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POLICY BRIEF
WOMEN AND POLITICAL REPRESENTATION IN THE ARAB REGION
UN-ESCWA CENTRE FOR WOMEN
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*“Women’s political participation is a fundamental prerequisite for gender equality and genuine democracy. It facilitates women’s direct engagement in public decision-making and is a means of ensuring better accountability to women.”*¹

This policy brief addresses the concern that gains made by women in the Arab region would be rolled back in the wake of the recent uprisings. In this context, the brief will overview the causes for low political participation of women in the ESCWA member countries, and discuss the presence of women in elected legislative bodies, upper houses, and cabinets, before arguing – in line with the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) – that governments should consider quotas as a temporary measure to increase women’s participation, especially in elected institutions. The brief concludes with some proposed actions towards greater involvement of women in decision making processes.

Causes for women’s low political participation

Women’s activism in the early twentieth century has guaranteed them the right to vote,² as early as 1949 in the Syrian Arab Republic and 1952 in Lebanon. In the following years, women in most countries in the region earned the right to vote as follows: Egypt in 1956, Tunisia in 1959, Morocco in 1963, Libya and Sudan in 1964, Yemen in 1967 (Southern) and in 1970 (Northern), Jordan in 1974, Iraq in 1980 and Palestine³ in 1996. The GCC countries have followed suit in the early twenty-first century, where women were granted the right to vote and run for elections in Qatar in 1999,⁴ in Bahrain in 2002, in Oman in 2003,⁵ in Kuwait in 2005,⁶ in the United Arab Emirates in 2006⁷ and in Saudi Arabia in 2011.⁸ However, it is important to note that women’s representation in elected political institutions in the Arab region remains below the international level. This is epitomized by the world proportion of women in parliament of 20.3 per cent when compared to the proportion of women in Arab parliaments of 13.2 per cent in 2012.⁹ Nevertheless, while this level of proportional representation by Arab women is the lowest in the world, there has been noticeable progress in the past decade, whereas the proportion of women in Arab parliaments has recently doubled from its 2004 rate of 6.2 per cent.¹⁰

Causes for the low political participation of women in general include sociological, structural, psychological and ideological barriers.¹¹ In the Arab region, the *sociological argument* purportedly includes the omnipresence of patriarchy,¹² which has religious, economic, familial and most importantly, political aspects.¹³ Patriarchy rests on notions of power dynamics that keep women in a subordinate position and on perceptions of social roles that make it unlikely for women to have equal access to financial resources and adequate state level formal representation.¹⁴ Patriarchy as such is mainly reinforced by a political system consisting of heads of state, parliamentarians, political parties, and government officials that are primarily male.¹⁵ Conservative interpretation of religious text within the Arab region is arguably another sociological barrier to women’s political participation. Indeed, in the wake of the recent Arab uprisings and regime changes, fear rose that women will lose some rights in countries where conservative Islamist parties acceded to power. However, a quick glance at Muslim states outside the Arab region shows that in Indonesia for example, women received 18 per cent of the vote without the presence of a quota system. Prominent Muslim women in countries such as Pakistan were also able to ascend to the highest office in their land, decades before women’s candidacy for the highest political office was taken seriously in countries such as the United States or France. Therefore religion in and of itself is not the decisive element or necessarily a hindrance to women’s participation in political life.¹⁶

Structural barriers for women’s political participation include lack of support from political parties, limited availability of campaign financing, and the absence of cooperation between women’s civil society organizations and trade and labour unions.¹⁷ These problems are not exclusive to countries in the Arab region, but may also be noted elsewhere including European and North American states.

Scholars have argued that women often look down on the political realm perceiving it as corrupt and unclean,¹⁸ and therefore unsafe for women. A United Nations report has shown that in the Arab region “women are not active in politics because politics is not a safe and secure place”.¹⁹ Indeed women have in

some cases had their reputations smeared or have been threatened with physical harm or with attacks against their families as a punishment for running for office.²⁰ This constitutes what has been termed a *psychological hurdle* for women's contribution to politics. As for the *ideological deterrents* to women's involvement in political activities, they also include some perceptions in the region that women's political participation is part of a feminist agenda alien to the local culture, and therefore the main component of a Western Orientalist agenda imposed on the region.²¹

