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The 18th Women, Management and Employee Relations Conference, 2006

The 18th Women, Management and Employee Relations Conference, held on 27 and 28 July 2006, in the Sofitel Wentworth Sydney and attended by over 180 delegates from around Australia as well as New Zealand, attracted professional women and men from 67 organisations including the Department of Defence, State Emergency Services, EOWA, NSW Premier's Department, Diversity Council Australia, Commonwealth Bank, IBM and universities. source: http://www.lmsf.mq.edu.au

- **Key-Note Address**

Ann Sherry, AO, Group Executive Officer, Westpac New Zealand & Group Executive, Westpac New Zealand and the Pacific, Westpac Banking Corporation PAPER (PDF, 42KB)

- **Managing Distress at Work**

ANN SHERRY
CHIEF EXECUTIVE, WESTPAC , NZ

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ADDRESS: 18TH WOMEN, MAN AGEMENT & EMPLOYMENT RELATIONS CONFERENCE
DATE: 27TH JULY 2006
TIME: 6.45 PM
LOCATION: SOFITEL WENTWORTH HOTEL,SYDNEY
Introduction
It's always a great pleasure to be back here, among so many friends, colleagues and fellow-travellers in the great quest to create a truly fair and flourishing Australian society.
As I was preparing myself for this conference, and for this evening in particular, I spent some time considering what has changed in the EEO debate since the 1980s.
One thing that has definitely changed is that we've all become way too respectable.
In the old days EEO was a lefty feminist's preoccupation and people like me – like many of us - were viewed as ratbags and radicals. Great days indeed.
Now we're just solid pillars of the establishment. Every top banker and businessman and politician has discovered that EEO is good for business. Diversity is the favoured word on every corporate charter. Everyone wants to be part of it.
I feel like rushing out and getting a tattoo. Or perhaps you could heckle me, just so I can enjoy some nostalgia for the good old days.
Of course, the truth is, our task is far from over. And while the broad agenda is now mainstream, the urgency and importance of EEO has not diminished.
The Phases of EEO
In May this year the Australian Bureau of Statistics released its measures of Australia's progress or map which shows that women still hold only 10.2% of executive management positions in the ASX200 companies and 8.6% of board

positions. These numbers are an improvement on the 2002 survey but they are still – let's be blunt - woeful.

Across the Tasman, where I have headed Westpac's New Zealand and Pacific operations since 2002, the overall situation is hardly better. It's true that in the political and legislative spheres women well and truly occupy the highest echelons. New Zealand has had female prime ministers since 1997, and the country's Parliamentary Speaker, Chief Justice and Governor General are women, too.

That's a formidable line-up and one that Australia seems some way off emulating. But whatever demonstration effect these achievements may have had, there's no evidence that it's touched New Zealand's commercial sphere to any great extent. The stats reveal that while the environment in which business operates is dynamic and fast-paced, this sense of change is not reflected in board composition. For example, the latest figures show that women hold just 7.1 % of board directorships of major companies listed on the NZX, up from just over 5% in 2004.

So there is still a very big task ahead of us, on both sides of the Tasman. and if we are forced to repeat arguments year after year and wear business suits to achieve our goals – not to mention receiving good salaries - then I guess it's not too high a price to pay.

And though the task remains consistently before us, the way to achieve our particular goals has changed. The thrust and shape of the equal opportunity agenda is evolving. And there are new challenges emerging to confront us.

If I could sum up the agenda of the '80s and early '90s from the corporate perspective I'd say it was all about claiming equal treatment for people regardless of their gender or background. In the late '90s and into the new century the focus has been much more around recognizing differences and about explicitly identifying and removing the barriers to progress.

But as the new century unfolds I think the agenda is shifting again. And I think it's going to be about recognizing individuality and finding ways to maximise each person's capacities and contributions.

And this is going to test us all in new ways. Let me explain.

Recognising sameness

Back in 1993 when the American Bob Joss came from Wells Fargo to the helm of Westpac he said:

"going into any management meeting…was like going back in time for me. I was invariably in a roomful of white males."

At that stage corporate Australia was behind the times. It had been ten years since the sex discrimination act of 1984 and related legislation. The government sector had shown the way and corporate Australia now had to get its act together. And the agenda was about saying, *let's give women exactly the same rights and opportunities as men and we'll achieve equal outcomes*. So there was a lot of effort put into assimilation of women into the corporate world. And a lot of good things happened. But not enough.

Recognising difference

The agenda changed from the late '90s onwards and, instead of just trying to fit women into existing male-dominated corporate structures, the structures and dynamics within corporations were forced to change.

We've seen an effective overthrow of many of the old patriarchal models and the creation of new modes of workplace structures and behaviours. This is very clear if you look today at Westpac, where we've been openly trying to build a company that looks and feels like the diverse and various community it serves, and that diligently serves the community that it belongs to.

And when I say you can see the change, I mean it quite literally.

We've just moved staff from eleven offices across Sydney into one new building on Kent Street – and it's worth coming to visit because it's a great work environment, but it's also very much a statement about Westpac's changed world.

With its state-of-the art security and technologies, open plan, team meeting and networking sites, child care arrangements and visual design, the whole building is a statement of change from a paternalistic bureaucratic culture into one that is flexible, diverse, team-driven and customer oriented.

In our latest workforce profile we've found that at least 32 percent of our staff are fluent in a language other than English with Hindi, Cantonese, Mandarin, Filipino, Greek and Italian being the most common.

We've recruited over 1000 so-called mature age workers, or workers over the age of 45, since 2002 because we realised that our older customers want to deal with people who have had similar life experiences. So we've got a very large Australian business of 27,000 people that's really on a path to recognizing and valuing diversity both for its own sake and the sake of the business.

In the early EEO days we would emphasise all the capabilities that men and women shared. Today we've got the confidence to recognise the ways in which men and women are different.

We now accept that we need explicitly to identify and remove the barriers that prevent women from achieving their full potential.

And that has brought a whole lot of factors into play that are massively benefiting both women and men in Westpac.

Paid maternity and adoption leave, paternity leave, flexible working hours, job sharing, home-based work and on-site childcare.

The mantra within Westpac today is that if we help women with the things that are not working for them—by providing more flexibility, more networking opportunities, a better work environment and more challenging work—we will see more women staying with our company, returning to it after taking time out for their children, being satisfied and motivated in their job and fulfilling their professional potential.

The war for talent?

I said earlier that the future is not just going to be about recognising diversity. In fact, its going to require a deeper and stronger level of recognition of individual needs and development of individual skills. And this is going to create new challenges along with great opportunities.

Every year as you know, world business leaders gather in Davos in Switzerland for their Annual World Economic Forum.

And this year there was an air of panic around the place as global leaders declared that we are going to face a major global skills shortage –and soon.

Donald J. Johnston, secretary-general of the OECD said: *in developed countries, the question is not where the jobs will come from but where will the workers come from*. And this view was echoed by various business leaders. Samuel Dipiazza Jr is global CEO of US accounting firm PriceWaterhouseCoopers. He said: *in my 30 years experience I have never seen such an incredible shortage of talented people – whether it is in Germany, Brazil, China, India or Kansas.*

He went on: *there is this war for talent and we are not just talking about the top 5%. It is an issue even in countries with good population growth and education.*

Another business leader, Ben Verwaayen, CEO of BT in the UK, was also worried. *We do not have enough urgency*, he declared, *about innovation, not in the R&D sense, but in terms of job creation, getting women involved, getting minorities involved*.

The forum concluded that skill shortages need to be tackled by business through improved childcare services, wage equality and greater education opportunities.

Well, I think I can say that where corporate Australia was once well behind the game, now we are, in some ways at least, ahead of the pack. At Westpac we certainly do not take our diverse workforce for granted, we are making efforts to enable all our staff to contribute, and we are making conscious attempts to align the culture of our whole company to our beliefs. We are quite well advanced on the journey that these business leaders are saying must now begin.

But there is a still a long way to go before these ideas are accepted across our entire economy. And I think there is another important point to be made about the global workforce.

A few months ago I was in India. Here in Australia there is still this massive misconception that India is all about low skilled workers in call centres.

Not true. This is a huge economy with a massive, motivated middle class workforce, very well educated, English-speaking and ambitious, and lots of women visible.

I'm sure it will soon be the same in China. Frankly, the talent is there, and it's going to be competing with the Australian workforce.

And it's not just going to be about call centre jobs. It's going to be right across all fields of business. One of the top Indian business leaders was actually at that Davos meeting. Nandan Nilekani, the head of Infosys Technologies, told the Davos forum that at Infosys in India they already have their own finishing school to get college recruits ready to succeed in their business.

As he said, *the focus is on training people to be adaptable, flexible and able to change quickly with the times, because it is impossible to predict what we will need in the future*.

In India I visited Infosys and learned that it has on site childcare, gym, restaurants, laundry and dry cleaning and a 500-room hotel. So in both the war for talent and the war of talent, it seems to me that if Australia is to remain globally competitive we are probably going to have to redouble our efforts to train, retrain, support, encourage and enthuse our Australian workforce.

Here in Australia I know we have the talent.

The challenge is to draw it out, to maximise it, to get people enthusiastic and educated to contribute to their fullest ability. So we are going to have to do more, not less, with each member of staff.

And there's another factor which is perhaps equally driving this approach.

It's the attitude of employees themselves.

The fact is, employees today regard themselves very much as individuals, and expect their employers to treat them that way. It's no longer possible to assume that if someone sits within a particular designated minority group they must automatically share certain values or aspirations.

As we know, people within the same religious or ethnic or age or gender group may have vastly different attitudes to their own life experiences and needs.

It's not just that mature age and younger women are different. Even Gen X and Gen Y

women – with a scant ten or fifteen years age difference - regard themselves as very different generations.

Meanwhile a lot of young women simply do not identify with an EEO agenda at all – regarding it as out of date. In this environment, I think the pressure is going to be on all companies for a staff development agenda that is capable of being highly tailored to the explicit training and development needs of employees.

And I think this is eminently achievable, either through online learning, partnering with external providers, or by increased one-to-one coaching and mentoring.

And I think this level of personal attention will grow, both as an expectation of our employees and also as a fundamental requirement for business success.

Women achieving their potential

As an example of this new priority I want to mention one interesting and in some ways ground- breaking initiative that is underway to develop our Westpac women.

It's the women achieving their potential program. A look at our corporate profile showed us that, while women were doing quite well in Westpac, it was still the case that too many were stuck in middle management.

We wanted to help women identify and overcome the barriers to their further promotion.

And we didn't just put them on the usual leadership courses in Westpac, although these are still available and still useful.

Instead we worked with an expert provider todesign a course that explicitly addressed the needs of Westpac women at this particular middle management level in our particular company.

It's a custom-built course.

The program takes place over several months, and includes three components. First, three one day workshops cover topics such as work-life integration, gender differences in communication, networking, mentoring and personal brand.

It's openly dealing with the issues faced by women –these women – in their workplace.

Second, each participant is also involved in a team project which collaborates on a topic and makes specific recommendations to Westpac senior management.

One of the teams outlined barriers and solutions to flexible working arrangements. Its recommendations around technology issues and the need for better tools were quickly incorporated into our pilot on telecommuting this year.

The third element is that each participant gets four one-to-one coaching sessions with an external expert focusing on her personal development and career planning.

We've already reviewed and refined the program once and no doubt there'll be more fine turning as we go along.

But what's really important about it is that we didn't just say, *Oh look we need to ramp up more of our existing leadership programs*, or *Hey, we need to show Westpac women how to be more like Westpac men.*

We are trying to help these talented women recognise their own gifts and capacities, encourage them to support and network with each other, and get the organisation to recognise that doing things differently is essential if we are to fully capitalize on their talents.

This customised approach is getting great feedback from participants.

Plus some early tangible results in terms either of direct promotions - or sideways shifts that will give participants the right experience to eventually achieve that higher promotion.

The role of statistics

But I also want to warn that this approach is not without risk from an EEO perspective.

It's very easy for people to focus on their own individuals needs and results in the workplace, and forget about the bigger picture. So it's vital that corporates, academic institutions and Government agencies – and conferences like this - continue to monitor and broadcast the broader results.

We need that qualitative and quantitative data. We need to keep benchmarking and measuring our performance to ensure that we are driving towards a society that develops talent and values diversity.

In fact, not just in words.

Let me conclude by saying that the pressure is going to be on Australian society to make the most of the talents of every single individual. Not just because it is the right thing to do, but because we are going to need to use all our skills and talents as a nation if we are to compete with emerging societies like India and China.

Which brings me back to my thoughts on what has changed for those of us who are EEO campaigners of long-standing.

We used to be radicals fighting for justice. In the early days we were rejected by mainstream business as being out of touch with the demands of the 'real' world.

