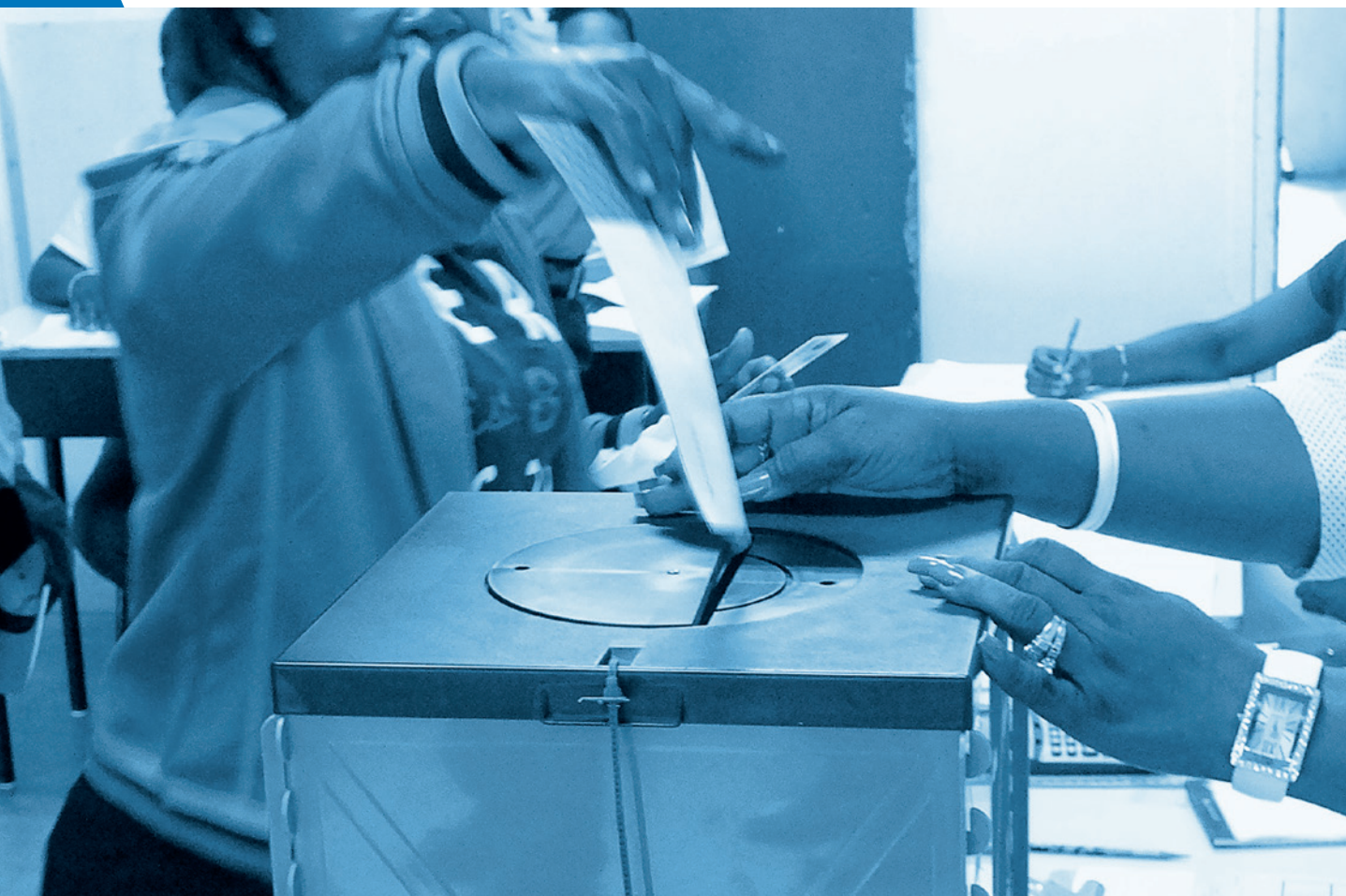


A Handbook for Gender-inclusive Elections in Commonwealth Africa

Achieving 50:50 by 2030

Commonwealth Secretariat



The Commonwealth

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Achieving 50:50 by 2030

Commonwealth Secretariat
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Foreword

Promoting gender equality across all spheres of society is a core value of the Commonwealth. Member countries took a significant stance on this in 1996 in Trinidad and Tobago, when senior officials at the frontline of promoting gender in their countries recommended that Commonwealth members should be encouraged to achieve a target of no less than 30 per cent women in decision-making in the political, public and private sectors by 2005. This target was subsequently endorsed by Heads of Government at their meeting in Edinburgh in 1997.

Collectively, Commonwealth African countries have since led in achieving, and in some cases surpassing, this target. When it comes to parliamentary gender equality, seven of the top ten performers in the Commonwealth are from Commonwealth Africa – and Rwanda remains the global leader. All have ratified the Convention on the Elimination of all forms of Discrimination against Women.

Furthermore, the bar has been raised for all Commonwealth countries. The Commonwealth Charter recognises that gender equality and women’s empowerment are not only essential components of human development and basic human rights, they are also critical preconditions for sustainable development.

Likewise, the 2030 Agenda for Sustainable Development underscores women’s full and effective participation and ‘equal opportunities for leadership at all levels of decision-making in political, economic and public life’. This is aligned with the African Union’s focus on gender equality as reflected in various commitments, including the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (‘the Maputo Protocol’), as well as Africa’s Agenda 2063.

In effect, all Commonwealth countries are challenged to progress from 30 to 50 per cent. The gains that Africa has made so far has positioned the continent to meet this ambition by 2030 – and learning from each other will be a game changer. This is the essence of this first edition of the *Handbook for Gender-inclusive Elections in Commonwealth Africa*.

Focusing on elections as the main doorway for attaining elective office, it examines the roles of the key players in this space who

are poised to contribute to the greater participation of women: election management bodies, the legislature, political parties, civil society and the media. It shares good practice and further examines what has not worked, and why, in each of these categories.

I commend the generosity of Commonwealth leaders who have shared their personal experiences in this handbook: HE Samia Suluhu Hassan, Vice President of Tanzania; Hon. Rebecca Kadaga (MP), first woman Speaker of the Parliament of Uganda; Hon. Zainab Athman Katimba (MP) of Tanzania; and Beauty Katebe, Board Chairperson, Zambia National Women's Lobby Group.

