on active roles due to their own view that their roles is limited to private family space and the existing burdens of ‘the triple roles and responsibilities’ (productive, reproductive and community). The expectation on women to be politically involved and yet juggle with those multiple roles as wives, mothers and daughter-in-laws become added barriers to women’s participation.

The burden of multiple roles is also faced by women in Timor-Leste, giving them time constraints in engaging with other activities, unlike men. Such expected roles made women candidates to have limited support from their family, flourishing the patriarchal attitudes that hinder women’s representation in politics even further. Being held back with the condition, women then become dependent to their male counterparts due to unequal power relations and economic source. The lack of education and limited access to information is also the case for women in this country in general.

In attempt to overcome these socio-cultural barriers, many initiatives have been done in the five countries, with most of them coming from the CSOs. For example, strong networks already exist in Cambodia among CSOs, also between CSOs and the public. Strong and diverse women’s organizations have also flourished in the Philippines, with attempts to unify them into coalitions and alliances under the same interest in the issues.

Yet there is still a long way to overcome the socio-cultural barriers, due to the strongly embedded paternalistic or patriarchal attitudes, such as the one

occurs in Cambodia. In some areas in Indonesia, women are still considered as members of society that are not eligible to be a leader. Strong resistance still arises from local councils and village head committees in Malaysia. In the Philippines, there is even a strong campaign from the Catholic Church against women leaders, organizations and political parties. Many gender-based violence related with election processes have come up as well in Timor-Leste due to this patriarchal system.

The main socio-cultural challenge in all five focus countries is the same: patriarchal perspective that leads into male-dominated culture. Women, expected to contribute in domestic life only, are expected to fulfill their role as wives and mothers without any need to pursue other objectives and thus education. Even some of them themselves consider that such attitude is correct and domestic life is their only way of life. Such expectation has created a condition where women pursuing political career receive very limited support from the family. This family-centered perspective then caused a dependency to their male counterparts, leading into uneven opportunities and wealth distribution between men and women, and it often escalates into gender-based violence.

Examples from other fellow women were shown to have quite an impact to inspire stronger willingness to overcome challenges existing for women. Mu Sochua, a political figure in Cambodia, is one of the example looked up to by Cambodian women in the public life. Fellow women who work in women organizations and CSOs

also have an influence in encouraging women to build networks, also share stories and practices among them, as what has flourished in Cambodia and The Philippines.

CHAPTER VII

Conclusion

All the countries in this partnership, i.e. Cambodia; Indonesia, Malaysia, The Philippines, and Timor-Leste, share almost the same situation and conditions when it comes to women representation in politics. Nevertheless, Indonesia and Timor-Leste share very similar situations or conditions in which both of them already have a quota for women in politics in their political laws, notwithstanding the fact that there is still low actual number of women involved in politics. Cambodia also experiences situations alike where the state shows real support women to play significant political roles, yet it seems that the particular legislations are not implemented well. Further investigation is needed to analyze the reasoning behind low number of actual representation despite the already existing legislations needed. The investigation is expected to further reveal the hindering factors of efforts in increasing women's political representation in these countries.

The Philippines, on the other hand, is the most advanced country when it comes to the provision of national legislation that protects women's rights in general. However, akin to the countries above, actual number of women representation is still low. The implementation of the law is one of the reasons why the situations have not changed much. Therefore, improving

the implementation of the existing legislation needs to be one of their priorities, aside from investigating other factors that hinders the increase of women representation in politics.

Malaysia, out of all the focus country, might have more work to do to ensure women participation. Despite the ratification of various international conventions and commitments, the translation into national legislations is poor, with no particular quota form women in their political laws. This condition is seen to be the main cause of their for women representation in office, placing them relatively low among the focus countries.

CHAPTER VIII

Recommendation

In order to better understand and comprehend the situations in these focus countries, and to have better learning experience at the regional level at the same time, joint researches or regional researches need to be conducted further under this project. The recommendations derived from those researches are expected to assist the improvement of the discourses among the regional partners and to sharpen their advocacy strategies both at the national or regional level.