Now we have won the intellectual battle. Our position has become the mainstream, even if the results are still only partial and the task incomplete. And what started as a fight for individual rights within Australia is now part of a larger quest to create a sustainable economic future for Australia in the world.

That old seemingly radical position is now leading corporate Australia into the future. It's still a big challenge. but well worth coming back for, and standing up for, year after year.

And even if it does mean being respectable.

Dr Nicole Highet, Deputy CEO, beyondblue SLIDES (PDF, 1,335KB)

Beyond Blue Workplace Brochure

- **Leadership is Women's Business**

Melanie O'Connor, Managing Director, The Academy Network <u>PAPER</u> (PDF, 75KB)

- **Employment Relations: What's new?**

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PRESENTATION TO THE WOMEN, MANAGEMENT AND
EMPLOYEE RELATONS CONFERENCE
28 JULY 2006
LEADERSHIP IS WOMEN'S BUSINESS
Melanie O'Connor
Managing Director
The Academy Network

Good morning. I am delighted that Ed and Valerie have asked me to address this outstanding conference on the topic of women in leadership. I am also honoured to do so in the company of a panel of women who have reached such extraordinary levels of achievement in their respective fields – true leaders indeed. I would like to present an argument to you today that leadership is not just women's business. Leadership and its development is everyone's business. But developing women for leadership is business's future. I will explain why I so passionately believe that business is missing an extraordinary opportunity by not thinking carefully about how to attract, retain and develop more women for leadership positions. And I will also put forward where I see business is making 3 fundamental mistakes in its approach to developing women for leadership roles. Finally, I will propose what I think we can do about it.

This is a subject very near and dear to my heart. Throughout my career I have been fortunate in that I have been able to examine women in leadership from a variety of different perspectives – as a psychologist and human resource specialist who has worked with women to help them develop into leadership roles; as a lecturer on the MGSM MBA programme, watching the students as they try to develop their theoretical concepts of leadership; as an advisor to CEO's and boards on practical issues of leadership development and succession planning; and in my own personal roles as an executive, a Board member and as Managing Director of my own business.

Drawing on all these perspectives I am continually fascinated by the yawning gap between the rhetoric and the reality of what I am told is today's completely equitable, objective approach to selecting and developing leaders. The bad old days are gone, I'm told. No longer are our organisations inherently biased against women in leadership positions. In fact, some tell me indignantly, the pendulum

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has swung too far the other way – women are a protected species in organisations, some with their own special leadership programmes and women's lunches! Outrageous!

That's great, I say. So where is the evidence of the results? As I look around I have to say I can't see hordes of females leaping into CEO roles around the country. I can't see gender balanced boards and executive committees rapidly emerging as the dust settles from this female stampede. I can see many more

women in middle management positions, many more in the MBA programmes and many more in junior leadership development initiatives. Yet still there are remarkably few that make it to the top levels. The Catalyst data tells us that in Australia's top 200 publicly listed companies, with 44.5% of the workforce female, only 8.6% of directorships, 2.3% of CEO positions and 1% of Chairs are held by women. !0% of executives are female, although that drops to 6.5% in line roles. Who then is running these arguments that the gender balance issue has been solved, or at very least is taking care of itself? Not surprisingly the executives who have always run them. Not all – there are some wonderfully enlightened CEO's out there who are continually frustrated by the lack of progress in attracting and retaining women in senior leadership positions. But more disturbingly there are an increasing number of Human Resources folks and women themselves who seem to believe that the process is fine. One MBA student told me recently that her organisation was terrific at developing women, there were all sorts of courses she had been sent to, and even the company's values specified the importance of a diverse workforce. "That's great", I said. "How many women on your executive team?" "2 out of 10", she said, "HR and the General Counsel." "How many women on your Board?" I asked. "1 out of 9", she said. When I raised my eyebrows she hastily explained, "But that has to be because no other women wanted the roles, or were good enough. And when there are more women coming through, that will change."

So what is this all about? The 2 suggestions made by my MBA student are jarringly common – the hoary old chestnut about it just being a matter of time and as the pipeline of talent increases further down, it will naturally burst into the executive ranks. Let's just do a reality check on that one, shall we? It's been over 30 years since the anti-discrimination legislation was passed, folks – at the current rate of change we'll achieve gender balance in leadership sometime around the turn of the next century. There has been virtually no movement at all in the number of women holding CEO positions during the progressive Catalyst census. Can we really afford this rate of progress?

From what I observe the pipeline is bursting with well-educated, highly-skilled talented ambitious women, just waiting for their opportunity. The pipeline is also packed with equal numbers of well-educated, highly-skilled talented ambitious men. They are still getting far more of the opportunities.

The second suggestion is much more disturbing – the theory that women don't progress any further than the middle management levels because they don't really want to. They have other goals in life, such as family commitments, they don't like the hurly burly cut-throat nature or the work, they have important

priorities outside work. As one CEO described it to me recently, it's not that they can't stand the heat, it just that the women have had a good look at what's there, and they just don't like the look of that kitchen. Therefore they exercise their prerogative and opt out of the corporate leadership battles, choosing to stay at a lower level, or take a less pressured job, or start their own business to give them more control over their work-life balance. Basically, this argument goes, women are simply not as hungry for the top leadership positions and therefore are not as prepared to work hard to get them.

Now some of you may be thinking that sounds like eminent good sense on the part of women. You might agree with the argument that says the fact that few women make it to the top is in measure of their power, not powerlessness – their power to define success more broadly than simply through work and to act on that value. Thus it is not women that have the problem, it is the organisations they are leaving.

I would argue that today's organisations can't afford to ignore the female talent pool that is 50% of their potential leadership. Whether the organisations are covertly excluding them or the women themselves are self-selecting themselves out of the process because of the lack of attractiveness of what is on offer, it is the organisations that have got a real problem.

Why? You all know that business today is tough and getting tougher. Whether you are struggling to compete with a myriad of competitors and carve out a viable niche as a small business, or juggling the noisy conflicting demands of enormous numbers of stakeholders in an environment of constant change as a large enterprise in the public and private sectors, the expectation of continuously improving the way you do more with less is relentless. In such an environment, the research shows us that there is a key difference between the successful organisations and the plodders. The right strategy alone won't do it; the technology can't do it. All the plans in the world will not help you to achieve your business goals, unless you have the right people who can implement those plans, or use the technology. The essential lever that ensures an organisation executes its strategy is its talent.

From my observations, successful organisations have realised that talent is the key, and are doing 3 things to ensure they have a highly skilled group of current and future leaders:

• Ensuring they have the largest possible pool of talent available to them, building long talent runways down their organisations

• Ensuring that their talent has the right skill set needed to lead the business successfully into the future

• Ensuring that their culture and values is one that encourages innovation and diverse ideas, maximising the opportunities for continued improvement, efficiencies, expansion and growth

How does this make leadership women's business?

Firstly, we know that there are simply fewer Gen X's and Gen Y's coming into the marketplace to replace the retiring Baby Boomers. ACCESS Economics predicts that our current rate of 170,000 new entrants each year will have dropped to 12,500 per year in 2020. We know of the new entrants, many have a very different view of their potential career paths – they are far more internationally mobile than their predecessors, quicker to move between companies and many more are interested in being entrepreneurs and running their own businesses than working for someone else. And increasingly, businesses are searching for the same type of knowledge worker – smart, self-motivated, innovative, good communication skills. So the talent pool is shrinking and the war for talent is on.

It is a business imperative to try and broaden the talent pool as much as possible. The reality is, we just don't have that much surplus talent that we can afford to

ignore the female half. If the women are deciding at middle management level that senior leadership is not for them, then the organisations are going to rapidly experience a major talent drought.

Secondly, we know that the development of leaders has gone through different phases. In their wonderful book Funky Business, Swedish academics Ridderstrale and Nordstrom point out in the first phase of business leaders tended to be lawyers, as knowledge of judicial matters was crucial. The need for legal knowledge was gradually replaced with a need for technology knowledge, and so many leaders were engineers. The third generation of leaders tended to be those with financial and administrative backgrounds, as money became the focal point. But today, everything is a question of intangibles and intelligence. Leadership is about being able to manage the flow of knowledge, which resides in the people. Today, our employees are voluntary investors of their own intellectual capital. Today's effective leaders are those who are skilled in attracting and retaining talent, in creating cultures that encourage that flow and sharing of knowledge and investment of their intellectual capital into the business.

It is certainly a stereotype to say that women are more effective than men in this style of leadership – I'm sure we have all worked with some female leaders who have appalling people management skills and some male leaders who excel in this area. Yet there is sufficient hard data, dating back to verbal communications skills tests in primary and high schools, and going right through undergraduate and postgraduate results, as well as leadership inventories in organisations, that consistently demonstrate there are many women who have extremely strong skills in the area of verbal communication, people management and establishing collaborative communication networks. These are exactly the skill sets business needs in today's and tomorrow's leaders. Again, we just can't afford to ignore the people who possess them, or allow them to walk away.

Thirdly, we know that businesses must innovate for their survival – standing still means going backwards. We know, too, that a culture of innovation starts with diverse ideas, preparedness to take risks, to consider and try different approaches. Businesses make this challenge even harder when their leaders are all of the same gender, have similar backgrounds, attended the same schools, play the same sports, think the same, act the same. Great for solidarity and teambuilding;
lousy for original and creative thought. This tribal approach to leadership is a relic of the past that organisations can no longer afford to sustain.

So we can see that in spite of the rhetoric, leadership today is still pretty much men's business. Whereas leadership and its development should be everyone's business. And developing women for leadership is business's future. Women represent far too valuable a resource to allow them to keep slipping away.

If it is so imperative, then, that business is successful in attracting, retaining and developing more talented women into leadership roles, what are the organisational barriers that are getting in the way? I would like to point to 3 significant impediments that I have observed in my work – I would encourage you to think of others. Because it is only by recognising them that we can start to figure out how to dismantle them.

Firstly, let me tell you a little anecdote about leadership and succession planning. My youngest daughter has a dearly beloved and much cuddled stuffed rabbit that she has always slept with, named, with enormous originality, Bun-bun. Bun-bun spends his days while Bethany is at school sitting atop a throne of cushions on her bed, in charge of her bedroom and all the other toys. Bun-bun is an Important Toy. In fact Bun-bun is freely acknowledged as Boss of Bethany's bedroom. Interestingly, when we go on holidays, (and of course Bun-bun comes with us), Bethany always appoints a successor to look after the bedroom in Bun's absence. (A HR Manager's dream this child). During these last school holidays I noticed that Bun-bun was no longer sitting on his throne, but spent his days in a little handmade bed on the floor, although he still slept with Bethany at night. Instead there was a relative newcomer, PJ (wears pyjamas – also showing great originality) sitting on the throne.

What's going on? I asked Bethany. Well, she explained earnestly, Bun-bun is thinking about retiring because he is getting tired of always being in charge, and he's chosen PJ to replace him. Oh, I said, fascinated at the process of succession planning in Toyland. Looking around at the acres of cute and cuddly teddies and unicorns and wombats all over her room, I looked at this tiny little scrap of a bunny and asked the obvious question: What made Bun-bun choose PJ? Well, said Bethany, they both look the same because they're both bunnies, and they're really good friends, and he promised to do things just like Bun-bun. I went downstairs and said to my husband I can't believe it – even in Toyland the same 3 factors determine leadership succession – cloning, cronyism and comfort factor! My husband said he couldn't believe I was discussing succession planning with my 9-year-old's toys, but what can I say – I mentioned I was fascinated by the topic.

But sadly, I see that the desire to surround ourselves with people who are just like us, who agree with us, who see things our way, whom we like, still exerts an insidious influence on the leadership selection process. We have even developed a politically correct language around it – they have to be team players, they have to be "on board" with the vision and direction – in short, they have to be just like the people currently leading the organisations. Is it any wonder that women find it so difficult to break through this impenetrable barrier of cohesive mateship? Or choose not to try?

So where do organisations go wrong? Let me return to the 3 impediments that I have observed in my work:

• Looking in the wrong direction when choosing future leaders
• Taking an ad-hoc approach to providing the long-term development opportunities needed
• Failing to change the culture to meet the needs of the potential leaders

Firstly, let's look at the selection criteria for future leaders. Many organisations, particularly the larger ones, have put a significant amount of work into developing lists of competencies that leaders of their organisations require. And these can be very helpful in attempting to provide an objective framework to assess potential leaders against. The problem is not with the idea. It is with the competencies themselves and how they are used, or not used.

From my observations, most organisations still make the fundamental mistake of forgetting to look out the window when considering what they need in their future leaders. Many have a view that is firmly anchored over their shoulder. The Academy Network does a great deal of work in this area, helping executive committee and boards to think through what will make an effective future leader, and all too often the immediate reaction is based on what has worked in the past. Even when selecting the potential leaders for development, the tendency is to tell us about how they have performed in past roles, rather than thinking about the very different requirements for future roles.