I appreciate contributions from our Commonwealth Electoral Network of election officials and experts. Their responses to surveys and interviews have enriched the findings and shaped the recommendations provided.

Commonwealth Africa can achieve 50:50 by 2030. As this handbook underscores, it will take political will, the steadfast implementation of national, regional and international gender rules, and a commitment by all the aforementioned stakeholders to this goal, including women themselves, who must not tire of stepping forward.

The Rt Hon. Patricia Scotland QC
Secretary-General of the Commonwealth

Acknowledgements

This handbook takes advantage of existing reports from the Commonwealth's 25-year election observation history, to gain an appreciation of the trends in women's participation in electoral processes and politics more generally in Commonwealth Africa.

As a starting point, all available Commonwealth Observer Group reports (COGs)¹ were examined for an overview of trends and recurring themes on women's political participation over the organisation's 25-year election observation history. In total, 34 COG reports on Commonwealth Africa were then examined in greater detail. The earliest COG report examined for this handbook was on Zambia's 2006 general elections and referendum, with the latest on Ghana 2016 parliamentary elections. To date, the Commonwealth has observed one election each in Botswana, South Africa and Namibia, and is yet to observe an election in Mauritius.

The COG reports reflect a mixture of presidential, parliamentary and local government elections observed by the Commonwealth Secretariat in this period. This body of work was examined in tandem with a literature review. Relevant publications generated by the Commonwealth Secretariat's Gender Unit provided secondary evidence to affirm the findings of the COG reports. The outcomes of two separate surveys of Commonwealth election management boards (EMBs), including of members of the Commonwealth Electoral Network, provided further validation, and are cited in various parts of this handbook.

This handbook benefits from the voices of women in politics, parliaments, civil society and EMBs, who have generously contributed their own experiences on some of the issues raised, referenced in the text: Samia Suluhu Hassan, Vice-President of Tanzania; Honourable Rebecca Kadaga (MP), first woman Speaker of the Parliament of Uganda; Honourable Zainab Athman Katimba (MP) of Tanzania; and Beauty Katebe, Board Chairperson, Zambia National Women's Lobby Group (ZNWL).

Geraldine Joslyn Fraser-Moleketi, former Special Envoy for Gender at the African Development Bank and former Minister of Public Service and Administration, South Africa, moderated a joint Commonwealth and African Union gender dialogue

in New York in March 2015, which spurred the production of this handbook. A reference group comprising representatives of Commonwealth Africa High Commissions, experts and civil society organisations reviewed and validated the handbook at a meeting in London on 7 July 2017. The group comprised: Her Excellency Ms Yamina Claris Karitanyi, High Commissioner of Rwanda to the United Kingdom; Honourable Emma Kowa, Member of Parliament, Republic of Sierra Leone; Advocate Notemba Tjipueja, Chairperson, Electoral Commission of Namibia; Reverend Bongani Finca, Commissioner, Electoral Commission of South Africa; Julie Ballington, Policy Adviser on Political Participation, UN Women; Tazreen Hussain, International Foundation for Electoral Systems; Holly Ruthrauff, former Project Director, EU Election Observation and Democracy Support; Meenakshi Dhar, Director of Programmes, Commonwealth Parliamentary Association; Lucy Pickles, Commonwealth Parliamentary Association; Reineira Arguellosanjuan, Commonwealth Foundation; and Claire Frost, Commonwealth Local Government Forum.

Dr Josephine Ahikire conducted the initial research for the handbook, with additional research by Lindsey Adjei. Gender Links' CEO Colleen Lowe Morna edited and contributed to the handbook, with assistance from Gender and Governance Manager Mariatu Fonnah, Media Coordinator Tarisai Nyamweda and Alliance Coordinator Lucia Makamure.

Yvonne Apea Mensah, Adviser and Head of Africa at the Governance and Peace Directorate of the Commonwealth Secretariat, conceptualised and managed this project, providing oversight and strategic guidance with Kemi Ogunsanya, Adviser, Gender Section in the Secretary-General's Office.

Note

- 1 For convenience, the terminology 'COGs' or 'COG reports' is used for all the other forms of election observation conducted by the Commonwealth. These include smaller teams, sometimes constituted by staff only, whose reports are not made public, such as Commonwealth Expert Teams (CETs) and Commonwealth Observer Missions (COMs). COGs and CETs are constituted by the Commonwealth Secretary-General at the request/invitation of a member country. Observers' terms of reference can be found on the website of the Commonwealth Secretariat. All COG reports mentioned in this handbook can also be found on the website of the Commonwealth Secretariat.

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Acronyms and Abbreviations

AfDB	African Development Bank
ANC	African National Congress
AU	Africa Union
BCP	Botswana Congress Party
BNF	Botswana National Front
CCM	Chama Cha Mapinduzi (Tanzania)
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CEN	Commonwealth Electoral Network
CEON-U	Citizens Election Observers Network-Uganda
CET	Commonwealth Expert Team
COG	Commonwealth Observer Group
COPE	Congress of the People (South Africa)
CSO	civil society organisations
DA	Democratic Alliance (South Africa)
EASSI	Eastern African Sub-regional Support Initiative for the Advancement of Women
ECN	Electoral Council of Namibia
ECOWAS	Economic Community of West African States
EFF	Economic Freedom Fighters (South Africa)
EISA	Electoral Institute for Sustainable Democracy in Africa
EMB	election management body
EU	European Union
FIDA	Federation of Women Lawyers
FPTP	first-past-the-post (electoral system)
FRELIMO	Frente de Libertação de Moçambique (Mozambique Liberation Front)
GBV	gender-based violence
GFP	gender focal point/person
GMP	Global Media Monitoring Project
IDEA	International Institute for Democracy and Electoral Assistance