From the initial assessment on the information related to electoral system and level of women participation in state institutions in Southeast Asia, we deem it necessary to conduct a follow up research focused on following issues:

1. Electoral Systems
2. Recruitment system of women legislative candidate and party cadres in political parties.
3. The influence of patriarchal culture to the level of participation of women in politics.
4. The role of women caucus, particularly women caucus in the parliament to voice issues related to the struggles for women's rights.

Besides, the regional partners need to also conduct in depth study on contemporary issues in national level in order to enrich them with information on the level

of political participation of women Southeast Asian countries. This study can also be used as reliable resources to understand the struggle of women in Southeast Asia in political fields and their challenges. At the end, the study can also be used as a rich reference and stepping stone for the advocacy in national, regional and international level for the improvement of women representation in the existing political institutions.

BIBLIOGRAPHY

- Abdullah, M. C. (2008). *Expanding Democracy, Enlarging Women's Spaces*. Retrieved August 5, 2012, from <http://library.fes.de/pdf-files/bueros/philippinen/04527/09-malaysia.pdf>
- Asian Development Bank (ADB). (2005). *Gender and Nation Building in Timor-Leste*. Retrieved August 5, 2012, from http://sheltercentre.org/sites/default/files/gender_conditions_enhancement_in_timor_leste.pdf
- Aquino urged to appoint female commissioner to Comelec. (2011, February 04). *Newstheme*. Retrieved August 02, 2012, from <http://pinoyown.com/?p=9336>
- Bawn, K., & Thies, M. F. (2003). A Comparative theory of electoral incentives: representing the Unorganized under PR, plurality, and Mixed-member electoral systems. *Journal of Theoretical Politics*, 15 (1), 5-32.
- Benedicto-Angping, Z. (2011). *Accelerating the Achievement of MDG-5 through the Role of Women Parliamentarians*. Retrieved July 29, 2012, from <http://www.aipasecretariat.org/wp-content/uploads/2011/03/5-CASE-STUDY-Philippines.pdf>
- Philippines improving on women leaders. (2011, March 07). *Business World*. Retrieved August 02, 2012, from http://www.bworldonline.com/content.php?title=Philippines_improving_on_women_leaders&id=27582
- Carroll, S. J., & Sanbonmatsu, K. (2010). *Entering the mayor's office: Women's decisions to run for municipal office*. Paper presented at the annual meeting of the Midwest Political Science Association, Chicago.

- Chinaud, J., Tuzon, R. A., & Da Silva, I. (2007). *A Gender Perspective Audit of the 2007 Parliamentary Elections of Timor-Leste*. Dili: UNMIT.
- Committee for Free and Fair Election in Cambodia (COMFREL). (2011). *Committee for Free and Fair Election*. Retrieved August 5, 2012, from Gender Policy and Women's Political Empowerment in Cambodia: http://www.comfrel.org/eng/components/com_mypublications/files/294086Gender_Policy_and_Women_Political_Empowerment_in_Cambodia_ENG.pdf
- Committee on the Elimination of Discrimination Against Women Southeast Asia (CEDAW SEASIA). (2012). *CEDAW in Action in Southeast Asia*. Retrieved July 30, 2012, from <http://cedaw-seasia.org>
- Constitution of Malaysia. (2011).
- Constitution of the Democratic Republic of Timor Leste. (2001).
- Cruz, G. T. (2005). Response. *Journal of Feminist Studies in Religion*, 21 (1), 141-147.
- Departemen Dalam Negeri (Depdagri). (2008). *UU No. 10 Tahun 2008 tentang Pemilihan Dewan Perwakilan Rakyat, Dewan Perwakilan Daerah, dan Dewan Perwakilan Rakyat Daerah*. Retrieved July 27, 2012, from http://www.depdagri.go.id/media/documents/2008/03/31/UU_No.10-2008.doc
- Election Guide. (2010). *Democracy assistance & elections news from the Consortium for Elections and Political Process Strengthening (CEPPS)*. Retrieved July 26, 2012, from <http://www.electionguide.org>
- Elections Act of Malaysia. (1970).
- European Commission-United Nation Partnership