The corollary to looking over your shoulder when selecting leaders is looking in the mirror. Looks like, talks like me, thinks like me, what a star!

The net result of looking over the shoulder or in the mirror to determine selection criteria and potential is that organisations are missing the opportunity to think strategically about what is required of their future leaders, and in so doing are often indirectly excluding women from their talent pools, many of whom possess exactly the skill set required.

There is quite a simple solution to breaking this bad habbit, which is in everyone's best interests. Organisations need to think carefully about the capabilities they will require in the future in order to successfully achieve their strategic direction, and the implications for the leadership skills. They then need to develop opportunities that enable them to assess the extent to which their potential leaders possess these types of skills.

Let me a give you a practical example of what this might look like. We have just completed designing and running an assessment centre with a client in the public sector. The first step was to identify the future organisational capability required and then translate this into a set of leadership behaviours. 18 of their middle level managers were selected to participate in the assessment centre, where they experienced 2 days in the life of the executives in the year 2010 – a series of activities designed with the existing leaders around their predictions of the type of work they would be doing. The senior executives observed their performance, findings were collated at the end of the centre, a comprehensive feedback report

was written and an 18 month development plan with a range of specific and individually designed opportunities was agreed for each participant.

What I found particularly interesting was that this was a heavily male-dominated command and control culture. Those who had traditionally moved to the highest positions were promoted based on their technical expertise in the jobs below. Having given considerable thought to what future leaders would require, very little of that technical expertise was relevant. What was important was an ability to manage change effectively, influence others, develop external networks with key stakeholders and attract, retain and motivate the staff. Performance at the Centre showed that most of the male participants will need a great deal of development in these capabilities, and that's OK, that was the purpose of the exercise. The even more interesting outcome was that the top performers at the Centre were women. They already had these skill sets.

Organisations need to put in place systematic processes that help them to look out the window when thinking about what skills future leadership needs, not over

their shoulder or in their mirror. And they just might surprise themselves when they realise how many women in their organisation already possess exactly the skill sets they need.

The second fundamental mistake that I see organisations make is their approach to leadership development and succession planning. Many organisations still really do replacement planning rather than succession planning, in that they think about who could step up if someone goes under a bus. From what I see real succession planning, involving thinking about a planned set of development opportunities to develop the right capabilities in potential leaders, is still quite rare. The reason that this is particularly important in the development of female leaders is that the data shows us that there is still an over-representation of women in support and service roles, such as Human Resources, Marketing and Legal. This is also reflected in the undergraduate choices made by female university students.

So the conversation goes like this:

Q: "Why do you only have 1 women out of 10 on your succession plan for the COO role?"

A: "Because she's the only 1 with any senior operational experience – the other senior women are all in admin departments"

Unanswered questions: "How was this allowed to happen? Has anyone talked to the other senior women about their career choices? What initiatives have you put in place to move them into operational roles so they can broaden their experience?"

Unspoken response: "We've never bothered to do anything because there were plenty of men to fill the senior roles"

Unless there is a dedicated development programme that picks up these women showing leadership potential and moves them into the pointy end of whatever business they are in, it is extremely unlikely that they will be appointed to the most

senior and powerful leadership positions, where such experience is deemed a prerequisite.

It is also important not to just dump the women into these mainstream roles without adequate support, otherwise they are simply being set up to fail. It is a significant career risk for a women to step away from her profession as a lawyer or marketer or psychologist into a generalist role, and to make that sufficiently attractive the organisation must think about the coaching, mentoring and development opportunities she will need to help her be successful in that role. Just as with selection criteria, organisations can put in place systematic approaches to succession planning that ensure that their future leaders have both the breadth of experience and the skill set required, rather than being forced to eliminate significant numbers of women from the potential pool.

The third fundamental mistake I see organisations make is assuming that the way work is currently organised and done is part of some immutable law, cast in stone, sacrosanct, rather than simply part of the culture that suits the current incumbents. For example, take the myth that the hours worked at the top are all-consuming, taking over one's life to the point that you cannot be a successful leader and balance this with a reasonable family life. I hear this a lot.

I would like to challenge this myth. Certainly, there are some CEO's who are workaholics, who put in extraordinary hours and who rarely go home. I would venture to say they do this because they enjoy it. There are also many CEO's who have a very well-balanced lifestyle – they go to the gym, jog, sail, go to the football and or opera and theatre at the weekend, socialise with their friends and colleagues and run their companies.

In my experience it is not so much the CEO's who are consumed by their work – they have people to delegate to! It is more often the people on the way up that work extraordinary hours, often because they think this is the way to impress those at the top with their passion and dedication. Sadly, it often works. For organisations with a culture of face time, getting in before the boss and leaving after is criteria for success.

But of course, it doesn't have to be like that at all. Organisations that focus on efficiency and quality of output avoid that culture, and reward people who produce results in the most effective way. And don't believe for one minute all that nonsense about having to stay up all night negotiating deals because the firm is customer focused. This is not about the customer. It is about making lots of money. Organisations that have done the less obvious calculations understand that the cost of burnt-out staff and wasted talent far outweighs the short-term gains of excessive hours worked.

So it is really entirely within the scope of the organisations to tackle its work in a way that suits the need of all of the leadership talent pool, including those who would like to balance their work and personal lives. It requires some original thought, but it can certainly be done. In my business, the advisors in The Academy Network, apart from me, are all people who have been in very senior

roles as CEO's or directors or General Managers, and are now at point in their career when they no longer want to work full time. Some have young families, some have grandchildren, some want to travel, some have hobbies they are pursuing with passion. But all have a wonderful contribution to make to continue to transfer some of their deep smarts to the current crop of developing leaders. So we design our culture and the way we work to balance with all of their interests. I am quite prepared to do this, because I want to attract and retain this talent pool. It can be done.

So all 3 of these impediments are certainly fixable. Looking out the window when choosing future leaders, taking a planned approach to providing the long-term development opportunities they need, and changing the culture and the way work is organised in a way that will attract and retain the largest pool of talent – all these things can be achieved with some thought and planning and most importantly, a willingness on the part of those currently in positions of power to make the changes.

Who will champion the cause? Who will explain the business imperative to the CEO's to make these changes? If everyone feels that there is no problem, where is the burning platform to initiate the new approaches to leadership development? It saddens me to hear that some senior women believe they cannot argue the case, as it will appear to be self-serving. One very senior HR Director with a young family explained to me that her hands were tied, because it would appear

that she was acting from self-interest. I don't agree.

Often you need to have someone who understands the issues to be able to be the champion of the change. I agree that it is not easy, and you may well be the target of ill-informed criticism. When I was appointed GM HR at NRMA I was 7 months pregnant with my first child. They had never had a female GM before; certainly never a pregnant one! We put in place a range of initiatives to make the workplace more family friendly and as a consequence, to reverse the dramatic turnover of women at middle management level. One of the Board Directors accused me at a Board meeting of engineering the entire programme for my own benefit, so I could take extended parental leave, in spite of the fact that I had no access to any of the benefits as I was on an executive contract. I had to threaten him with defamation to get him to withdraw the comments. It's not easy.

But if the men don't see the issues and the women don't want to draw attention to themeselves, who is going to be the change agent?

Many of you here today are in a unique position to jumpstart these changes. You are seen as the experts in your organisations on the topics of equity and diversity. Your programmes and initiatives can ensure that the P.J.'s of the world stay on the toy shelves a little longer, and that Sparkle the Bear and Wendy the Wombat are given serious consideration for the top roles, assessed on their merits, given the development they really need and supported with a culture that suits the needs of bears and wombats, as well as bunnies.

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You can make these changes, you can challenge the status quo, challenge the myths and assumptions that all is OK – delve deeply and honestly and see what results you are achieving in attracting, retaining and developing women into senior leadership positions.

Leadership is everyone's business. Attracting, developing and retaining women into leadership roles is business' future. Working out ways to do that is your business imperative. For all of our sakes, and the sakes of our daughters, I wish you every success.

Dr Marian Baird , Senior Lecturer, Work & Organisational Studies, The University of Sydney PAPER (PDF, 113KB)

- **Discrimination: Bridging the Gap**

1
Women, Management and Employment Relations Conference
27.7.2006
EMPLOYMENT RELATIONS: WHAT'S NEW?
Dr Marian Baird
School of Business
University of Sydney
m.baird@econ.usyd.edu.ai
It is a pleasure to be speaking here today – especially at a time marked by such historic shifts in our working and personal lives.

The topic for this session, 'EMPLOYMENT RELATIONS: WHAT'S NEW?' should

generate some lively discussion, as I can assure you that WorkChoices has certainly awakened some discontent in our society and perhaps unleashed the malcontents amongst some of us in the University sector.

I am speaking to you today based on research I and others have been doing across a range of issues relating to women and work. We do not know the full impact of the WorkChoices legislation yet because not enough time has passed; so I base my comments on research done to date and on the evidence we have gathered from reliable sources.

I am also inspired by the work being done by women around the country -- nuns in Queensland, Aboriginal social workers in NT, community workers in QLD, student workers in NSW, policy makers in Vic; women with disabilities in Australia, Bishops in Western Sydney. They have all expressed concern and are genuinely worried about

the impact of WorkChoices.

Thus, I am hoping to bring both rational and emotional intelligence to this presentation.

So – What is new?

As we have heard from our earlier speakers – there is a whole lot that is new –
There is a new regulatory environment, marked by a new underlying philosophy with the use of the Corporations power; new institutions, and new minimum standards.
There is no doubt that all of these significantly reshape the employment framework in

Australia.

However, in another sense, perhaps not that much is new in the world of work itself:
- women's participation at paid work continues to rise; women are now 45%
of the total workforce,
- a considerable proportion is in part-time work
- men's participation in unpaid work in the home continues to barely budge
2
- There continues to be marked occupational segregation of the labour force,
with women's work being different to men's work;
- for organisations, the 'ideal worker' continues to be – and ironically given
the shifting social context - the full-time, long hours employee. Just
yesterday the ABS statistics show the lengthening working week for those
in full-time employment to an average of 43.2 hours for men and 39.3
hours for women (Australian Social Trends 2006; Workforce 25.7.06).
And we know many more who work longer hours than this--
- In addition to this growth in paid work, I am pleased to see reported in
Tuesday's SMH that Mr Costello continues to expect Australian women to
also have more babies! (SMH, 25.7.06) (This is not new either as you will
surely recall his press conference 2 years ago urging Australian women to
have one for the mother one for the father and one for the country.)

What does this mean for women?

In some respects we might argue that as so much has already happened over the past
20 or so years, that WorkChoices won't have that much of an effect on women.
Furthermore, in some ways the new system, on the face of it, might be better. The

legislation of five minimum standards is apparently universal, gender neutral and transparent.

But on closer analysis, I don't really think this is the case.

I'd like to consider the impact on women of the new context under three main headings, all of which bode ill for women:

1. Minimum wage – which I argue is likely to decline in real terms and as a proportion of average earnings, disproportionately affecting women;

2. Pay equity – which may be harder to maintain and with more emphasis on individual bargaining we are likely to see a widening of the gap;

3. Work and family – it is likely to be harder to bargain for improvements and thus more difficult to balance our work and family caring roles

1. Minimum wages and women

WorkChoices has set the hourly minimum wage at last year's AIRC determined level, that is $12.75 per hour. It can now only be changed by the FPC. (Prior to the WC Act, minimum wages were set in awards by the AIRC on hearing cases from employers and unions.)

In May 2004, one quarter of all female employees - and nearly one third of private sector female employees - relied solely on award minima for their pay determination.

This compares with 15.7 per cent of all male employees who rely solely on awards for

determining their pay.

3

Award minimums were also more likely to be used to fix the wages of part-timers than full-timers. Just over a third of all part-timers (men and women) have their pay set by awards; the corresponding share amongst full-time workers is 12.6 per cent.

• Comparative studies may give us an indication of the future level of the minimum wage in Australia: The minimum wage is now approximately 60% of average earnings. In other deregulated systems, the ratio is far less:

o In NZ it is 47%

o In USA it is 36%

This is good news perhaps for economists and the economy, but not so good for the women who rely in these wages for their livelihood and well being.

• Despite discussion in the press, it seems unlikely that minimum wages set by FPC will rise at same rate as they had done in past under AIRC. We can reasonably expect the minimum wage to increase more slowly over time. In the US, the federal minimum wage is rarely adjusted.

• Furthermore, there is potential for different minimum rates for juniors, those with disabilities and training rates.