IEC	Electoral Commission (of South Africa)
IFES	International Foundation for Electoral Systems
IFP	Inkatha Freedom Party (South Africa)
IPU	Inter-Parliamentary Union
LCD	Lesotho Congress for Democracy
MCP	Malawi Congress Party
MDGs	Millennium Development Goals
MMP	mixed member proportional system
MP	Member of Parliament
NEPAD	New Economic Partnership for Africa's Development
NGO	non-governmental organisation
NRM	National Resistance Movement (Uganda)
PF	Patriotic Front (Zambia)
PoA	Commonwealth Plan of Action for Gender Equality
PR	proportional representation (electoral system)
RDPC	Rassemblement Démocratique du Peuple Camerounais (Cameroon People's Democratic Movement)
RGB	Rwanda Governance Board
SADC	Southern Africa Development Community
SDF	Social Democratic Front (Cameroon)
SDGs	Sustainable Development Goals
STAR-Ghana	Strengthening Transparency, Accountability and Responsiveness
SWAPO	South West Africa People's Organisation
TSMs	temporary special measures
UDF	United Democratic Front (Malawi)
UDM	United Democratic Movement (South Africa)
UK	United Kingdom
UN	United Nations
UNGA	United Nations General Assembly
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNDP	United Nations Development Programme

USA	United States of America
USAID	US Agency for International Development
UWONET	Uganda Women's Network
UWOPA	Uganda Women's Parliamentary Association
VAWE	violence against women in elections
VAWP	violence against women in politics
WEF	World Economic Forum
WILDAF	Women in Law and Development
WRO	women's rights organisation
ZNWL	Zambia National Women's Lobby Group

Executive Summary

This handbook builds on the emerging outcomes of the joint Commonwealth and African Union (AU) dialogue in New York, in the margins of the 59th United Nations Commission on the Status of Women meeting on women's political participation in March 2015 (Commonwealth Secretariat 2015a).

Convened to commemorate 20 years of the Beijing Declaration and Platform for Action, as well as the AU's theme for 2015, 'The Year of Women's Empowerment and Development towards Agenda 2030', the dialogue recognised that, while modest gains have been made, much remains to be done to achieve gender equality in decision-making.

Themed 'Beyond Numbers: Women's Political Leadership in Delivering Democracy and Development in Africa' (Ibid), participants identified gaps and shared good practices in promoting the proportion of women in decision-making positions across the governance spectrum and improving the impact they make on development and democracy.

The dialogue highlighted elections as one critical process through which political leadership can be accessed. It also underscored the central role that election management bodies (EMBs), political parties and legislatures play in ensuring gender-inclusive elections. The AU and the Commonwealth Secretariat affirmed their commitment to strengthening the capacity of these stakeholders to enhance the participation of women in elections. This practical handbook has therefore been designed with this goal in mind.

Together with the **Commonwealth Gender and Elections Checklist** (see Annex A), the handbook further responds to one of the four priorities for gender equity endorsed by ministers at the 11th Commonwealth Women's Affairs Ministerial Meeting held in Apia, Samoa, in September 2016 – namely, enhancing women's political leadership.

Drawing on the rich pool of resources on elections in Commonwealth Africa, this handbook targets the following players in the electoral cycle:

- political parties
- legislatures

- election management bodies
- civil society
- media and social media
- election observer missions, with a focus on Commonwealth election observer missions

It shares best practice and offers peer learnings and recommendations on how they might improve their contributions to women's participation throughout the cycle.

The definition of the electoral cycle that the handbook uses is well established among signatories to the Declaration of Principles for Election Observers (i.e. the pre-electoral, electoral and post-electoral periods) (Commonwealth Secretariat 2005). The electoral cycle has mainly been utilised to guide standard actions of EMBs, but can be used as a framework for gender-inclusive actions by all actors, including political parties, parliament, civil society organisations and women aspirants themselves.

The handbook recommends that, for gender inclusiveness to become a reality, it is necessary to specifically address the hurdles to women's participation in all the three stages. In the **pre-election period**, there are actions for the EMBs such as training, planning and voter registration. EMBs should ensure that all these actions consider the different needs of women and men and adequately cater for balanced participation in these activities. Parliaments can also make laws or amend existing laws to address the obstacles. This stage is also a period for preparation on the part of political aspirants. Women political aspirants need to master the standard stages that apply to everybody, but additionally appreciate the significance of the 'gender template' on which their election journey will be structured.

The **electoral period** is the peak in this cycle. Competing in an election is a highly involving political activity. Women's candidatures face hurdles both in nomination and in campaigns. For women to get elected, they need to pass through three crucial barriers: first, they must put themselves forward for elections; second, they need to get selected as candidates by their party; and third, they need to get selected by the voters (see Figure 1.4) (adapted from Matland 1998, p.67). A variety of factors produce aspirants from all eligible people: parties as gatekeepers convert aspirants into candidates, while the community, as voters, turns candidates into office-holders.

Although the **post-election** period is like the ‘calm after the storm’ (or more of ‘the storm’, if the elections are followed by disputes and violence), this is one of the most important periods for change. Elections are usually followed by the announcement of a new cabinet. Where women have been under-represented in electoral processes for various reasons, Heads of State committed to gender equality have the opportunity to change some of that through their cabinet appointments. Leaders are also selected and announced in parliaments and (in the case of local government) in councils. In addition, this is the period when all parties, but especially the EMBs, media and election monitoring groups, analyse and reflect on the outcomes of the elections: it is a critical moment for making recommendations on improving gender outcomes.

The **checklist** follows the three stages of the elections, providing a guide for any one of the actors (but especially election monitoring groups) to ensure that relevant gender questions are asked at each stage and incorporated into the reporting. The checklist can also be used to conduct stand-alone gender audits of elections, by civil society watchdogs, gender commissions and any groups that have a specific gender brief in the elections.

The **handbook**, meanwhile, is structured around key commitments and role players, with relevant sections of the checklist at the end of each chapter. The reason for this is to ensure that it is as relevant as possible to these stakeholders, while recognising the overlapping and mutually reinforcing nature of these roles.

Chapter 1 (Introduction) provides an overview of where women are in political decision-making in the Commonwealth, what prevents women from entering politics and, conversely, what factors facilitate their political participation.

Chapter 2 (Normative Frameworks) covers the key international, Commonwealth, African, subregional and national commitments to achieving gender equality.

Chapter 3 (The Legislature, Electoral Systems and Temporary Special Measures) focuses on the role of the constitution and the legislature, especially in determining the electoral system, and laws that help guarantee women’s political participation.

Chapter 4 (Political Parties) concerns gender in the visions, missions and manifestos of political parties; the role of political parties in grooming women for leadership in their

own structures; nominations of, and support for, candidates, including in top positions; and the extent to which political parties infuse gender issues in the campaign. The chapter also covers the dilemmas faced by women who must choose between commitment to their parties and to causes dear to them as women. It looks at the role and experience of inter-party caucuses in helping women bridge this divide.