While women's participation in political institutions in the ESCWA region remains low, in the past decades there has been progress in the conditions that make greater political involvement possible. Some states have introduced over the years policies that benefited women in their nation-building plans, especially literacy programs²² (which have been credited as enhancing the agency of women and increasing their capacity for political and economic participation). For example in the United Arab Emirates, illiteracy which affected 85 per cent of women in the early 1970s has fallen to 7.6 per cent in 2005. Women also make up the majority of students attending university at a rate of 70.8 per cent.²³ Development plans have also reflected positively on women's economic participation, despite evidence of ongoing low representation of women in the labor force. For instance, in Saudi Arabia women own 40,000 of commercial registers, an increase of 77 per cent from 2007.²⁴

Backlashes after the uprisings?

In many Arab countries – including the two that recently witnessed uprisings followed by regime change, Egypt and Tunisia – the state has put women's issues on the nation-building agenda, especially in the early stages of post-independence.²⁵ Consequently, various state-instituted measures promoted women's rights to a great extent, leading in many countries to the state's control of the official discourse on women's issues. In this connection, women's civil society organizations were also often expected or obliged to develop patron-client relationships within the context of the regime “thus emulating the patriarchal patterns found in their societies at large”.²⁶

Women's rights in such settings were therefore strongly associated with the regime if not, in some countries, with individual members of the inner circle. An example is the Egyptian case where the former First Lady was perceived as having pushed for laws such as the Khul' law.²⁷ While this law was thoroughly reviewed and approved by two Islamic institutions, *Al-Azhar* and *Majma' al-buhuth al-islamiyya*, its association with the First Lady meant that after the fall of the Mubarak regime a backlash against women was predictable. While this law has not been annulled, a backlash may nevertheless be seen in the sidelining of women in Egyptian politics, when the Muslim Brotherhood's Freedom and Justice Party and their Salafist allies won a majority of seats in both houses. It is therefore not surprising that the percentage of women in the post-uprising Egyptian lower house (Majlis al-Shaab) fell from 12.7 per cent to 2 per cent, and that the representation of women in the upper house (Majlis al-Shura) dropped from 7.9 per cent to 4.4 per cent after the January 2012 elections.²⁸ In addition, women were not represented in the committee charged with writing the new constitution in Egypt. Sidelining women in the politics of the first period of post-uprising prompted the Chair of the Egyptian National Council of Women to underscore in a paper to the Fifty-seventh Session of the Commission on the Status of Women that “the new constitution ignored the basic rights of women politically, socially and economically”.²⁹ Evidence for this assertion can be found in the discourse of Muslim Brotherhood members who until June 2013 controlled Egyptian political life. The Muslim Brotherhood gave a lukewarm support to women's presence in elected office, and categorically refused the election of women to the highest offices. In the words of the vice president of the Freedom and Justice Party: “We support a woman's right to education, to employment, even to become a Member of Parliament or government minister – but not to occupy the position of national sovereign”.³⁰

In Tunisia, the post-independence regime granted women the right to vote in 1959, and legislation drafted in the 1950s gave them a unique place in the Arab region. For example, civil marriage was imposed in 1958 and abortion rights were granted in 1965. These changes were consecrated and improved³¹ upon under the regime of Zine el-Abdin ben Ali.³² After the uprising which started in December 2010 and led to

regime change, it was feared that women were to be Tunisia's biggest losers.³³ This was demonstrated in the recent discussion of the constitution in July 2013, when civil society activists claimed that the National Constituent Assembly's (NCA) draft constitution emphasized the "government's unwillingness to enforce gender equality".³⁴ This led the head of a Tunisian NGO that provides microloans for women to argue "The dictatorship was pro-women. The hatred against the dictatorship is expressed through action against women".³⁵ Moreover, in August 2012 male and female parliamentarians from the En-Nahda party voted on the draft of a new constitutional provision that would deprive women of their right to be "equal to men", thereby attempting to implement the concept of "complementarity"³⁶ instead of equality between the two sexes. In response, tens of thousands of women demonstrated to show their opposition to the proposal. The proposal did not move forward³⁷ demonstrating the important impact that women's activism and participation can have on policy-making. In the same vein, the results of elections in Tunisia have not reflected any loss for women. The percentage of women in parliament has basically remained the same.