• The total effect will be to put downward pressure on minimum wage rates – and as a result some sectors and some groups of individuals will be impacted more. In particular, I am referring to the hospitality, retail and health and community services sectors, where large proportions of women are currently employed on award rates only (Australian Bureau of Statistics, *Employee Earnings and Hours May 2004 (Catalogue 6306.0),* Table 7, p.20 and Table 15, p.29).

• Hence, relative to other sectors of the labour market, women on minimum wages are likely to experience a decline in real wages over time.

Studies by my Western Australian colleagues of the impact of wage setting mechanisms suggests that **minimum conditions** of employment 'appear to become, *de facto*, **standard conditions** of employment for many women and part time workers. In this context, the streamlining or reduction of minimum conditions of employment might be expected to result in large scale changes to standard employment conditions for specific sectors of the labour market that have limited bargaining power.' (Preston et al, 2006)

2. Pay Equity

The second concern I'd like to alert you to is that of pay equity.

A number of studies have demonstrated an important link between the size of the gender pay gap and prevailing bargaining arrangements. In short, centralised systems

are typically associated with smaller gaps (Gregory and Ho 1985; Gregory and Daly 1990, 1992; Blau and Kahn 1992; Rubery 1992; Whitehouse 1992).

4

Apart from the 5 minimum standards, WorkChoices all but finally abolishes the centralised system in favour of a workplace or individual based system.

Today in Australia, the gender wage gap for average hourly earnings for full-time, non-managerial ranges from almost no difference between award rates of pay for men

and women - to a difference of 20% for registered individual agreements – oh sorry – in case you were uncertain - that is men earn 20% more than women, not the other

way around!

If past outcomes are a good predictor of the future, then women's gender pay gap is likely to increase under an individual bargaining regime.

Yet, the gender pay gap is only part of the concern; the other aspect is how the pay gap is to be addressed.

Here is more sad news – the State system comparable work value principles are to be

abolished – and while the AFPC must adhere to the principle of 'equal pay for work of equal value', it does not have the remit to consider the more sophisticated and nuanced notion developed by the NSW and Qld State tribunals of 'equal pay for work of equal *or comparable* worth'.

The gendered segmentation of the labour market means that for many women the 'equal pay for equal work' principle does not apply, because men just don't do the same work– Hence the importance of the comparable worth concept …

The Australian Chamber of Commerce and Industry's (ACCI's) submission to the Award Review Task Force currently underway (Jan 2006) makes it quite clear that employers are not in favour of this approach (nor do they seem to be very in favour of academics!)

They say the following:

'Notions of comparativism between industries, and of comparative worth *may have been the subject of some academic interest* and have been extensively examined in some state inquiries in recent years.

However, neither the fact that this review is being undertaken, nor the inclusion of limited references to anti-discrimination in the terms of reference, offer scope to render this an exercise in examining and evaluating comparative worth.' …
(ACCI at 172 c.)
They go on to say this:
'There are, we say quite deliberately, no provisions in the *Workplace Relations Act 1996* which support the type of major Pay Equity Inquiries undertaken in NSW and Queensland during recent years.' (ACCI at 176)
Well – at least we know where we stand!
5
Looking overseas again, European evidence shows that the gender pay gap worsens with age. So now we have something else to look forward to - and putting it all together, with the compounding effect, the picture looks like this to me:
Weakened bargaining power + undervalued 'women's work' + age = Gender pay gap likely to widen

3. Work and Family
My third concern is work and family.
Let's look at a condition that really is female specific – paid maternity leave.
ACCI make it clear what the new regime is about: 'Pay and conditions are now in the realms of bargaining'. (ACCI at 180)
ACCI's position also reinforces the federal government's point reported in Hansard 18 November 2006:
'Paid maternity leave continues to be a matter that can be negotiated at the workplace.
As it is part of parental leave, it is no longer an allowable matter under the Work Choices legislation. *The government's position in relation to paid maternity leave is that it already has been successfully negotiated in agreements.'* (my emphasis)
So, how good is bargaining when it comes to work and family entitlements such as paid maternity and paid paternity leave - and what is new with WorkChoices?
Pre WorkChoices there was a mosaic of Formal Provisions (not necessarily good)
There was legislation - the WRA 1996 – 52 weeks unpaid leave and right to return to work;
and for Federal and State public servants - varying paid maternity leave;
There were Awards, Agreements and AWAs, formal company policies and Informal provisions in workplaces.
In August last year some new prospects for improvement came through with the Family Provisions Test Case, which provided
☐ simultaneous 8 weeks unpaid leave;
☐ 104 weeks unpaid leave
☐ Return p/t until child reaches school age
Unfortunately, but not surprisingly, these initiatives were not reflected in the new WorkChoices legislation.
Under bargaining – the government's preferred approach for work and family matters
- my research shows that just 114 (or 5%) of federal awards and 10% of EAs provided for any paid maternity leave. And even less provided for any paid paternity leave – the comparable figures are 2% federal awards refer to paid paternity leave and 6%

EAs refer to paid maternity leave.

The evidence quite clearly does not support the government claims that paid maternity
leave *'has been successfully negotiated in agreements'*.

Furthermore, to my mind, the prospects for improving on these outcomes under an individual-based bargaining regime are not bright. This is not just because bargaining power for many women will be lowered, but additionally, I fear that the normative environment has shifted so much as a result of the WorkChoices debate and the government's rhetoric, that women's and community's expectations from work have been lowered.

But there is more to the story: Post WorkChoices,

• There remain 52 weeks unpaid parental leave as one of the five, legislated Australian Fair Pay and Conditions Standards

• Parental leave is no longer an allowable matter but it is a 'preserved award matter' – and thus there are questions about its place in awards once the transition phase is over.

• And there are also questions about the right to return to one's job after maternity leave.

I'll summarise a discussion held in one of the Senate enquiries for you:

• **Senator WONG**— … if an employer argued, 'The position no longer exists and, I am sorry, but you are not qualified for any of the other positions that are in existence,' what rights would the employee have?

• **Mr Bohn**—On that interpretation, that provision would not apply.

• **Senator WONG**—Sorry, that was a lawyer's answer. 'The provision would not apply' means that she would not have a right of return under that section?

• **Mr Bohn**—Yes

In summary: not that much did change in favour of work and family with WorkChoices:

☐ Most of the Parental Provisions Test Case decision was not included

☐ Paid Parental leave – is now more limited to bargaining and managerial discretion and bargaining power for many women will decline

☐ It appears that the Job protection right has been weakened

The result? We might anticipate increased strains in the home, community and workplaces – and even a winding back of entitlements women had won.

In conclusion -

☐ IR 'reforms' lower/remove the safety net → as *producers* some women will struggle more

☐ Work and family 'reforms' ad hoc and absent → as *reproducers* and *carers*, most women will struggle more

☐ Also foreshadowing that welfare to work changes will also impact on women's work and care –

The ongoing implication of all of these changes is that they reduce the bargaining power of women – not just for wages, but also for other rights and entitlements such

as flexible hours and maternity leave; neutralise arguments about comparable worth

and de-gender the debate. This environment, I fear, also opens a space for an attack on

anti-discrimination laws. Furthermore, setting the pay and entitlements bar so low, diminishes the incentive for employers to take a higher road of skill formation or technological improvement and thus does not auger well for progressing citizens' rights and our society's overall wellbeing.

Table 1 Type of Agreement, Workforce Composition, Women's Employment Status and Average Hourly Earnings by Industry

Industry	1 Award only*	2 Share of employees who are women (%)**	3 Share of employees who are employed parttime(%)*	4 Average hourly total earnings*
Accommodation, cafes and restaurants	60.1	58.3	48.6	**17.50**
Cultural and recreational services	17.7	50.5	40.2	**23.10**
Education	8.9	67.9	32.4	26.40
Finance and insurance	4.5	56.1	18.6	26.60
Health and community services	26.6	78.6	44.6	**22.80**
Retail trade	31.3	51.4	46.3	**17.90**
All industries	**20.0**	**44.6**	**27.8**	**23.20**

Sources: * Australian Bureau of Statistics, *Employee Earnings and Hours May 2004 (Catalogue 6306.0),* Table 7, p.20 and Table 15, p.29.

Table 2: Methods of Setting Pay, Average Hourly Earnings for Non-Managerial Employees, by Type of Employee, Australia, May 2004.

Award Collective Agreement Individual Agreement

Only Registered Unregistered Registered Unregistered
Male Average Hourly Total Earnings ($)
Permanent
Full-Time 16.00 25.70 22.30 26.60 24.00
Female Average Hourly Total Earnings ($)
Permanent
Full-Time 15.90 23.30 20.10 21.70 21.30
Data source: ABS, *Employee Earnings and Hours, Australia, May 2004, Cat. No. 6306.0* Table 20, p.34.

Juliet Bourke, Partner, Aequus Partners <u>SLIDES</u> **(PDF, 208KB)**

Essays on Leadership by Oxford University future Leaders

The University of Oxford in England launched the <u>Oxford Leadership prize</u> in 2005. It attracted an impressive number of entries. The impetus for the Award came from leaders attending the Oxford Strategic Leadership Programme at Templeton College of Oxford University, who were interested to know what new ideas were emerging amongst a cadre of younger future leaders. Although the speeches were from the 2005 entries, the speeches are being presented here as they are remarkable in their scope of ideas and wisdom. Miss Rowenna Davis's speech, in particular, is very inspiring in its case study analysis of leadership.

The Winner

Rowenna Davis was judged the winner for her audio presentation "Invisible Leaders". Rowenna is an undergraduate at Balliol reading PPE.

You can listen to it <u>here</u> (http://www.oxfordleadershipprize.org/index_files/rowenna_davis.mp3)

Carolyn Haggis at Nuffield was a runner up in this Award for submitting an entry entitled:

<u>"New Leaders, New Models: Advancing the Role of Women in the 21st Century"</u>

This essay discusses how visionary models of leadership that emphasize teamwork, cooperation and communication are clearly needed at a time when the world faces daunting social, economic and political challenges. It focuses on how women leaders can bring new models of leadership and transform society.

New Leaders, New Models:
Advancing the Role of Women in the 21st Century
Carolyn Haggis

1

One does not frequently look to recently war-torn societies for lessons on new models of
leadership. Perhaps we should.

The history of the past decade offers more than a dozen examples of post-conflict countries
stepping back from the brink, reconstituting and reconfiguring their societies after genocide, ethnic cleansing, civil war, and state collapse. Testament to the international interest in these efforts, Western governments, non-profit organisations, and international financial institutions, such as the World Bank and the International Monetary Fund, have poured millions of pounds and hundreds of manpower hours into these reconstruction efforts.

A striking parallel in all of these reconstruction efforts is the attempt to bring women into positions of leadership in the public sphere:

• In the wake of the horrors of the Rwandan genocide, government initiatives have focused
on bringing women into power. Women currently make up more than 49% of seats in the
lower house of the Rwandan Parliament, and Rwanda now ranks first in the world for its
near-parity of women in parliament.[1]

• In October 2004, Afghan women cast ballots for the first time in history with the knowledge that the country's new constitution reserves 25% of seats in its lower house of
parliament and 17% of seats in its upper house of parliament for women.[2]

• In January 2005, Iraqi women voted with the knowledge that the Transitional National
Authority, the elected body that will serve as Iraq's national legislature during the transition period, would include a minimum of 30% women. [3]

It is noteworthy that these recently-war-torn countries all have higher percentages of females in government than do the United Kingdom and the United States. Concerted efforts have been made to include women in the new governments of these countries for a simple reason: having more women in positions of power offers not only new leadership styles but also the possibility of radically transforming society. Not surprisingly, promoting gender equality and empowering women ranks third on the United Nations' list of Millennium Development Goals.

The challenges of the 21st century are daunting: eradicating poverty, curbing the spread of AIDS, lessening socio-economic inequality both within and between states, strengthening democratic institutions, protecting the environment, and combating terrorism are among just a few of the obstacles that face the leaders of today and tomorrow. Confronting these far-reaching challenges will require new thinking about leadership styles and leadership priorities. While societies emerging from the

smouldering ashes of war still have enormous obstacles to overcome, by encouraging women to assume decision-making positions they have embraced a new model of leadership that is appropriate for the 21st century and applicable to every corner of the globe.

Women Leaders Bring New Models and Transform Society

1 Lacey, Mark. "Women's Voices Rise as Rwanda Reinvents Itself," *The New York Times (*26 February 2005).

2 "U.S. Commitment to Women in Afghanistan." Fact Sheet, Office of the Senior Coordinator for International Women's Issues,

U.S. Department of State (22 February 2005).

3 Ibid.

2

While it might be an exaggeration to claim, as does Ranjana Kumari, Director of the Centre for Social Research in India, that "only women can produce alternatives to war,"4 numerous studies in recent years have highlighted the fact that women lead differently than men.