- (EC/UN). (2007). *Partnership on Gender Equality for Development and Peace*. Retrieved July 27, 2012, from http://www.gendermatters.eu/index.php?option=com_content&task=view&id=126&Itemid=110&lang=en
- Felsenthal, D. S., & Machover, M. (2012). *Electoral Systems: Paradoxes, Assumptions, and Procedures*. London: Springer.
- Ferrara, F., Herron, E., & Nishikawa, M. (2005). *Mixed Electoral Systems: Contamination and Its Consequences*. New York: Palgrave Macmillan.
- Friedrich-Ebert-Stiftung (FES) Philippine Office. (2008). *Country Gender Profile: Philippines*. Retrieved August 5, 2012, from <http://www.fes-asia.org/media/Gender/Country%20Gender%20Profile%20-%20PHILIPPINES.pdf&ei>
- Gooch, L. (2011, August 29). Halls of Power Narrow for Malaysian Women. *The New York Times*. Retrieved August 3, 2012, from <http://old.post-gazette.com/pg/11241/1170707-82-0.stm>
- Griffith, L. (2010). *Lessons Learnt and Best Practices in Promoting Women Participation and Representation in Cambodia 2010*. Cambodia: UNDP Cambodia.
- International Institute of Democracy and Electoral Assistance (IDEA). (2006). *Quota project*. Retrieved August 3, 2012, from www.idea.int/
- Inter-Parliamentary Union (IPU). (2009, March 31). *Women in National Parliaments: Situation as of 31 March 2009*. Retrieved August 3, 2012, from <http://www.ipu.org/wmn-e/world.htm>
- Kunovich, S., & Paxton, P. (2005). Pathways to power:

- The role of political parties in Women's national political representation. *American Journal of Sociology*, 111 (2), 505-552.
- Law No.3/2004 of Timor Leste. (2004).
- Law No.3/2009 of Timor Leste. (2009).
- Law No.6/2006 of Timor Leste. (2006).
- Law on Elections of Members of the National Assembly of Cambodia (LEMNA). (2008)
- Ling, C. S., Ibrahim, A., Ng, E., & Ahmad, A. (2005, March 31). No Local Government Elections For Now. *New Straits Times*, p. 2.
- Loy, I. (2010, September 10). Development: Cambodia Mulls Affirmative Action for Women. *Global Issues: Social Political, Economic and Environmental Issues That Affect Us All*. Retrieved July 26, 2012, from <http://www.globalissues.org/news/2010/09/10/6894>
- Non-Governmental Organization (NGO) Shadow Report Group. (2005). *Reviewing the Government's Implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*. Kuala Lumpur: Women's Aid Organisation.
- Norris, P. (2004). *Electoral Engineering: Voting Rules and Political Behavior*. Cambridge: Cambridge University Press.
- Parawansa, K. I. (2005). Case Study: Indonesia. Enhancing Women's Political Participation in Indonesia. In J. Ballington (ed.), *Women in Parliament: Beyond Numbers* (pp. 82-90). Stockholm: International Institute for Democracy and Electoral Assistance (IDEA).

- Paxton, P., Hughes, M. M., & Painter, M. A. (2010). Growth in women's political representation: A longitudinal exploration of democracy, electoral system and gender quotas. *European Journal of Political Research*, 49, 25-52.
- Peraturan KPU 44/2008 of Indonesia. (2008).
- Philippine Commission on Women. (2009). *Local Sectoral Representation Bill*. Retrieved July 29, 2012, from <http://www.pcw.gov.ph/wpla/local-sectoral-representation-bill>
- Republic Act No.7160 of the Philippines. (1991).
- Republic Act No.9710 of the Philippines. (2009).
- Sanbonmatsu, K., Carroll, S. J., & Walsh, D. (2009). *Poised to run: Women's pathways to the state legislatures*. New Brunswick, NJ: Rutgers University, Eagleton Institute of Politics, Center for American Women and Politics.
- Sanbonmatsu, K. (2006). *Where Women Run: Gender & Party in the American States*. Michigan: University of Michigan Press.
- Scanagri Denmark Consortium. (2009). *Final Evaluation of Timor Leste Rural Development Programme (TL RDP)*. European Commission.
- Smith, A. R., Riengold, B., & Owens, M. L. (2012). The Political Determinants of Women's Descriptive Representation in Cities. *Political Research Quarterly*, 65 (2), 315-329.
- Sun, T. W. (2004, December). Gender Representation in Politics and Public Administration: Taiwan and Asian Countries. *Paper presented at the 18th Conference of International Association of Historians of Asia (IAHA)*, Taipei, Taiwan: Academia Sinica.