Chapter 5 (Gender and Election Management Bodies) concerns gender mainstreaming in the policies, composition and conduct of EMBs. This chapter also covers the many facets of elections – from voter registration, to running the elections on the day, to announcing election results – for which the EMBs are primarily responsible.



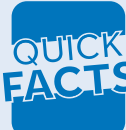

Chapter 6 (Civil Society) focuses on the role of civil society (especially women’s rights organisations) in lobbying and advocating for women’s participation; training and supporting women aspirants and candidates; and monitoring the outcome of the elections.

Chapter 7 (The Media and Social Media) breaks new ground by including the media as a key player in either excluding women or promoting gender-inclusive elections. Moving with the times, this chapter also includes a section on new media, a tool with many possibilities, but also many potential pitfalls, in the quest for more inclusive elections.

Chapter 8 (Election Observers) touches on election observation generally (domestic, regional and international), but with a strong focus on what has been learned through Commonwealth Observer Mission reports from a gender perspective, and how these can be strengthened in the future.

Chapter 9 (Conclusions and Recommendations) ties together the diverse threads in the handbook by suggesting how all the different actors can contribute to gender-inclusive elections and offers reflections and recommendations from a gender perspective.

Each chapter begins with an overview, based on facts and figures as at July 2017, when the handbook was compiled. It draws out the key gender issues overall and for specific actors, ending with a summary of key points and the relevant sections of the checklist. The following icons assist in the navigation of the handbook.

	Key points: This is a summary at the beginning of each chapter.
	Case study: The best learning builds on actual experiences. Some case studies are iconic and bear full mention. Others may soon become dated or may not be relevant to all readers. The handbook shares examples, but also encourages users to find their own case studies.
	Quick facts: The handbook has some quick facts where these help explain current realities and prompt us to think about how we can approach things differently.
	Checklist: This is an action-oriented handbook that ends with questions to help apply the learning. The checklist directed at each stakeholder and overall (Annex A) is the main 'take away' from the handbook, with practical applications to upcoming elections in each country.

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Chapter 1

Introduction

Chapter 1

Introduction

Key points

- The Commonwealth Charter recognises gender equality as an essential component of basic human rights and human development.
- Commonwealth Africa has recorded the greatest increase in the levels of women's representation in parliament: from 19.0 per cent in 2004 to 26.6 per cent in 2016, a variance of 7.6 percentage points.
- Women lead 53 of the 193 parliaments globally; 19 of these are Commonwealth countries.
- Research indicates that there is growing demand for democracy in Africa – even more reason why both halves of the population must be equally represented in governance processes and decision-making.
- Post-elections, ministerial appointments present a 'quick win' for gender equality in political decision-making. They are also a litmus test for political will and commitment to gender equality.
- There are significant disparities between Commonwealth African countries regarding women's representation in parliament and local government.



The Commonwealth Charter not only promotes human rights, it also commits governments to eliminating 'all forms of discrimination, whether rooted in gender, race, colour, creed, political belief or other grounds' (Commonwealth Secretariat 2013). Gender equality and women's empowerment, in particular, are recognised as essential components of human development and basic human rights. Yet nowhere, says the report of the United Nations (UN) to the Fourth World Conference on Women in Beijing in 1995, 'is the gap between *de jure* and *de facto* equality among men and women greater than in the area of decision-making' (UN 1995, p.12).

This fact rings true today, despite progress. The 2016 World Economic Forum (WEF) *Gender Gap Report* (WEF 2016) noted that, while the gender gap in political participation was the widest that year, it exhibited the most progress, narrowing by 9 per cent since 2006. According to the WEF, on the 2016 trends, it could be closed within 82 years. In effect, although women remain under-represented in political decision-making, the statistics generally point to incremental progress and opportunity to build on gains achieved.

This chapter of the handbook explains why gender is a key issue in elections. It provides key facts – where women are (or are missing) in parliament, local government, cabinet and the top leadership of their countries. The chapter analyses why women are absent, and what can be done overall to promote more inclusive approaches, drawing from the insights shared by high-profile women in Commonwealth Africa.

1.1 Why gender-inclusive elections matter

Democracy is about the fair representation of all interest groups in society. The fact that women are not represented in proportion to their presence in the population is a violation of this principle. In short, women have a right to equal participation in political decision-making.

But democracy is not just about representation. It is also about participation and citizenship, which give people a say in their lives, making for better policies and service delivery, and holding those who make such decisions and take such actions more accountable.

The Inter-Parliamentary Union (IPU) maintains that democracy will only assume true and dynamic significance when women and men participate equally in policy formulation and in national legislatures, reflecting the interests and aptitudes of both halves of the population (IPU 1994).

The Beijing Declaration and Platform for Action (BPFA) adopted at the Fourth World Conference on Women in 1995 states: ‘Women’s equal participation in decision-making is not only a demand for simple justice or democracy, but can also be seen as a necessary condition for women’s interests to be considered. Achieving the goal of equal participation of women and men in decision-making will provide a balance that more

Box 1.1 African women struggle for political space

‘In Uganda and many post-colonial African countries, women’s political leadership has come a long way. At independence, while the continent celebrated the great milestones from Ghana to Kenya, Uganda to Malawi, women were quietly bracing themselves for the second independence – the struggle for a woman’s space in political life of post-colonial Africa.

Most independence struggles always highlighted men at the forefront, at the expense of women’s contributions. Women’s achievements were not as revered as those of the men who led militaristic struggles. Many decades later, Africa now has two female heads of state and many other women occupy key decision-making positions. Even with these achievements, many analysts believe that women’s involvement in post-colonial state governance has been painfully slow.’

Hon. Rebecca Kadaga (MP), first woman Speaker of the Parliament of Uganda, January 2017

accurately reflects the composition of society and is needed in order to strengthen democracy and promote its proper functioning’ (UN 1995, para 181).

The BPFA called on governments to take measures to ensure women’s equal access to, and full participation in, decision-making by creating a gender balance in government and administration; integrating women into political parties; increasing women’s capacity to participate in decision-making and leadership; and increasing women’s participation in the electoral process and political activities.