For instance, a study conducted by Northwestern University in the United States found that

women are more likely to be 'transformational leaders' – leaders who try to serve as role models for their subordinates, to mentor and empower workers, and to encourage innovation.5 The report concludes that this style of leadership strengthens an organisation by inspiring members'commitment and creativity.

Similarly, sociologist Carol Gillian observes that women leaders tend to place high value on

moral strength, ethical standards, and establishing and maintaining good relationships with coworkers.

Rather than traditional forms of autocratic, command-style leadership, women tend to

emphasize democratic decision-making, the value of multiple opinions, the benefits of teamwork and positive incentive structures.6 Further scholarship suggests that women are often more cooperative and willing to negotiate than their male counterparts, who tend to favour more confrontational and adversarial approaches to leadership.7

The transformational power of having more women in leadership positions is not limited by

sector, and there would undoubtedly be positive implications for the world of business,

academia and civil service should more women break through the glass ceiling. However,

encouraging more women leaders in the *political* sphere offers the greatest opportunity for not

only transforming leadership styles of the 21st century but also revolutionising the very nature of society itself. Rectifying gender disparities in the public sphere has implications for individual societies and world politics as a whole. Politicians and other public sector leaders play a visible role in society; in gracing the printed press, the television, and the airwaves, they shape our perceptions of *who* is capable of leading. A dearth of women in leadership positions sends a silent message that

politics is a man's world, a message that trickles down and infiltrates society as a whole.

Increasing the representation of women in the political world will not only transform the

leadership styles of the 21st century, but will also transform the very nature of society itself. This point is made poignantly by the comment of a young boy in Iceland, who grew up with Vigdís Finnbogadóttír as the female Prime Minister from 1980-1996. When this young boy was asked whether he could be prime minister, he replied that it was 'a woman's job.'

It is widely recognised that bringing women into political decision-making positions will change both the dominant, traditional styles of leadership, and the policy agenda. According to former U.S. Secretary of State, Madeleine Albright, women in positions of political leadership "raise issues that others overlook, pass bills that others oppose, put money into projects others ignore, and seek an end to abuses others accept."8 Similarly, Chilean Senator Sergio Paez has noted, "Modern societies will only be more humane and more equitable when all of their subjects are

4 The White House Project, "Why Women Matter Summit: Lessons Learned," Shauna Shames (ed.), 2003.
5 Eagly, A.H. and Johannesen-Schmidt, M.C. "The Leadership Styles of Men and Women" *Journal of Social Issues, 57*(4), (2001)
pp. 781-797.
6 http://www.som.cranfield.ac.uk/som/news/manfocus/downloads/p12_13.doc.
7 Bochel, Catherine and Jacqui Briggs, "Do Women Make a Difference?" *Politics,* 20(2), (2000) pp. 63-68.
8 Ibid.

3

actively involved in the decision-making process."9 The Inter-Parliamentary Union (IPU), an international organisation of 130 member parliaments dedicated to promoting peace and

democracy worldwide, has long stressed the importance of increasing the presence of women in

national parliaments. Christine Pintat, Assistant Secretary-General of the IPU, commented on the impact that female leaders have on politics:

Women tend to break with many of the formalities of traditional politics and to bring ordinary life closer to parliament and government. These developments help reconcile

people with politics. [People] realize that women bring new skills, styles, experience and visions…They see that women aim at concrete, durable solutions that satisfy a broader range of society than those developed by men alone…The IPU claims that women's involvement in party politics, in parliaments and in the executive brings about, almost everywhere in the world, a shift in political behaviour, language and practices; and a shift in political priorities, processes and outputs, with significant impact on ordinary people's life [sic].10

Ultimately, what matters most in laying the foundations for a promising 21st century is not only the style of leadership employed by those in political, corporate, media or other positions of power, but also the substance and content of the changes

advocated. Without high-quality and right-minded agendas, any model of leadership, no matter how shiny and new, will become hollow and purposeless. For these reasons, the 21st century requires not only leadership styles that promote consensus over hierarchy, inclusiveness and creativity over pyramidal management structures and dictatorial commands, but also leaders who will revisit the agenda, challenge the traditional, and push back previous frontiers. In short, the trick is not only to find new leadership *styles*, it is to find new *leaders* who will change the style, and the substance, of the public realm.

Supporting the advancement of women in positions of leadership and decision-making therefore must be a central task of this century.

What Needs to Change: The Facts about the Existing Gender Disparity

Despite the advantages of the leadership models that women tend to employ, women are still

dramatically under-represented in leadership and decision-making positions locally, nationally and globally. While women have enjoyed increasing access to jobs and education, and have benefited from the passage of equal opportunities legislation in several countries in recent decades, these successes have not necessarily translated into a rapid rise in the number of women in positions of leadership and decision-making. Women enter business but rarely get the corner office; become journalists but rarely attain editorial positions; earn advanced degrees but still lag behind their male counterparts in securing tenure; and vote at higher rates but hold significantly fewer seats in parliament.

Consider the following facts:

9 Cited by Christine Pintat in ibid.

10 Ibid.

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• Worldwide, women constitute only 15% of all national parliaments[11]; the number is

increasing at a mere half percentage point per year.[12]

• Whilst women constitute 41% of the European workforce, they occupy only 10% of management positions and represent a mere 1% of executive board members.[13]

• Great Britain ranks 51st in the world for female representation in parliament; women

constitute only 18% of the MPs in Westminster.[14]

• In Great Britain, only 15% of university vice chancellors, 9% of national newspaper editors, 12% of local authority council leaders, 8% of senior police officers and 9% of top

business leaders in the country are women.[15]

• There is only one female CEO and one female chairman among all FTSE 100 companies.[16]

Studies have shown that this gender disparity is not due to systemic discrimination.[17] Women

candidates for public office, for example, traditionally receive the same institutional and party

support as men.18 The reason for a dearth of women candidates is often the fact that women

choose not to put themselves forward.

The challenge, then, in our quest to tap into the transformative power of women's leadership styles, is to propel women into the public sphere. As mentioned in the Introduction of this essay,

many governments and organisations around the world are utilising quota systems, electoral

methods such as proportional representation, or party lists as the mechanisms for bringing more women into leadership positions in the developing world.

Convinced that these institutional mechanisms were not the only means of brining about change in the political world, and inspired by research that suggests that women will run for office if they receive leadership training and have visible women role models, I set out to create an organisation, based here in Oxford, that would take a grass-roots approach to rectifying the gender disparity in the public sphere, including government, academia, and the business, legal, and charity sectors. Since February 2004, Oxford Women in Politics (OxWiP) has been providing leadership training and mentorship to hundreds of women in the city.

Oxford Women in Politics: Training Leaders who will Catalyse Change

11 Getting the Balance Right in National Parliaments' Fact sheet from the Women's Environment and Development

Organization**.** Available online at http://www.wedo.org/5050/5050factsheet4.pdf.

12 Inglehart, Ronald and Pippa Norris (2003) Rising Tide: Gender Equality and Cultural Change Around the World. Cambridge:

Cambridge University Press, p. 129. Cites data from the Inter-Parliamentary Union, 2000.

13 http://www.som.cranfield.ac.uk/som/news/manfocus/downloads/p12_13.doc.

14 Sex and Power: Who runs Britain? Report by the Equal Opportunities Commission. Available online at

http://www.eoc.org.uk/cseng/policyandcampaigns/whorunsbritain.pdf.

15 Ibid.

16 The 2004 Female FTSE Index.

http://www.som.cranfield.ac.uk/som/research/centres/cdwbl/downloads/FTSEIndex 2004.pdf

17 Elder, Laurel. "Why Women Don't Run: Explaining Women's Underrepresentation in America's Political Institutions,"

Women & Politics, 26(2), (2004) p. 27.

18 Ibid.

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Women students of the University of Oxford have the potential to be the world's future female leaders. They face fewer institutional barriers than women of a generation ago, and are benefiting from a world-class education. Unfortunately, there is no reason to think that they are immune to the factors that generally inhibit women from leadership positions: political gender role socialisation, a lack of confidence, family responsibilities, and the relative dearth of visible women role models in politics.19 Oxford Women in Politics was designed to confront these challenges head on:

Political gender role socialisation persists in Oxford. A few examples from my personal
experiences in the city may help to highlight a problem that is not officially documented. Only one-third of my fellow students in the postgraduate International Relations programme are women. Of the 105 academic staff members of the Department of Politics and International
Relations, 84 are men and only 21 are women.[20] In the Department of Economics, only 9 of 60
faculty members are women.[21] The world-famous student debating society, the Oxford Union,
featured a term card in Hilary Term 2004 that had only one female guest speaker (out of a total of 26). The invited woman was Miss World.
In response to this paucity of women speakers and lecturers, over the course of the last year OxWiP has brought more than half a dozen prominent women speakers to the city. Immediately prior to the 2005 British General Election, Oxford Women in Politics hosted a panel discussion with five of Oxford's most prominent political women students. Furthermore, in order to bring greater recognition to the University's women students, alumni, and faculty, OxWiP publishes a newsletter that highlights their accomplishments.

Lack of confidence is a well-known factor inhibiting women's participation in the political world.
OxWiP's Leadership Development Workshops were created to equip women with the
professional skill-set and confidence they will need for successful careers in public life. Recent workshops have focused on public speaking, debating, journalistic writing, and networking. Workshop presenters are University faculty or alumni, thereby offering current students valuable professional contacts and fostering greater interaction among generations of Oxonians.

Family responsibilities. There is a high probability that most current graduate and undergraduate students will soon face the joys and responsibilities that accompany marriage and parenthood. Out of a recognition that the difficulties of striking an adequate work-life balance often contributes to women forgoing a career in public life, OxWiP asks its presenters to speak to the challenges and obstacles they face in their efforts to juggle professional and personal commitments.

A relative dearth of women role models — in Oxford, in Britain, and around the world. OxWiP's
Distinguished Women Leaders speaker series – which so far has featured the renowned
neuroscientist Baroness Susan Greenfield, and First Independent Adjudicator for Higher
Education Dame Ruth Deech – provides our members with opportunities to learn from
inspirational female role models. Recognising the catalytic effect of mentorship, OxWiP also
encourages its student members to inspire younger generations of women to be civic-minded,

19 Elder, Laurel. "Why Women Don't Run: Explaining Women's Underrepresentation in America's Political Institutions,"
Women & Politics, 26(2), (2004), p. 27.
20 The University of Oxford Politics department website
http://www.politics.ox.ac.uk/about/stafflist.asp?group=acad Accessed
10 Nov 2004.
21 The University of Oxford Law faculty website.
http://denning.law.ox.ac.uk/members/official.phtml Accessed 10 Nov 2004.

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socially-responsible and politically-engaged. The OxWiP Outreach Programme sends current

OxWiP members to local schools to present an innovative curriculum on the role of women

in public life.

The arrival of OxWiP was clearly long overdue and I am stunned by the overwhelming support

it has received from the Oxford community. In just over a year's time, OxWiP has grown to

encompass a membership of nearly 500 women and men undergraduates, postgraduates, faculty,

alumni and professional members from around the world. A group of twenty dedicated women

meet with me weekly to set OxWiP's agenda and plan for the future. In the year ahead we not

only intend to expand our membership and to continue offering an exciting array of programmes, but also hope to raise the funds necessary to register as a charity, to develop an online, interactive database that will link our community members to each other and to   potential employers, and to assemble an international board of prominent individuals to offer guidance to the organisation. Any financial award from this competition will be donated in its entirety to OxWiP in the hopes of realising these objectives.

At a time when the world faces daunting social, economic and political challenges, visionary

models of leadership that emphasize teamwork, cooperation and communication are clearly

needed. OxWiP not only exemplifies the models of leadership required for the 21st century but

also works actively to endow these leadership qualities in the next generation of women

decision-makers. As the 21st century is already upon us, there is no time like the present to begin putting these models to work. Thank you for your consideration.

Duce Gotora was also runner up at Linacre and had submitted a traditional African fable entitled:

"The Carrier Fool"

Gotora explains that the fable shows that "what is required is not a model based on any one leadership style but rather a fluid style in which the appropriate skill is called upon at the appropriate to time. There is a time for visionary leadership and a time for managerial leadership. There is a time for intellectually based leadership and a time for charismatic leadership. Most of these styles can be developed and it is for the would-be-leader to remain teachable and equip him/her-self."

Finalist of the Award, **Doris Schedlitzki** at the Saïd Business School submitted an essay entitled:

"Will the 21st century require new models of leadership?"

This paper argues that it is time to free ourselves from the human desire to impose structure on our context and to accept and try to understand the immense complexity and significance of leadership in organisations in a more hands-on fashion.

It looks at the development of leadership theory in the 20th century and canvasses leadership definitions and models.