Women in Senates and Upper Houses

While the percentages of women's representation in elected legislatures remain very low in all ESCWA member states, they are sometimes better represented in institutions where they are appointed, such as upper houses and cabinets. This trend may be traced to the desire of leaders to show progress in women's political involvement, especially after the Arab League summit of 2004 where participating officials pledged as part of their promises of political reform, to increase women's contribution to the political, economic and societal fields.³⁸ This was the first time Arab leaders jointly expressed their firm commitment to enhance women's role in politics.³⁹ In addition, the *Arab Human Development Report* of 2005 showed the reality of women's conditions in Arab societies, and seems to have provided an additional incentive to improve the status of women in the region.⁴⁰

The phenomenon of appointing women to cabinets or upper houses is perhaps best exemplified in the nomination in early 2013 of 30 women to the Shura Council in the Kingdom of Saudi Arabia, a consultative body without legislative powers. These women are highly educated with a majority holding doctoral degrees.⁴¹ This is in keeping with the findings of scholars who argue that across all countries, the majority of women in high political positions tend to come from privileged backgrounds.⁴² While Saudi Arabia did not declare that it was implementing a women's quota, the end result is effectively one. Indeed, these 30 women now make up 19.87 per cent⁴³ of the Saudi Shura Council.

In cabinets in the ESCWA Region, women have been often appointed as ministers of state without a portfolio, or offered service ministries such as education, health, social affairs or human rights. One explanation for these appointments is that these domains are often perceived as an extension of the woman's role inside the home. However, in a sign of positive change, women have in the past decade been assigned the leadership of so-called "sovereign ministries".⁴⁴ For example, in Lebanon a woman was allocated the finance portfolio in 2009, while another had been assigned the economy portfolio in the United Arab Emirates in 2004. Women were also allocated important portfolios such as Planning in Jordan and Kuwait, and Labour in Sudan, and as such indicating an increasing willingness to grant women cabinet positions that have traditionally been the domain of men.

CEDAW and the quota system

Perhaps the most important international agreement that promotes the status of women is CEDAW, which has been ratified by all ESCWA member states with the exception of Palestine⁴⁵ and Sudan. However, most states have expressed significant reservations on some of the core articles of the convention, including articles 2, 9, 15, and 16 or the articles dealing with nationality issues and equality, which are generally considered contrary to the principles of *Sharia*.⁴⁶ For example article 16 mandates equality in marriage and in its dissolution, and is seen as contravening *Sharia*. One interpretation of *Sharia* considers the husband as the head of the household, giving men unilateral right for divorce and custody of all children after a certain age.⁴⁷ In a sign of positive change, Tunisia withdrew in August 2011 all its reservations⁴⁸ to CEDAW,⁴⁹ and

Morocco notified the Secretary-General in April 2011 that it had withdrawn its reservations to articles 9 and 16 of CEDAW.⁵⁰

However, none of the ESCWA member states has expressed any reservations to article 4, paragraph 1 of the Convention which calls for “temporary special measures aimed at accelerating de facto equality between men and women”. The most important temporary measure to increase equality between the two sexes in the political realm is quotas. Quotas are an affirmative action measure aimed at ensuring a higher representation of women in elected legislatures or councils. They are mandated either through constitutions and electoral laws, or through political parties.

Of the 33 countries in the world with 30 per cent or more women in parliament today, 26 have quotas in place.⁵¹ The highest percentage of women elected with quota measures is in Rwanda where women constitute 56.3 per cent of the lower house after the 2008 elections and 38.5 per cent of the upper house after the 2011 elections.⁵² Several ESCWA member states have adopted the quota system, including Egypt, Iraq, Jordan, Morocco, Palestine, Sudan, and Tunisia. Two types of quotas are observed in the region: legal candidate quotas, and reserved seats.⁵³