Research on the qualitative difference that women bring to decision-making is still in its infancy. The International Institute for Democracy and Electoral Assistance (International IDEA), a Swedish-based research institute, drew attention to this gap in the book *Women in Parliament: Beyond Numbers*. The authors point out that:

Although women remain significantly under-represented in today’s parliaments, women are now looking beyond numbers to focus on what they can actually do while in parliament – how they can make an impact, whatever their numbers may be. They are learning the rules of the game and using the knowledge and understanding to promote women’s issues and concerns from inside the world’s legislatures. In so doing, they are not only increasing the chances of their success, but they are also paving the way for a new generation of women to enter the legislative process (Karam 1998, p.125).

The book carries findings from a research study in Norway that involved tracking legislation as well as interviews with male and female Members of Parliament (MPs). The study concluded that: ‘In Norwegian politics, there is unquestionably a mandate of difference attached to women politicians’ (Skjeie 1998, pp.183–189).

Over the past two decades, Africa has been in the grip of major social, economic and political change. Following the ‘lost decade’ of the 1980s, when a combination of stumbling commodity prices, conflict, war,

Box 1.2 Women and the 2030 Agenda

‘For Tanzania, gender equality and women’s economic empowerment underlie the true spirit of the 2030 Agenda and are inextricably linked to our vision of inclusive and sustainable industrial development. Tanzania recognises that everyone should benefit from the national cake and that property should be equally shared among women and in all regions of the country. Great progress has been made but we are not there yet.’

HE Samia Suluhu Hassan, Vice President, United Republic of Tanzania

political instability and mismanagement led to major economic decline, the continent is slowly but surely on an upward trajectory. The pillars of 'good governance' are now generally agreed to include: the responsibility of the government (that is, the executive and its administration) to manage; the role of the judiciary, statutory bodies, the media and civil society to provide checks and balances; and the role of the private sector, working in a conducive macroeconomic environment, to create wealth and jobs.

The hallmarks of 'good governance' are accountability, transparency, openness and the rule of law. There are two dimensions of governance:

- economic and corporate governance, to attract increased investment, improve efficiency and productivity, and reduce poverty through macroeconomic management, public financial management, banking supervision, financial services regulation and corporate governance; and
- political governance that includes 'political pluralism, allowing for the existence of several political parties and workers' unions, and fair, open and democratic elections periodically organised to enable people to choose their leaders freely' (New Partnership for Africa's Development website).

Within the above context, elections are generally regarded as one of the hallmarks of democracy. An Afrobarometer report released in November 2016 found a direct correlation between the quality of elections and the demand for democracy in 36 African countries surveyed: African countries with high-quality elections are more likely to register increases in popular demand for democracy than countries with low-quality elections, the report indicates.

The report's findings that 'popular demand for democracy still exceeds citizen perceptions of the available supply of democracy in most African countries (26 out of 36 in 2015)' augurs well for the future of elections in Africa, as the preferred mode for Africans to select their leaders. This is even more reason why women and men must participate equitably in this governance-defining process. It also underscores the need for constant scrutiny and strengthening of institutions that play a role in the process to enhance inclusivity (Afrobarometer 2016).

Numerous Commonwealth Observer Group (COG) reports have highlighted the under-representation of women in elections and electoral process. It is quite telling that the Afrobarometer survey finds a gender gap even in the demand for democracy across the continent, with women (39 per cent) significantly less likely to demand democracy than men (49 per cent).

This under-representation, and incidents of apathy towards participation, is reflected in the gender gap in decision-making positions within the

legislature and the executive. Yet, as earlier illustrated, emerging hard evidence affirms that women's participation in decision-making policies translates into increased gender equality policies and reforms in areas like family law and land rights (African Development Bank 2015).

1.2 Women in Commonwealth African parliaments

Since the introduction of the Commonwealth Plan of Action for Gender Equality (PoA) in 2005, Commonwealth member countries have made important strides in increasing the number of female parliamentarians within its six official regions. The PoA target of 30 per cent or more women in decision-making in parliament and local government has been achieved through the introduction of affirmative action measures such as temporary special measures (TSMs) and reserved seats in some Commonwealth countries.

As reflected in Table 1.1, which compares the proportion of women in parliament in the different regions of the Commonwealth from 2004 to 2016, the overall proportion for all Commonwealth regions in 2016 is 21.1 per cent, close to the global average of 22.7 per cent. This represents a 4.3 percentage point increase on 2004. The Americas region currently has the highest proportion of women in parliament, at 31.2 per cent (a 6.8 percentage point increase compared to 2004). At 14.5 per cent, Asia has the lowest proportion of women in parliament in the Commonwealth.

Commonwealth Africa has recorded the greatest increase in the levels of women's representation in parliament: from 19.0 per cent in 2004 to 26.6 per cent in 2016, a variance of 7.6 percentage points (Morna et al. 2013). The 2015 Ibrahim Index on African Governance (IIAG), which includes a 'women in politics' indicator, further affirms that the majority of African countries (37) have improved in the gender subcategory.

Table 1.1 Women in parliament in the Commonwealth by region (2016)

Region	2004 (%)	2016 (%)	Variance (%)
The Americas	24.4%	31.2%	6.8%
Africa	19.0%	26.6%	7.6%
Europe	17.5%	21.7%	4.3%
The Caribbean	19.7%	24.2%	4.5%
South Pacific	14.9%	16.3%	1.4%
Asia	10.8%	14.5%	3.7%
Overall	16.8%	21.1%	4.3%

Source: Morna et al. (2013)