The 2006 ADC Gandel Oration

The B'nai B'rith Anti-Defamation Commission Inc. (ADC) is the human rights arm of B'nai B'rith Australia/New Zealand. It affords an opportunity to hear a statement by a person of eminence and knowledge in the field of human rights. Orators have included many distinguished Australian and international people such as former Prime Ministers of Australia, jurists, lawyers, former politicians, authors and scholars.

In 2006, the ADC Gandel Oration was delivered by Gareth Evans, President of the International Crisis Group at The University of New South Wales, Sydney on 30 April 2006

Atrocity Crimes: Overcoming Global Indifference

The ADC Gandel Oration

Atrocity Crimes: Overcoming Global Indifference

Presented by The Anti-defamation Commission of the B'nai B'rith organisation and supported by The Bob Hawke Prime Ministerial Centre, UniSA

Tuesday 2 May 2006

The Humanitarian Imperative

'Never again' we said after the Holocaust. And after the Cambodian genocide in the 1970s. And then again after the Rwanda genocide in 1994. And then, just a year later, after the Srbrenica massacre in Bosnia. And now we're asking ourselves, in the face of more mass killing and dying in Darfur, whether we really are capable, as an international community, of stopping nation-states murdering their own people. How many more times will we look back wondering, with varying degrees of incomprehension, horror, anger and shame, how we could have let it all happen?

These are the words with which I began a public address in Sydney nearly two years ago. To my shame – and what should be our collective global shame – they are just as applicable now as they were in September 2004. All that has happened in Darfur is that the death toll has risen from some 50,000 then to 200,000 or more now, and those displaced from 1 million to over 2 million: 5,000 or more are dying each month from war-related disease and malnutrition as well as continuing outright violence, international peacekeeping efforts have been manifestly inadequate, political settlement talks have been floundering, humanitarian relief is faltering, and the overall situation is again deteriorating.

It is not only in Darfur that crimes against humanity are being committed as we speak, and where the international response to those crimes or their aftermath has been manifestly inadequate. Elsewhere in Africa the crazed and horrifying reign of Joseph Kony's Lords Revolutionary Army – which has already seen the abduction of some 25,000 children for use as fighters or sex slaves – continues in Northern Uganda: Kony and his top lieutenants were the first to be indicted by the new International Criminal Court, but the warrants for their arrest have been unable to be executed.

In the Congo the transition out of 20 years of a civil war often barbarous beyond belief remains extremely fragile: some 30,000 are still dying each month from war-related disease and malnutrition and continuing pockets of fighting, but the international peacekeepers needed to stabilize the situation through the scheduled mid-year election remain in desperately short supply.

Even in Europe justice for the perpetrators of crimes against humanity remains conspicuously incomplete. Slobodan Milosevic was indeed brought to trial, and no-one can be blamed for his death in custody before it was complete. But Radovan Karadzic and Ratko Mladic, the architect and implementer of ethnic cleansing in

Bosnia which culminated in the cold-blooded massacre of 8,000 men in Srbrenica in 1995, remain, incredibly, still at large, sheltered and protected by the Serbian military, and with more than a little support to this day still from the higher reaches of the Belgrade government. It is ten years now since a NATO spokesman was reported as saying off the record that "arresting Karadzic is not worth the blood of one NATO soldier". European forces have now replaced the NATO operation, but nothing much else seems to have changed.

The Balkans experience should be a corrective like no other to any residual complacency that might exist about crimes against humanity. They come back to haunt us over and again, not only in deprived and struggling countries in far distant corners of the globe, but in countries we think of as being at the heart of Western culture and civilization, or heirs to its traditions. And they are horrors not only of the distant past but the contemporary present.

Of course no one in the world learned more painfully and horribly about international indifference, or suffered more grievously from inhumane acts - that then had no other name but murder, or deportation or torture - than the Jews of Berlin and Vienna and Warsaw and Prague and all the other cities and towns and villages throughout Europe who experienced the horror of the Nazi Holocaust.

It is to that experience that we owe the recognition, as a matter of international law, of the very concept of 'crimes against humanity'. Although the expression had been officially used once or twice earlier, including by the governments of France, Great Britain and Russia in their 1915 declaration denouncing the massacre of Armenians in Turkey, it was not until the allies drafted the Charter of the Nuremberg Tribunal in 1945 that it assumed formal shape, with article 6 (c) describing a group of crimes which, unlike the more familiar international law concept of "war crimes", could be committed by a government against its own people, and not necessarily just during wartime.

Jewish organizations throughout the world have remained in the forefront ever since of those deeply conscious of the significance of the concept of crimes against humanity, and determined to fight indifference and complacency about any manifestation of them. The B'nai B'rith Anti-Defamation Commission here in Australia has been very much part of that tradition, and I very much appreciate the opportunity you have given me, in inviting me to deliver this 2006 Gandel Oration, to take stock of how far we have come, and how far we have yet to go in preventing and responding to these crimes.

My argument will be that we have made progress in this respect over the last decade or so, maybe more than most people realize. Conceptually, the principle of 'the responsibility to protect' has been embraced; institutionally, the International Criminal Court and a number of other ad hoc tribunals have been established; in practice, better early warning is in place, many UN-led peace efforts have been successful, and the number of both civil conflicts – the primary context in which crimes against humanity occur - and of episodes of mass killing is dramatically down.

But we certainly still cannot be confident that world will respond quickly, effectively and appropriately to new human rights catastrophes as they arise. Overcoming global indifference means addressing four big recurring problems: the problem of perception (getting the story out and its gravity understood); the problem of responsibility (confronting traditional taboos against international involvement in sovereign countries' internal affairs); the problem of capacity (having available the appropriate institutional machinery and resources); and, as always, the problem of political will (effectively mobilizing that capacity, in the face of competing priorities and preoccupations). It is to each of these problems that I will now turn.

It should be acknowledged at the outset that competing priorities and preoccupations – what will be seen by governments as more immediately involving national interests – are right now at the core of the general problem of indifference. As the Financial Times columnist Philip Stephens put it recently, "Now, on both sides of the Atlantic, the impulse to engage is giving way to an inclination to retreat". While genocide, ethnic cleansing and crimes against humanity generally – and all the problems of humanitarian intervention to which they gave rise – were at the centre of international policy debate throughout the 1990s, since 9/11 attention has rather comprehensively shifted to a range of other, and in some respects perhaps more glamorous, security problems: terrorism, Islamism, nuclear proliferation, stability in the Middle East post-Iraq and post-Hamas, and, related in turn to most of these, global energy security.

That said, it is simply not acceptable for governments to look away, claiming more pressing engagements, when crimes against humanity are being committed or are manifestly about to be committed. We know – most recently from the global response to the tsunami disaster - that ordinary people throughout the world *are* conscious of their common humanity, and *are* deeply touched by human suffering wherever it occurs, irrespective of race, colour and creed, at least whenever that suffering is brought home to them graphically and immediately, in a way can understand and relate to.

The governments who represent them will always be more inclined to cynicism, to realpolitik, to weighing and balancing, to discounting emotion. The minuet danced by the US and UK and other members of the Security Council as the horrific evidence from Rwanda mounted in 1994 was as stark an example of this as history will ever record. But while caution must always have its place in diplomacy, there is less a place for it when it comes to crimes against humanity than anywhere else. The core of the notion, as Geoffrey Robertson has put it in his brilliant book *Crimes Against Humanity: The Struggle for Global Justice*, is that this is "a class of crime… which is so peculiarly horrific that the very fact that educated, rational and otherwise respected rulers of men were capable of conceiving and committing it must diminish whatever value there is in being human." And when confronted with such crime there is a human imperative to act.

The Problem of Perception: Getting the Story Out and its Gravity Understood
The first problem to confront in overcoming global indifference is to ensure that policy makers know that there is a problem out there. Early warning as such is not – or at least not now – the problem it has often been said to be: governments and intergovernmental organizations devote considerable attention these days to ensuring that they have some advance sense of the pressures building up in potential crisis areas. A useful recent addition to these institutional ranks is the UN Secretary-General's Special Adviser on the Prevention of Genocide. Non-governmental organizations have also played a significant role here: not least, if you'll forgive me a moment's chutzpah, my own International Crisis Group, which has become quite influential with our constant flow of reporting from both actual and potential trouble spots around the world, both in country specific reports and briefings and through our monthly *CrisisWatch* bulletin.

Even in Rwanda in 1994 it became abundantly clear in all the retrospective enquiries that there was no shortage of relevant information available to the key players. The problem here tends to be not so much what policy-makers don't know, or can't know: it's what they don't *want* to know, or don't want to act upon. (Far be it from me to draw any parallel with recent events in Australia…)

In many complex technical areas, like weapons proliferation, and on issues related to intent, the lack of good intelligence, or the unavailability of nationally-collected intelligence to intergovernmental organizations can be a real problem for policy makers. But large scale crimes against humanity – and by definition crimes against humanity are large scale - tend to be rather harder to conceal.

More important than just getting the basic information out is establishing a perception, in the minds of policy makers and those who influence them – and in this context that includes the general public - of the *seriousness* of what is occurring. In a world where every news bulletin describes trouble somewhere, and the market in human misery is, unhappily, highly competitive, the task for those who want to overcome indifference is not just to get out the information that something bad is happening, but to establish a general recognition that it's so bad, and so wrong, that it cannot be ignored.

Good reporting by good journalists in influential newspapers can be highly important in this respect – Nick Kristof's heartrending stories in the *New York Times* on Darfur and the plight of women in Pakistan spring to mind. But television reporting is even more crucial in getting stark and effective messages to very wide audiences. The unhappy truth of the matter here, however, is that the 'CNN effect', for all its importance, is highly erratic: media crews are not always where they could be or should be, travel budgets are usually tight, and producers are hard to persuade on the merits of stories. While the International Crisis Group has been highly successful in persuading major US network programs like ABC Nightline to run stories on the Darfur, Uganda and the Congo over the last two years, it hasn't been easy.

Perception and the 'G' word. Given the difficulty of generating attention for conscience-shocking human rights violations that might otherwise pass unnoticed in the rush of international events, and to try to create a climate in which governments will feel an obligation to take strong action, there has been an increasing tendency in recent years to label situations as 'genocide', calling in aid the language of the 1948 Genocide Convention which provides that 'genocide is a crime under international law which they undertake to prevent and punish'. The attractions of this course seemed to be, if anything, enhanced by the strenuous efforts of the US and others in 1994 not to label the events in Rwanda genocide, in the apparent belief that to do would immediately create a duty to intervene

While highly understandable, this is an approach which is fraught with risk, as the course of events in Darfur have shown all too clearly. The trouble with the Genocide Convention is that its definitional language is very precise, and susceptible as a result to endless legal argument. It requires that certain defined acts be "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group", which gives rise to some real difficulties for prosecutors. An obvious threshold one, though this has not been in issue in Darfur, is that the definition of victims is in fact rather narrow: they must be members of an identifiable "national, ethnical, racial or religious group", not one defined by its politics, or culture or educational or economic status. So not even Cambodia counts as a genocide, since the overwhelming majority of the nearly two million people who died under the Khmer Rouge's murderous regime were of exactly the same race, ethnicity, nationality and religion as their persecutors.

The biggest legal difficulty, and the show-stopper in Darfur, is that is extremely hard in practice to establish, even on a prima facie basis, the requisite element of intent to destroy, in whole or part, the targeted group. This was exactly the problem which confronted the UN Commission of Inquiry on Darfur when it reported in February 2005: while accusing the Khartoum government of multiple abuses of international humanitarian law, saying in so many words that "massive atrocities were perpetrated on a very large scale and have so far gone unpunished", it was unable to find sufficient evidence that the killing and village-burning and raping that that had occurred was actually genocidal in its intent. And the result of course was to give a major propaganda victory to the Sudanese leadership, whose behaviour on any view was, and remains, ugly, indefensible and deserving of the strongest international response.

The final unhappy irony about calling Darfur a genocide, as the U.S. Congress and Bush administration have now repeatedly done, is that this has not translated in any way into an enhanced effort to 'prevent and punish' the crimes being committed. It is hard to judge which is morally worse: not using the 'g' word because you don't want to act (as with the Clinton administration on Rwanda in 1994), or (as now) using the 'g' word but still not acting.

My own view, which I know is shared by many who work in this field, is that whatever the temptation to gain extra profile for a cause by using the 'g' word, in

the great majority of cases we would be far better off resisting that temptation and not using it at all. Over and again we find the lawyers' issue of 'genocide or not genocide' becoming the issue, when the real issue is the need to act to protect people when atrocity crimes of any kind are being committed, or about to be committed, and to hold the perpetrators to effective account. I don't share the view of some that the term 'genocide' should be confined only to the Holocaust – there are some cases, like Rwanda, where the scale of the crimes are so great, and the legal issues so much beyond argument, that no possible harm, and maybe some good, can come from applying the label. But overall the risks outrun the rewards.