Legal candidate quotas

Legal candidate quotas specify the minimum percentage of candidates for election that must be women. They apply to the lists of candidates of the different political parties. Iraq is an example of a country that adopted this type of quota. On 8 March 2004, the post-Baath regime adopted an interim constitution with laws governing the role of electoral law and political parties in the election of the National Assembly. The electoral law stipulates a goal of no less than one-quarter of the National Assembly to be composed of women alongside a fair representation of Iraqi minority communities (Constitution, Article 49.4). In addition, according to Election Law No.16, 2005, the proportion of women in the candidate lists cannot be less than 25 per cent.⁵⁴ Therefore in the latest elections women won 25.23% of seats in the Iraqi parliament.⁵⁵

Reserved seats

In countries where reserved seats are adopted, a certain number of seats is set aside for women in elected institutions. Pre-uprising Egypt is a case in point. In June 2009, the Lower House of the Egyptian People’s Assembly expanded the number of seats in the parliament, adding 64 seats which were all reserved for women. This decision was taken because female representation in the lower house had declined under the Mubarak regime. Complaints against this quota have been registered by the opposition who considered the system as maintaining the support of women affiliated with the ruling National Democratic Party.⁵⁶ This quota system did not apply to the Upper House.

States with quota systems have seen a higher percentage of women in parliaments than states which have not used this measure. The proportion of women represented in ESCWA countries with quotas is two times greater than countries without a quota system for women.⁵⁷ Nevertheless a counterexample can be found: in the Syrian Arab Republic in the legislative elections of 2003 and 2007 women won about 12 per cent of seats without a quota system. An explanation for this discrepancy lies arguably in the nature of the Syrian political system itself with an ideology that claims to empower women.

Some studies have shown that quotas do not always lead to an increase in the representation of women in legislative bodies.⁵⁸ Indeed, the type of quota determines its effectiveness, and reserved seats and voluntary party quotas (which do not exist in the ESCWA member states) are seen as the most effective.⁵⁹ But quota systems alone are not enough: another problem is the lack of implementation mechanisms for the quota, thus indicating the need to impose sanctions for non-compliance. Arab countries with quotas do not seem to have effective implementation systems. These countries do not penalize political parties which often follow the letter of the law, not its spirit. This explains why the number of women in parliament fell in Egypt after the recent elections.

Way forward

Quotas are evidently important to increase the number of women in parliaments. However, having women in elected institutions and high political office does not necessarily mean that these women will adopt a pro-woman agenda. In some cases, women in parliament are stand-ins for their husbands or other family members. In other cases, women elected through the quota system are often seen as token women⁶⁰ and may be accused of being ineffective. Nevertheless, the quota system has so far proven to be the most effective approach to bring a large mass of women to elected institutions. Experiences from Scandinavian countries show that once women's numbers attain a critical mass and once they develop a constituency, they will be able to influence political norms and culture.

One way to increase women's visibility in politics is to achieve greater gender parity in Arab governments. The Beijing Platform for Action had called for the adoption of the quota (at least 30 per cent) as a tool to boost women's participation in decision-making at both the legislative and executive levels. Arab governments are therefore encouraged to increase the number of women appointed to the cabinets and to give these women higher profile portfolios.

Another way to achieve greater gender balance in political representation is in increasing the number of women elected to Arab parliaments. For that purpose it is recommended that governments undertake the following pre-election measures:

1. Conduct awareness campaigns on the importance of women's representation in parliament.
2. Reserve 20-30 per cent of seats in local and legislative elections for women.
3. Require political parties to nominate women for elected positions by passing laws that guarantee women a place at the top of electoral lists.
4. Create an enabling environment protective of women ahead of elections to ensure that violence is curbed.
5. Condemn acts of violence and threats against women candidates and parliamentarians or their families.⁶¹
6. Penalize smear campaigns against female candidates with large fines and/or prison time.⁶²
7. Impose a ceiling on electoral campaign expenditures – as a measure to increase the competitiveness of women candidates.⁶³

¹ http://www.unifem.org/gender_issues/democratic_governance/

² All dates are from <http://www.ipu.org/wmn-e/suffrage.htm>.

³ ESCWA, Beijing +10 National Report of Palestine E/ESCWA/WOM/2004/IG.1/CP.14.

⁴ <http://www.pogar.org/publications/other/unpan/corruption-UNPAN016205.pdf>.

⁵ Sanja Kelly, Julia Breslin (ed) *Women's Rights in the Middle East and North Africa: Progress Amid Resistance*, Plymouth: Rowman and Littlefield, 2010, p. 338.