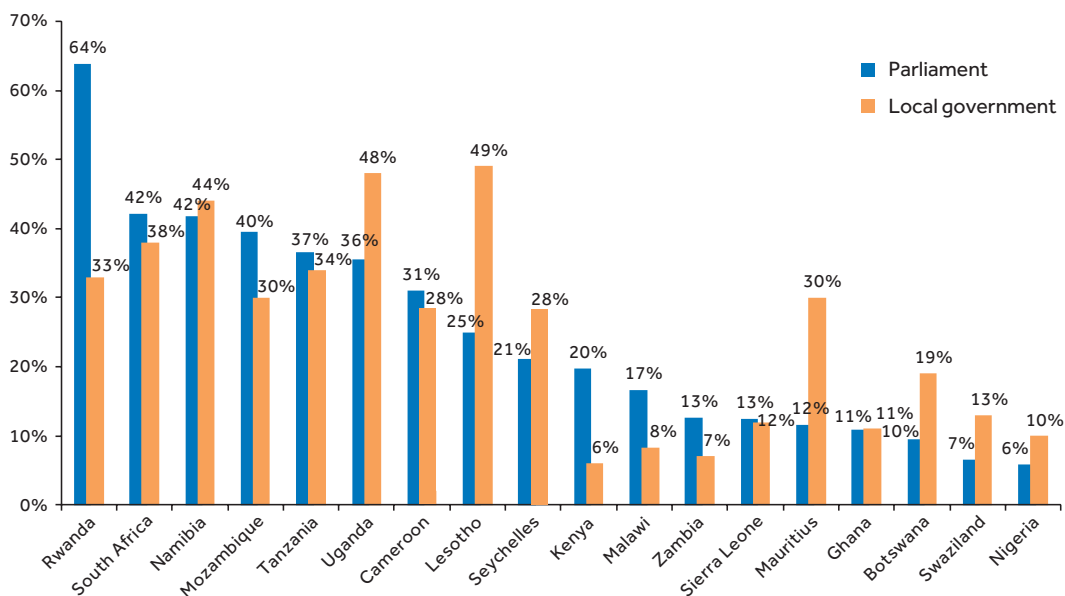
Box 1.3 Scandinavia is no longer the model

'Before Rwanda came onto the scene, Scandinavian countries consistently topped the world in terms of women's numbers in public elective office. Even now, Scandinavia as a region still tops the world. How did women in Scandinavia come this far? Answers to this question have been found in the reality of structural changes within these countries, which include secularisation, the strength of social democratic parties and the development of an extended welfare state, women's entrance into the labour market in large numbers in the 1960s, the educational boom of the 1960s, the electoral system (PR) [proportional representation], as well as the strength of women's organisations in raising the level of female representation. The Scandinavian experience took 80 years. Today, the women of the world are not willing to wait...'

Ballington (2004)

Notably, African countries comprise six of the top ten performers when it comes to the proportion of women in parliament in the Commonwealth. These top performers have either met or exceeded the 30 per cent minimum target for women in decision-making, recommended in 1996 at the 5th Commonwealth Women's Affairs Ministers Meeting in Trinidad and Tobago. These gains have resulted from many actions, including electoral reforms, legislated and voluntary temporary special measures (TSMs), as well as advocacy and mobilisation by civil society actors, including women's movements.

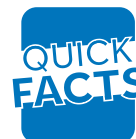
Figure 1.1 Women in parliament and local government in Commonwealth Africa in 2016



Source: Produced with data from Commonwealth Secretariat and IPU websites (accessed June 2017)

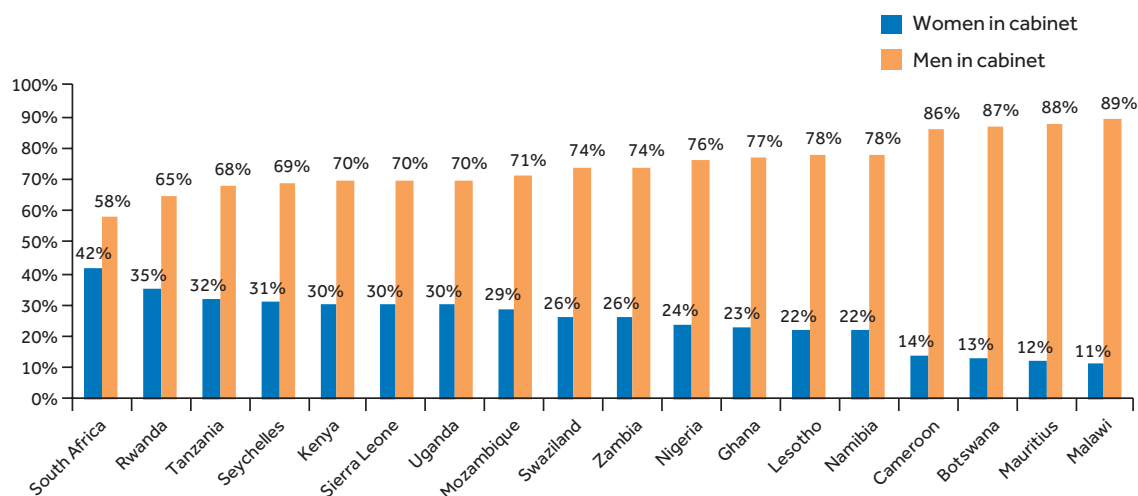
Figure 1.1 on women in parliament and local government in Commonwealth Africa in 2016 (in descending order, women in parliament) shows:

- There are huge disparities between Commonwealth African countries regarding women's representation in parliament and local government.
- At 64 per cent, Rwanda has the highest proportion of women in parliament in the world, the Commonwealth and Commonwealth Africa.
- Seven of the 18 Commonwealth African countries (Cameroon, Rwanda, South Africa, Namibia, Mozambique, Tanzania and Uganda) have achieved a proportion of 30 per cent or more for women in parliament.
- Seven of the 18 Commonwealth Africa countries (Zambia, Sierra Leone, Mauritius, Ghana, Botswana, Swaziland and Nigeria) have a proportion of 15 per cent or lower for women in parliament.
- Lesotho (49 per cent) has the highest proportion of women in local government.
- Three Commonwealth African countries (Rwanda, Kenya and Malawi) have a significantly higher proportion of women in parliament than in local government. This reflects the conservative nature of these societies on the ground, where forces of custom, culture and tradition remain stronger than at the national level.
- Four Commonwealth African countries have a significantly higher proportion of women in local government than in parliament (Uganda, Lesotho, Mauritius and Botswana). Except for Botswana, this reflects the fact that where Commonwealth African countries have been willing to adopt TSMs (see Chapter 4) they have been more willing to do so at the local level (often seen as 'community affairs' rather than 'real politics') than at the national level.
- Four Commonwealth African countries (South Africa, Namibia, Mozambique and Tanzania) have high levels of women's representation in parliament and at the local level.
- Three Commonwealth African countries (Ghana, Swaziland and Nigeria) have low levels of women's representation in both parliament and at the local government.



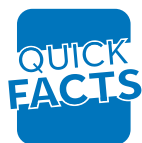
1.3 Ministerial level

As ministers are appointed rather than elected, they are outside the scope of this handbook. However, because they are appointed, ministers are a litmus test of political will. This is one area in which Heads of State who are committed to gender equality have the power to bring about change in a relatively short time span.