- The 1945 Constitution of Indonesia. (2005).
- The 1987 Constitution of the Republic of the Philippines. (1987).
- The Asia Foundation. (2004). *Law and Justice in East Timor*. Retrieved August 05, 2012, from http://asia-foundation.org/pdf/easttimor_lawsurvey.pdf
- The Constitution of the Kingdom of Cambodia. (1993).
- United Nations (UN) Human Rights; UN WOMEN. (2011). *UN welcomes Cambodia's commitment to women's rights in being the 100th country to ratify new procedure*. Retrieved July 26, 2012, from http://cambodia.ohchr.org/WebDOCs/DocStatements/2011/012011/UN_welcome_to_CEDAW_Eng.pdf
- UN Women East and Southeast Asia (ESEASIA). (2012). *UN Women East and Southeast Asia Region*. Retrieved August 2, 2012, from <http://www.unwomen-eseasia.org>
- UN Women; IPU. (2012). *Women in Politics: 2012*. Retrieved July 31, 2012, from www.ipu.org/pdf/publications/wmmmap12_en.pdf
- United Nations Development Programme (UNDP). (2010). *Women's Representation in Local Government in Asia Pacific - Status Report 2010*. Jakarta: UNDP.
- UNDP Indonesia. (2010). *Women's Participation in Politics and Government in Indonesia*. Jakarta: UNDP Indonesia.
- United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP). (2001). *Report on the State of Women in Urban Local Government Malaysia*. Retrieved August 3, 2012, from www.unescap.org/huset/women/reports/malaysia.pdf

United States International Grantmaking (USIG). (2012, June). *Country Information: Indonesia*. Retrieved July 27, 2012, from <http://www.usig.org/country-info/indonesia.asp>

UU 2/2008 of Indonesia. (2008).

Zavadskas, E., Turskis, Z., & Tamosaitiene, J. (2011). Selection of construction enterprises management strategy based on the SWOT and multi-criteria analysis. *Archives of Civil and Mechanical Engineering*, 9 (4), 1063-1082.

BUILDING SUSTAINABLE PARTNERSHIPS TO PROMOTE **WOMEN'S POLITICAL REPRESENTATION** IN SOUTHEAST ASIAN REGION

In a democratic country, gender equality is an element that needs to be guaranteed by the government, particularly in political positions such as in government offices, political parties, and other decision-making institutions. Unfortunately, such condition faces a significant obstacle that comes in the form of patriarchy system in the society, especially in the parliament as an institution representing the society. Currently, there is already an internationally recognized minimum target of 30% women as political representatives in the legislature bodies, as part of the initiative to promote women representation in the parliament. It is expected that with this target, women would have a starting point to claim their rights and to have a significant influence in the decision-making process.

Throughout the Southeast Asia region, not one of the countries has met the target above. Therefore, increasing women's political representation becomes a critical challenge that should be addressed by every country in the region. Inline with this spirit, the Partnership for Governance Reform (Kemitraan) Indonesia, with full support from United States Agency for International Development (USAID), is currently working on a program called "Building Sustainable Partnerships to Promote Women's Political Representation in Southeast Asia" under Inisiatif Kemitraan Asia Tenggara – United States (IKAT-US) Component 1. In this program, Kemitraan works closely with the National Democratic Indonesia (NDI) and other regional partners, i.e. Indonesian Women's Coalition (KPI); Persatuan Kesedaran Komuniti Selangor (EMPOWER) from Malaysia; the Women's Caucus from Timor-Leste; the Cambodian Center for Human Rights (CCHR); and the Center for Popular Empowerment (CPE) from the Philippines.