⁶ http://news.bbc.co.uk/2/hi/middle_east/4552749.stm.

⁷ Sanja Kelly, Julia Breslin (ed) *Women's Rights in the Middle East and North Africa*, p.534.

⁸ <http://www.bbc.co.uk/news/world-us-canada-15052030>.

⁹ <http://www.ipu.org/pdf/publications/WIP2012e.pdf>.

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- ¹⁰ <http://www.ipu.org/wmn-e/March04.pdf>.
- ¹¹ Conway, M. "Women and Political Participation", *Political Science & Politics*, 34, 2001, 231-232.
- ¹² Deniz Kandyoti, "Bargaining with Patriarchy" *Gender and Society*, 2:3, 1988, p. 278.
- ¹³ Suad Joseph, Patriarchy and Development in the Arab World *Gender and Development*, 4:2, 1996, p. 15-18.
- ¹⁴ Sylvia Walby. *Theorizing Patriarchy*, Cambridge: Polity Press, 1997.
- ¹⁵ Suad Joseph, 1996, p. 17.
- ¹⁶ http://www.idea.int/publications/wip2/upload/Arab_World.pdf.
- ¹⁷ Ibid.
- ¹⁸ For example, Aili Mari Trip, *Women and Politics in Uganda*, U of Wisconsin Press, 212, p. 179.
- ¹⁹ United Nations Development Fund for Women (UNIFEM), *Progress of Arab Women 2004*. Amman: UNIFEM Arab States Regional Office, 2004.
- ²⁰ <http://www.american.edu/spa/wpi/upload/2012-Men-Rule-Report-web.pdf> and <http://www.brookings.edu/research/papers/2008/05/women-lawless-fox>.
- ²¹ http://www.idea.int/publications/wip2/upload/Arab_World.pdf.
- ²² <http://www.who.int/bulletin/volumes/83/6/campbell0605abstract/en/>.
- ²³ <http://www.sheikhmohammed.com/vgn-ext-templating/v/index.jsp?vgnextoid=7d3c4c8631cb4110VgnVCM100000b0140a0aRCRD>.
- ²⁴ <http://www.un.org/womenwatch/daw/documents/ga65/Saudi%20Arabia.pdf>.
- ²⁵ Mervat Hatem has termed this attempt of the state to push for women's rights "state feminism". See Mervat Hatem, "Economic and Political Liberation in Egypt and the Demise of State feminism" *International Journal of Middle East Studies*, 24:2, 1992.
- ²⁶ http://www.idea.int/publications/wip2/upload/Arab_World.pdf.
- ²⁷ Klul' is a divorce initiated by the wife, whereby she returns any dowry that had been paid.
- ²⁸ <http://www.quotaproject.org/uid/countryview.cfm?CountryCode=EG> and http://www.ipu.org/parline/reports/2374_A.htm.
- ²⁹ <http://www.un.org/womenwatch/daw/csw/csw57/panels/panel1-paper-el-tallawy.pdf>.
- ³⁰ <http://msmagazine.com/blog/2011/11/07/egypts-first-woman-candidate-begins-campaign/>.
- ³¹ Many Tunisian feminists perceived these changes as an attempt to appease the West rather than an expression of a genuine commitment to women's rights and social change.
- ³² Ben Ali took office in a bloodless coup in 1987 and was removed from office in January 2011 as a result of the uprising.
- ³³ <http://english.alarabiya.net/en/views/2013/04/09/Post-revolution-women-are-Tunisia-s-biggest-losers.html>.
- ³⁴ <http://www.tunisia-live.net/2013/07/02/governments-commitment-to-womens-rights-called-into-question/>.
- ³⁵ http://www.nytimes.com/2013/02/21/world/middleeast/women-face-fight-to-keep-their-rights-in-tunisia.html?_r=0.
- ³⁶ <http://www.al-monitor.com/pulse/politics/2012/08/tunisia-are-womens-rights-fading.html>.
- ³⁷ Hence article 22 of the draft constitution guaranteed full equality to women whereas article 28 described women as men's "partners" in the context of the family. http://mideast.foreignpolicy.com/posts/2012/08/20/complementary_status_for_tunisian_women.
- ³⁸ The text of the declaration stated the leaders' firm determination "To endeavor, based on the Declaration on the process of reform and modernization in the Arab world, to pursue reform and modernization in our countries, and to keep pace with the rapid world changes, by consolidating the democratic practice, by enlarging participation in political and public life, by fostering the role of all components of the civil society, including NGOs, in conceiving of the guidelines of the society of tomorrow, by widening women's participation in the political, economic, social, cultural and educational fields and reinforcing their rights and status in society, and by pursuing the promotion of the family and the protection of Arab youth", <http://www.saudiembassy.net/archive/2004/statements/page13.aspx>.
- ³⁹ Al-Maitaah et. Al. "Arab Women and Political Development" *Journal of International Women's Studies*, 12:3, p. 14.