Figure 1.2 Women and men in cabinet in Commonwealth Africa

Source: Commonwealth Secretariat and government websites (accessed in June 2017)

Figure 1.2 (in descending order, women in cabinet) shows that:

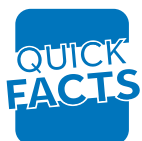


- The proportion of women in Commonwealth African cabinets ranges from 11 per cent in Malawi to 42 per cent in South Africa.
- There is no direct correlation between levels of women in parliament and cabinet. For example, at 35 per cent, Rwanda has a much lower proportion of women in cabinet than in parliament (64 per cent).
- Conversely, there are countries that have a low proportion of women in parliament but a much higher proportion in cabinet. Examples include Kenya (30 per cent in cabinet versus 20 per cent in parliament), Sierra Leone (30 per cent in cabinet versus 13 per cent in parliament) and Swaziland (26 per cent in cabinet versus 7 per cent in parliament).

1.4 Presiding officers of legislatures

Women lead 53 of the 193 parliaments globally; 19 of these are Commonwealth countries.

Table 1.2 shows that:



- Eight Commonwealth African countries (Botswana, Mauritius, Mozambique, Rwanda, Swaziland, Tanzania, South Africa and Uganda) had female speakers as at mid-2017 when this handbook was written.
- Eight out of 18 countries amounts to 44 per cent Commonwealth African countries with women speakers.

Table 1.2 Presiding officers or speakers in Commonwealth Africa in 2017

Country	Name	Office	Term of office	
			From (year)	To (year)
PRESENT				
Botswana	Gladys Kokorwe	Speaker	2014	2018
Lesotho	Ntlhoi Motsamai	Speaker	2012	2020
Mauritius	Santi Bai Hanoomanjee	Speaker	2014	2019
Mozambique	Veronica Macamo	Speaker	2010	2020
Rwanda	Donatille Mukabalisa	Speaker	2013	2018
South Africa	Baleka Mbete	Speaker	2014	2018
Tanzania	Tulia M Ackson	Deputy Speaker	2015	2020
Uganda	Rebecca Kadaga	Speaker	2011	Incumbent as at July 2017
PAST				
Swaziland	Esther Dlamini	Deputy Speaker	2013	2016
Tanzania	Anne Makinda	Speaker	2010	2015

Source: IPU (2017)

- The eight is more than double the three women speakers in the past (Uganda, Swaziland and Tanzania). Rebecca Kadaga currently serves as the first woman speaker in Uganda.

1.5 Heads of State/Government

Being Head of State is the pinnacle of achievement in politics. Generally, this is an elected position, and it requires a high degree of backing from the individual's party. Women are slowly reaching for the top. Several countries – Uganda, Kenya, Malawi, Nigeria and Zambia – have had women (albeit few and on the margins) participate in the race for the presidency.

In the 2015 elections in Nigeria, women comprised two out of the fourteen presidential candidates, although one did not make it through the party nomination level.

COG reports show a growing number of women presidential running mates and therefore vice-presidential candidates. This trend is not limited to the larger parties, but also occurs in smaller parties. In Malawi's 2014 tripartite elections, women comprised two out of twelve presidential candidates and two running mates. In Ghana's 2012 election, women comprised three of the eight running mates. In Nigeria, the 2015 presidential race had four female vice-presidential candidates.

Case study 1.1 Reflections from Uganda



'In the past, Uganda has had a female vice president and I served as the first-ever female Speaker of Parliament. Many may be quick to highlight this as a great success, but the fact that it came 50 years after independence speaks volumes of the struggle of women to make it in the political arena.

On a personal level, I joined politics fully in 1989 as a Member of Parliament representing Kamuli District women. At that time, I was coming from a background of private practice as a lawyer. My venture into politics was driven by a passion for women's emancipation and empowerment – I felt that it was my duty to join politics and influence decision-making for the improvement of lives of women in Kamuli district in particular and Uganda in general.

A new constitution was enacted in 1995 with gender-related provisions. The country holds presidential, parliamentary and local government elections every five years. Uganda also conforms to the articles of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), which promotes the equal participation of women in public life.

Fortunately, the National Resistance Movement (NRM) government had just introduced seats for women representatives and this provided me with a perfect platform to make my thrust into politics. This is what is commonly referred to as "affirmative action", which was also later integrated into the Constitution of the Republic of Uganda in 1995.

Of course, joining politics at that time was not easy for me as a woman. There were and there still remain so many prejudices and odds against women in politics in Uganda. But somehow I was able to ride the tide and overcome. Being a lawyer who knew her rights and being strong willed of course helped. But most important was the overwhelming support of the people of Kamuli district.

My political party, the NRM, of which I am second National Vice-Chairperson, has been instrumental in my journey in politics. As I have mentioned earlier, it's the NRM that created the opportunity for women through introducing affirmative action. The same party has been supportive through all the levels and strata that I have been climbing.

In Uganda, the Electoral Commission is the body in charge of conducting elections. The electoral laws in Uganda allow and enable women's political participation. However, under the Elections Act Cap, there is no special provision for the protection of women during electoral processes and this has been one of the factors that really hinders the participation of women in electoral processes in Uganda. Violence against women during campaigns and elections are still a deterrent factor towards the participation of women in electoral processes.

As women leaders, we have done our best to push for the emancipation of women in Uganda. We have struggled to build and advocate for structures right from the grassroots to the top levels. We have also put in place legislation which, if well implemented, we think can protect women's rights as well as create equal opportunities.

There are still challenges. For example, the numbers that we have in parliament are not ideal. Currently, women in parliament in Uganda are just over 31 per cent, which is far off the 50 per cent target. Unfortunately, this is not the case with Uganda alone but also with many other countries, because only two countries have achieved gender parity globally. We need to focus on empowering women through policy reforms, through education, through changing attitudes and trends in our societies. We need increased funding for women in our parties, we need to create more women advocacy groups at the grassroots level to push the agenda.'