I have long been attracted by the proposal of David Scheffer, former US ambassador at large for war crimes issues in the Clinton administration, that in order to avoid these unedifying and often (as in Darfur) counterproductive semantic arguments, which constantly distract attention from the need for effective action, we should all just use the generic expression "atrocity crimes" and leave it to the prosecutors and judges in the international courts, or courts exercising international jurisdiction, to work out which one of the various well-established branches of international humanitarian law has been breached in any particular case – i.e. whether what is involved is a 'war crime'(which basically means a serious breach of the Geneva Conventions governing wartime behaviour in relation to both enemy forces and civilians); a 'crime of aggression' (or 'crime against peace', something now basically covered by the UN Charter, which expressly prohibits waging any war that is not either legitimate self-defence or authorized by the Security Council); a 'crime of genocide' (as originally established by the Genocide Convention); or a 'crime against humanity' (a more general class of atrocity crimes, originally established by the Nuremberg Charter and now spelt out, along with the other categories of crime, in the Rome Statute of the International Criminal Court).

It may be, on reflection, that rather than trying to introduce a new term – 'atrocity crimes' - into this already crowded and confusing field, a better course would be to simply encourage general use of the familiar label 'crimes against humanity'. That expression may not be broad enough to cover (in the way a new label of 'atrocity crimes' would) war crimes and crimes of aggression, but it is certainly broad enough to include everything else we are concerned about - including genocide, which is best understood not as a wholly separate category of crime but simply as a subset, or one specific kind, of crime against humanity. The definition of 'crimes against humanity' in the Rome Statute includes, after all, murder, extermination, enslavement, deportation, imprisonment, torture, rape and other grave sexual violence, persecution, enforced disappearance, apartheid and 'other inhumane acts of a similar character' – provided in each case that the acts in question are "committed as part of a widespread or systematic attack directed against any civilian population". And that should be wide enough for anybody.

The Problem of Responsibility: Overcoming the Sovereignty Obstacle
Getting the story out and having its seriousness understood is only the first step in overcoming indifference about crimes against humanity. The second step is to overcome the traditional view of states that, to put it bluntly, sovereignty is a license

to kill. Undermining that view of the world has been a long, slow process, but in recent years some very dramatic progress has been made, and as an exercise both in intellectual history and real-world policy making this is a story well worth telling.

In understanding how far we have come the best place to begin is the UN Charter of 1945. The UN founders were overwhelmingly preoccupied with the problem of states waging war against each other, and took unprecedented steps to limit their freedom of action in that respect. But on the question of what constraints might be imposed on how states dealt with their own subjects, the Charter language was very traditional indeed, with Article 2(7) providing: "Nothing should authorise intervention in matters essentially within the domestic jurisdiction of any State".

One big agreed exception to the non-intervention principle was the Genocide Convention of 1948. But it was almost as if, with the signing of this convention, the task was seen as complete: nothing was ever done to implement it. This state of mind was reinforced by the large increase in UN membership during decolonisation era – states all newly proud of their identity, conscious in many cases of their fragility, and who saw the non-intervention norm as one of their few defences against threats and pressures from more powerful international actors seeking to promote their own economic and political interests.

With the arrival of the 1990s, and the end of the Cold War, the quintessential problem became that of civil war and internal violence perpetrated on a massive scale. With the break-up of various Cold War state structures, most obviously in Yugoslavia, and the removal of some superpower constraints, conscience-shocking situations repeatedly arose, but old habits of non-intervention died very hard. Even when situations cried out for some kind of response, and the international community did react through the UN, it was too often erratically, incompletely or counter-productively, as in Somalia in 1993, Rwanda in 1994 and Srebrenica, in 1995. Then came Kosovo in 1999, when the international community did in fact intervene as it probably should have, but did so without the authority of the Security Council in the face of a threatened veto by Russia.

All this generated very fierce debate about came to be called the issue of "humanitarian intervention. On the one hand there were those who argued strongly for the 'the right to intervene'; on the other hand, claims were equally vehemently made about the primacy and continued resonance of the concept of national sovereignty The debate was intense and bitter, and the 90s finished with it utterly unresolved in the UN or anywhere else. Battle lines were drawn and trenches were dug. This led Secretary-General Kofi Annan to make his agitated plead to the General Assembly in 2000, which brought the issue to a very public head, and which resonates to this day:

If humanitarian intervention is indeed an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Sebrenica, to gross and systematic violations of human rights?

The task of meeting this challenge fell, in the event, to the Canadian government-sponsored International Commission on Intervention and State Sovereignty (ICISS), which I had the privilege of co-chairing with the Algerian diplomat Mohamed Sahnoun, and which presented its report, entitled *The Responsibility to Protect*, at the end of 2001. The Commission made four main contributions to the international policy debate which, it seems fair to say, have been resonating ever since.

The first, and perhaps ultimately the politically most useful, was to invent a new way of talking about humanitarian intervention. We sought to turn the whole weary debate about the 'right to intervene' on its head, and to re-characterise it not as an argument about any 'right' at all, but rather about a 'responsibility' – one to protect people at grave risk – with the relevant perspective being not that of the prospective interveners but, more appropriately, those needing support. The Commission's hope - and so far, broadly, our experience - was that with new language entrenched opponents would find new ground on which to more constructively engage, just as proved to be the case between developers and environmentalists after the Brundtland Commission introduced the concept of 'sustainable development'.

The second contribution of the Commission, perhaps most conceptually significant, was to insist upon a new way of talking about sovereignty: we argued that its essence should now be seen not as 'control', as in the centuries old Westphalian tradition, but as 'responsibility'. The starting point is that any state has the primary responsibility to protect the individuals within it. But that is not the finishing point: where the state fails in that responsibility, through either incapacity or ill-will, a secondary responsibility to protect falls on the wider international community.

The third contribution of the Commission was to make it clear that the 'responsibility to protect' was about much more than intervention, and in particular military intervention.

It extends to a whole continuum of obligations: the responsibility to *prevent* these situations arising; the responsibility to *react* to them when they did; and the responsibility to *rebuild*, particularly after a military intervention – of which the most important is the responsibility to prevent.

The remaining contribution of the Commission was to come up with guidelines for when the most extreme form of coercive reaction, military action, would be appropriate. The first criterion was obviously *legality*, and here we saw our task as not to try and find alternatives to the clear legal authority of the Security Council, but rather to make it work better, so there was less chance of it being bypassed. In this respect the five criteria of *legitimacy* we then spelt out were crucial, designed as they were as a set of benchmarks which, while they might not guarantee consensus in any particular case, would hopefully make its achievement much more likely. These criteria were, in short, the seriousness of the harm being threatened (which would need to involve large scale loss of life or ethnic cleansing to prima facie justify military action); the motivation or primary purpose of the proposed military action; whether there were reasonably available peaceful alternatives; the proportionality

of the response; and the balance of consequences – whether more good than harm would be done.

It is one thing to develop a concept like the responsibility to protect, but quite another to get any policy maker to take any notice of it. Departmental bookshelves are full of barely opened reports by blue ribbon commissions and panels. The most interesting thing about the *Responsibility to Protect* report is the way its central theme has continued to gain traction internationally, even though it was almost suffocated at birth by being published in December 2001, in the immediate aftermath of 9/11, and by the massive international preoccupation with terrorism, rather than internal human rights catastrophes, which then began.

The concept was first seriously embraced in the doctrine of the newly emerging African Union, and over the next two to three years it won quite a constituency among academic commentators and international lawyers, important with international law being the rather odd beast that it is – capable of evolving through practice and commentary as well as through formal treaty instruments.

But the big step forward came with last year's UN 60th Anniversary World Summit, which followed a major preparatory effort involving the report of a High Level Panel on new security threats (of which I also happened to be a member) which fed in turn into a major report by the Secretary-General himself. Both these reports emphatically embraced the responsibility to protect concept, and the Summit Outcome Document, unanimously agreed by the more than 150 heads of state and government present and meeting as the UN General Assembly, unambiguously picked up their core recommendations. Its language, culminating in these words, was quite clear-cut:

…we are prepared to take collective action, in a timely and decisive manner, through the Security Council… should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

That this endorsement happened was anything but inevitable. Not much else of any significance was agreed by the Summit, despite all the preparatory buildup and high expectations. A fierce rearguard action was fought almost to the last by a small group of developing countries, joined by Russia, who basically refused to concede any kind of limitation on the full and untrammelled exercise of state sovereignty, however irresponsible that exercise might be. What carried the day in the end was not so much consistent support from the EU and U.S. – which after the invasion of Iraq was not particularly helpful in meeting these familiar sovereignty concerns. Rather it was persistent advocacy by sub-Saharan African countries, led by South Africa; a clear - and historically quite significant - embrace of limited-sovereignty principles by the key Latin American countries; and above all some very effective last minute personal diplomacy with major wavering-country leaders by Canadian Prime Minister Paul Martin, demonstrating the clout that middle power countries can have when they try.

A further important conceptual development has occurred since last September's Summit: the Security Council is now on the verge, after months of internal debate, of adopting a thematic resolution on the Protection of Civilians in Armed Conflict which contains, in an operative paragraph, an express reaffirmation of the World Summit conclusions relating to the responsibility to protect. The significance of this is that a General Assembly resolution may be helpful in identifying relevant principles, but the Security Council is the institution that matters most when it comes to executive action. The toehold has been carved.

On any view, the evolution in just five years of the 'responsibility to protect' concept from a gleam in a commission's eye to what now might be described as a broadly accepted international norm is an extremely encouraging story. But it's still not the whole story. The recognition of the responsibility to protect as a principle is one thing, its practical implementation quite another. What remain to be overcome, above all else are problems of capacity and will, and it's to these that I now turn.

The Problem of Capacity: Having Workable Institutions and the Resources to Support Them
The best of all ways of dealing with crimes against humanity is of course to prevent them from happening in the first place. There are many forms of 'soft power' which can advance that cause, all of which require effective institutional delivery mechanisms and resources: development and technical assistance strategies, for example, designed to improve the quality of governance, to build more confident inter-ethnic and communal relations, and reduce the potential for economic grievance becoming explosive.

Without wishing to downplay the utility of these soft power strategies, when it comes to crimes against humanity it is probably 'hard power' responses that have the greatest impact: the availability of effective legal institutions, creating the fear before the event, and the certainty after the event, that crimes will be prosecuted and punished; and the availability in extreme cases of military force to halt or avert large-scale catastrophe occurring.

Courts. When it comes to reducing legal impunity, a remarkable amount has been achieved in recent years. Domestic courts around the world (including the one across the road from me in Brussels, most famously in its conviction of the Rwandan nuns who set fire to a building full of Tutsis sheltering in their convent) have become more ready to claim and exercise 'universal jurisdiction' in relation to crimes against humanity: the international law principle here being that some offences are so serious that any court anywhere is inherently empowered to try and punish them, irrespective of their place of commission, or the citizenship of offender or victims.

More specifically, and more practically given the complex and controversial nature of the prosecutions involved, a series of ad hoc tribunals have now been established, or are in the process of being established, to try offenders: fully international courts in The Hague for crimes committed during the Balkan wars, and in Arusha for those

involved in the Rwanda genocide; and hybrid international-national ones in Sierra Leone, Timor-Leste, Bosnia, Burundi, Cambodia and Lebanon.

Most importantly of all, the International Criminal Court was finally established by the Rome Statute in 1998, and is now operative in The Hague - notwithstanding fierce, prolonged and indefensible opposition from the U.S throughout its gestation and birth, to which I am glad to say that Australia for once did not succumb. Although its jurisdiction only extends to crimes committed after its statute came into force in 2002, and it will have to learn fast how to circumvent the many personnel, procedural, budgetary and other problems that have afflicted its ad hoc predecessors, the ICC remains the great hope of all those of us who have been arguing for years for a genuinely workable and effective system of global justice.

The biggest single problem still confronting all the international courts, as I indicated at the outset of this talk, is the difficulty of apprehending indictees like Kony, Karadzic and Mladic when there is no cooperation from the countries in which they are sheltering, and sometimes even when there is. There is presently no international sheriff's or marshal's office, or police force, or standing military force available to do the job, and it may never prove possible to create them, although the possibility certainly needs to continue to be seriously explored; and sometimes the task of apprehension it proves, as we have seen, to be beyond the combined resources of even a NATO force.

Military Coercion. Beyond the international court system, the whole international security system – starting with the Security Council - has a major sharp-end role to play in deterring and responding to crimes against humanity. The logic of the embrace by the international community of the responsibility to protect principle is that if conscience-shocking catastrophe cannot be averted any other way, there will be coercive intervention. There are many judgements to be made in any given case about whether such interventions should occur, and many criteria to be satisfied. But what ought not to be in doubt is the physical capability of the world to supply from its combined resources the necessary troops and logistic support to make these interventions happen when they have to happen.