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- ⁴⁰ <http://www.arab-hdr.org/publications/other/ahdr/ahdr2005e.pdf>.
- ⁴¹ <http://www.shura.gov.sa/wps/wcm/connect/ShuraEn/internet/cv>.
- ⁴² Liddle & Miechielsens, “Women and Public Power: Class Does Make a Difference” *International Review of Sociology*, 10:2, 2000, http://www.tandfonline.com/doi/abs/10.1080/713673999?journalCode=cirs20#.UdJ_ZHpQCq0.
- ⁴³ http://www.ipu.org/parline-e/reports/2373_A.htm.
- ⁴⁴ These portfolios include for example defense, interior and finance.
- ⁴⁵ As Palestine was not recognized as a state, it could not ratify any international convention. However, Palestine “symbolically” ratified CEDAW in 2009, http://www.enpi-info.eu/files/publications/Situation%20Analysis_Report_OPT.pdf.
- ⁴⁶ <http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm>.
- ⁴⁷ http://www.unicef.org/gender/files/Reservations_to_CEDAW-an_Analysis_for_UNICEF.pdf.
- ⁴⁸ With the caveat that Tunisia “shall not take any organizational or legislative decision in conformity with the requirements of this Convention where such a decision would conflict with the provisions of Chapter I of the Tunisian Constitution”, <http://www.hrw.org/news/2011/09/06/tunisia-government-lifts-restrictions-women-s-rights-treaty>.
- ⁴⁹ <http://www.unicef.org/gender/files/Tunisia-Gender-Equality-Profile-2011.pdf>.
- ⁵⁰ http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en#72.
- ⁵¹ <http://www.ohchr.org/EN/newyork/Stories/Pages/Workingtowardsmorewomenleaders.aspx>.
- ⁵² <http://www.ipu.org/pdf/publications/wmnpersp11-e.pdf>.
- ⁵³ Voluntary political party quotas are not in use. For a list of countries that use this type of quota see <http://www.quotaproject.org/systemParty.cfm>.
- ⁵⁴ <http://www.quotaproject.org/uid/countryview.cfm?CountryCode=IQ>.
- ⁵⁵ <http://www.ipu.org/parline/reports/2151.htm>.
- ⁵⁶ <http://fpc.state.gov/documents/organization/124082.pdf>.
- ⁵⁷ http://mideast.foreignpolicy.com/posts/2012/01/19/do_arab_women_need_electoral_quotas.
- ⁵⁸ For example, Paxton et al. “Growth in women's political representation: A longitudinal exploration of democracy, electoral system and gender quotas” *European Journal of Political Research*, 49:1.
- ⁵⁹ Tripp and Kang “The Global Impact of Quotas: On the Fast Track to Female Representation”. *Comparative Political Studies*, 41:3, p. 355.
- ⁶⁰ Drude Dahlrup (ed.) *Women, Quotas and Politics*, Routledge, 2006, p. 14.
- ⁶¹ During the 2011 elections of Majlis al-Shaab in Egypt, women retracted their candidacy after receiving threats of kidnapping of family members. Egyptian Center for Women's Rights “The Final Report of the 2011-2012 Parliamentary Elections” p. 25, <http://ecwronline.org/blog/2012/12/26/the-final-report-of-2011-2012-parliamentary-elections/>.
- ⁶² <http://www.ipu.org/pdf/publications/action-gender-e.pdf>.
- ⁶³ Such measure would at the same time increase the chances of male candidates from outside the circles of the financial elite.