But unhappily that is all too often exactly what is in doubt. The problems here are all very familiar ones. Those countries with apparently massive capacity – in terms of both personnel numbers and equipment - are often preoccupied with battles and deployments elsewhere, or have the wrong kind of troop configurations and equipment to do the fast and flexible jobs most often required. Throughout the developed world, and Europe in particular, in country after country, the number of troops operationally deployable at any given time is a tiny percentage of the men and women in uniform, although this is gradually beginning to change. In the developing world, there may be no apparent shortage of boots able to go on the ground – but there will be issues of training, command, control and communications capability, transportability and general logistic support. And for any proposed multinational deployment there will be issues of planning, mission control, and field command – who is responsible for what, and interoperability

The present situation in Darfur is a classic demonstration of the problem of military implementation of the international responsibility to protect. For a start, as with Indonesia and East Timor, we seem fated to depend on Sudan's consent to any external military presence. There are all sorts of problems standing in the way of a full-frontal coercive intervention, not only the huge resources that would be required and the difficulty in finding them, but the way in which this will inevitably be misinterpreted – because it could only happen with major support from the U.S. and EU - as another chapter in the West's war on Islam.

At present, under the current African Union Mission in Sudan (AMIS), which is accepted by Khartoum, there are only some 7000 inadequately mandated and insufficiently mobile and otherwise militarily capable personnel on the ground. In principle agreement has been reached on the UN taking over the operation towards the end of the year, but this is increasingly being talked about, including within an increasingly nervous UN Secretariat, as being contingent on a peace agreement being reached – and that is presently not in sight.

In the International Crisis Group's judgement, at least 12,000 fully mandated troops – desirably many more, but this number at a minimum – are needed on the ground, and supported from the air, right now to protect villages against further attack or destruction, protect the displaced against forced repatriation and intimidation, protect women from systematic rape outside the camps, provide security for humanitarian operations, and neutralise the government supported militias who continue to prey on civilians. But the extra 5,000 troops that are needed to supplement the present inadequate African Union force, are presently nowhere to be seen.

No individual African country has that number available, and none are being volunteered by the European countries, or NATO countries, or other developed countries like Australia which could, on the face of it, make a difference. They are presently very comfortable sheltering behind the African Union's unwillingness to accept outsiders, particularly non-Islamic northerners, into the fray, but the truth of the matter is that they are neither able nor willing to provide the necessary resources. What they are best configured to supply, and most comfortable negotiating, as Kofi Annan has been heard to ruefully say, is some quick in-and-out heavy lift or other logistical support, a handshake and a photo opportunity.

A great deal continues to be said about the weakness of the UN and other international institutions, and a great deal of this is perfectly accurate. But for all its shortcomings, and appearances to the contrary, the international security system has delivered some remarkable results over the last decade or so, as well documented in the recently published *Human Security Report*, the report of the High Level Panel, presentations by the head of the UN Department of Peacekeeping Operations and elsewhere.

We have seen a dramatic decline in the number of genocides and other mass killings,

by some 80 per cent between 1989 and 2001, notwithstanding Rwanda and Bosnia; a parallel dramatic decline in the number of conflicts and battle deaths (with the world at a hundred-year low in terms of those being killed); and an equally dramatic increase in the number of civil wars resolved by negotiation (with more in fact resolved this way in the last 15 years than in the previous two centuries, and with two old conflicts going out of business for every new one starting up). And the best explanation for all this is simply the huge increase in the level of international preventive diplomacy, diplomatic peacemaking, peacekeeping and peacebuilding operations, for the most part authorised by and mounted by the United Nations, that has occurred since the end of the Cold War.

At the end of the day any commentary on the weakness of international institutions should be, as often as not, a commentary on the lack of commitment by their member governments to improving them. Buckpassing is a familiar phenomenon in most walks of life but it reaches epidemic proportions when it comes to the UN.

Australia, unhappily, has just been exposed as being as bad as anyone else in the world in this respect: with the Prime Minister telling the AWB inquiry last week that it was not Australia but the UN who should have policed the Security Council resolution requiring governments to prevent kickbacks of Oil-for-Food funds to Iraq – and not only that but our own domestic legislation implementing that prohibition as well! When a country defaults on its legal and moral obligations on the scale in issue here in order to protect its wheat trade, it is difficult to criticize China for its foot-dragging over sanctions against Sudan to protect its oil interests.

The Problem of Political Will: Taking Effective Action
This brings us squarely to the last of the problems which have to be overcome if we are to effectively deal with crimes against humanity – the endemic problem of mobilizing political will to act in the particular case. All the other ingredients can be there – the knowledge of what's happening or about to happen, the acknowledgement of general responsibility, even the capacity and resources to act. But still there can be, and often is, a reluctance by governments – and the intergovernmental organizations in which they sit - to jump the final hurdle.

My short point is that we shouldn't despair about this. The problem of finding the necessary political will to do anything hard, or expensive, or politically sensitive, is just a given in public affairs, domestically or internationally. The evident absence of such will should not be a matter for lamentation, but mobilization. For every Indian Ocean tsunami that generates a massively sympathetic international human response, and an outpouring of material support, there is a Pakistani earthquake, just about as horrendous in its human consequences, that does not. We have to live with these vagaries in the human psyche, and our various body politics, and work on ways of overcoming them. Political will is not hiding in a cupboard or under a stone somewhere waiting to be discovered: it has to be painstakingly built.

All politics is in a sense local, and the key to mobilizing international support is to mobilize domestic support, or at least neutralize domestic opposition. And I've

always believed, inside and outside government, that the key to mobilizing that support, through the media and from decision makers themselves, is to have not just good organization and good lobbying techniques and good contacts, but above all good *arguments*, intelligently and energetically advanced: they may not be a sufficient condition but are always a necessary one for taking difficult political action.

Those arguments may be *party interest* arguments designed to consolidate a government's vocal domestic base (always an important element in the Bush Administration's interest in Sudan, such as it has been); *national interest* arguments (much easier to make now in relation to 'quarrels in far away countries between people of whom we know nothing', in Chamberlain's terms, because of what we do know now about the capacity of failed states, in this globalised world, to be a source of havoc for others); *financial* arguments (in terms of a million dollars worth of preventive action now saving a billion dollars worth of military intervention later); or even *moral* arguments (given that however base politicians' real motives may be, they always like to be seen as acting from higher ones) .

When it comes to mobilizing politically will internationally – in intergovernmental organizations like the UN, EU, African Union and NATO - additional players come into the picture: the UN Secretary General himself (with his own capacity under Article 99 of the Charter to bring to the attention of the Security Council any matter which in his opinion may threaten international peace and security), international NGOs such as my own and, as always, CNN's cameras.

But while international political will is more than just the sum of its national parts, my own judgement, for what it's worth, is that the national parts are still crucial. And that doesn't just mean the Security Council Permanent Five and the other really major players. It means the middle powers, and indeed any government at all which is seen as consistently principled and having a mind of its own, and that has ideas, and creativity and the energy and stamina with which to pursue them. I mentioned earlier as a model of its kind the particular role played recently by Canada, and personally by its former Prime Minister Paul Martin, on the responsibility to protect issue.

Australia has played such a role from time to time in the past - in international conflict, human rights and humanitarian issues as well as many others - and it remains my fervent wish that we play such a role again, consistently, credibly and constructively, on the international stage. I'm constantly proud, as I meet policy makers around the world, of the reputation for competence, professionalism and commitment that individual Australians abroad, working in difficult and sensitive areas, continue to have.

We are a country that has a tremendous amount to give. And nowhere more so than in ensuring that when the world says 'never again' next time, it really means it.

Medecins Sans Frontieres Australia

<u>**MSF shows treating children with HIV/AIDS is possible but expensive and calls for action**</u>

"Globally, an estimated 2.3 million children are living with HIV, the vast majority in sub-Saharan Africa. Nine out of ten newly infected children acquire the virus through mother-to-child transmission, largely because efforts to prevent this are insufficient. Far too few children receive treatment – only 5% of the 660,000 in urgent need - and there are no appropriate tests for diagnosing infants and very few adapted tools to treat children...As an example, the dose of zidovudine required to treat an adult costs US$175 per year. The amount of API in the adult dose is more than a third of that contained in a dose of zidovidune syrup for treating a child under 10 kg. Logically, the syrup should cost US$40. However, the drug is marketed for US$215, over 5 times more than that...“Lack of guidance from WHO is making the treatment of children even more confusing, and some clear indications three years ago could have really helped avoid this,” said Fernando Pascual, pharmacist with MSF's Campaign for Access to Essential Medicines."

MSF SHOWS TREATING CHILDREN WITH HIV/AIDS IS POSSIBLE BUT EXPENSIVE, AND CALLS FOR ACTION

New Médecins Sans Frontières (MSF) data shows treatment of children works in resource-poor settings but scale-up is hampered by ill-adapted and exorbitant costs.

MSF released two new studies last month at the XVI International AIDS Conference in Toronto, that demonstrate good outcomes in antiretroviral treatment of children living with HIV/AIDS across in a wide variety of resource-poor settings, but that paediatric drug formulations are excessively overpriced, costing up to six times more than adult equivalents.

Globally, an estimated 2.3 million children are living with HIV, the vast majority in sub-Saharan Africa. Nine out of ten newly infected children acquire the virus through mother-to-child transmission, largely because efforts to prevent this are insufficient. Far too few children receive treatment – only 5% of the 660,000 in urgent need - and there are no appropriate tests for diagnosing infants and very few adapted tools to treat children. MSF stated that international organizations have been late to respond to the needs of an increasing number of children living with HIV/AIDS and warned that scaling-up treatment of children will be impossible without immediate action.

MSF presented clinical data on outcomes of treating children in resource-poor settings. Data released on 3,754 children under 13 in MSF treatment programmes in 14 countries showed that children can be treated effectively: 80% were alive and continuing therapy after 24 months on treatment, with few adverse side effects. Significant gains in CD4 count and weight were observed. In the absence of suitable paediatric formulations, most children were treated with broken adult tablets.

“We know that treating children works, but with better tools we could be treating so many more,” said Dr Moses Masaquoi, of MSF in Malawi. “And we see the number

of children born with HIV constantly growing in Africa, because expecting mothers don't have access to antenatal care and children born to HIV positive mothers are largely lost to follow-up." This partly explains the worrying fact that infants under a year represented only 2% of children on ART in MSF projects. Without treatment, half of children who acquire HIV through mother-to-child transmission die before the age of two.

Diagnosing and treating children remains a major challenge. Diagnosis is difficult in resource-poor settings because antibody-detection tests commonly used in adults are not accurate for that age group. Treatment is difficult because there are very few appropriate paediatric dosages of antiretroviral drugs, forcing caregivers to split adult tablets that are not designed for partial intake – an option that is far from ideal. For children weighing less than 10 kg, even this strategy is impossible, as the only treatment options are syrups that are difficult to measure, bitter tasting, often need refrigeration, and are overpriced. Because the vast majority of infected children live in poor countries, most pharmaceutical companies are hardly investing in developing paediatric formulations.

MSF data presented on pricing showed that pharmaceutical companies are charging excessively marked up prices in resource-poor countries for paediatric formulations of ARVs. These prices are not justified by the amount of active pharmaceutical ingredient (API). API is the main driver of the cost of drug production and therefore of the final price – it typically accounts for more than half of what it costs to produce a drug.

As an example, the dose of zidovudine required to treat an adult costs US$175 per year. The amount of API in the adult dose is more than a third of that contained in a dose of zidovidune syrup for treating a child under 10 kg. Logically, the syrup should cost US$40. However, the drug is marketed for US$215, over 5 times more than that. WHO and UNICEF need to issue a strong call for urgently needed formulations to serve as clear guidance to manufacturers. Because such guidance was lacking, two companies have started producing a long-awaited fixed-dose-combination, but in different dosages.

"Lack of guidance from WHO is making the treatment of children even more confusing, and some clear indications three years ago could have really helped avoid this," said Fernando Pascual, pharmacist with MSF's Campaign for Access to Essential Medicines.

MSF provides antiretroviral treatment to more than 60,000 patients spread across 65 projects in 32 countries, including to over 4,000 children. MSF has been caring for people living with HIV/AIDS in developing countries since the mid 1990s, and first began providing antiretroviral treatment in 2000 (in Thailand and South Africa).

MSF Briefing Document for the XVI International AIDS Conference
"TOO LITTLE FOR TOO FEW: Challenges for effective and accessible

antiretroviral therapy"
available at www.accessmed-msf.org and www.msf.ca/aids2006