Rt Hon. Rebecca Kadaga (MP), first woman Speaker of the Parliament of Uganda, January 2017

Box 1.4 The Commonwealth leads the way

The Commonwealth's first female Chair-in-Office, Kamla Persad-Bissessar, led a high-level meeting with female world leaders entitled 'Women's Political Participation' as a side event to the 66th UN General Assembly (UNGA) Session in New York on 19 September 2011, in partnership with the Commonwealth Secretariat and UN Women. Dignitaries in attendance included the former US Secretary of State, Hilary Clinton, the former Head of UN Women, Michele Bachelet, and five female presidents and Heads of Government at the time. The resulting Joint Statement signed by female world leaders resulted in the adoption of the UNGA Resolution 66/130 on 19 December 2011.

Commonwealth Secretariat (2012)

Countries whose electoral laws provide for a running mate for the presidency may have a higher chance of bringing women closer to the top and this incremental presence will, in the long run, provide opportunities for women to demonstrate the ability to govern. Although institutionalised deputyship for women is not a desirable phenomenon, more women running at this level can have the potential to normalise their presence at the top.

In some instances, the election of the male standard-bearer as president produced a moment of history for the female vice-president:

- Dr Wandira Specioza Kazibwe of Uganda became Africa's first and longest-serving female executive vice-president, a role she held for ten years (1993–2003).
- Joyce Banda of Malawi became the first female vice-president in Malawian history. With the demise of President Mutharika, she became her country's first female president.

In Tanzania, two women were selected by the ruling party Chama Cha Mapinduzi (CCM) as two of the three finalists to be considered as presidential candidate in the 2016 elections. Mr Magufuli was elected as CCM's standard-bearer and he chose Samia Hassan as his vice-presidential running mate. She is currently serving as the first female vice-president of Tanzania.

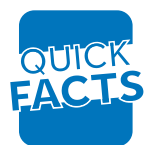
The year 2012 marked a high point in the Commonwealth for women holding the office of Head of State and/or Head of Government. Globally, 20 out of 193 Heads of State were women; seven of these were from Commonwealth member countries. In addition to President Banda of Malawi in Commonwealth Africa, President Monique Ohsan-Bellepeau of Mauritius was also serving as Head of State (Commonwealth Secretariat 2012). By 2017, this number had dropped to five women leaders from Commonwealth countries: Prime Ministers Sheikh Hasina of Bangladesh,

Table 1.3 Women in Commonwealth Africa in top roles in 2016

Country	Head of Government / vice-president	Title
PRESENT		
Mauritius	Ameenah Gurib-Fakim (2015–)	President
Namibia	Saara Kuugongelwa-Amadhila (2015–)	Prime Minister
Tanzania	Samia Hassan Suluhu (2015–)	Vice President
Zambia	Inonge Mutukwa Wina (2015–)	Vice President
PAST		
Malawi	Joyce Banda (2012–14)	President
Malawi	Joyce Banda (2009–12)	Vice President
Mauritius	Agnès Monique Ohsan Bellepeau (2012; 2015)	President
Mauritius	Agnès Monique Ohsan Bellepeau (2010–16)	Vice President
Mozambique	Luisa Diogo, (2004–10)	Prime Minister
South Africa	Baleka Mbete, (2008–09)	Deputy President
South Africa	Phumzile Mlambo-Ngcuka, (2005–08)	Deputy President
Uganda	Dr Wandira Specioza Kazibwe, (1994–2003)	Deputy President

Saara Kuugongelwa-Amadhila of Namibia and Theresa May of the UK, and Presidents Marie-Louise Coleiro Preca of Malta and Ameenah Gurib-Fakim of Mauritius.

Table 1.3 shows that:



- Commonwealth Africa has had five women deputy/vice-presidents, one prime minister and one president in the past.
- In 2009, Joyce Banda was elected as first female vice-president to President Mutharika of the Democratic Progressive Party (DPP) in Malawi. She assumed the presidency after he died of heart attack in 2012, becoming the first female president in Malawi's history. This was relatively short lived (two years, from 2012 to 2014).
- At the time of writing (2017), Commonwealth Africa has two women vice-presidents (Tanzania and Zambia), a woman prime minister (Namibia) and a woman president (Mauritius).
- Mauritius is the only country in Commonwealth Africa to have had two women serving as presidents.

1.6 What keeps women out of politics?

UN General Assembly Resolution 66/130 on Women and Political Participation, adopted by the General Assembly on 19 December 2011, expressed a serious concern 'that women in every part of the world continue

to be largely marginalized from the political sphere, often as a result of discriminatory laws, practices, attitudes and gender stereotypes, low levels of education, lack of access to health care and the disproportionate effect of poverty on women.⁷

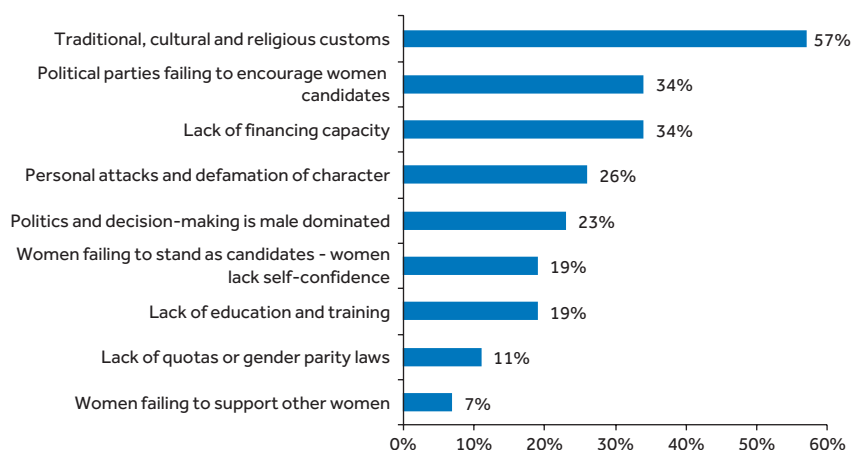
The Commonwealth's *Election Management: A Compendium of Commonwealth Good Practice* (Commonwealth Secretariat 2016b) flags another critical dimension: clear tensions between the promotion of women's political participation as an essential component of human rights, and attitudes to the freedom of women to express political views, particularly when those views clash with those of their family or community.

The graph at Figure 1.3 highlights some of the common barriers to women's active participation in politics across the Commonwealth, as gleaned from a survey of the 'referees' who conduct elections – election management bodies (EMBs).¹

Traditional, religious and cultural factors (57 per cent) invariably top the list of explanations for the under-representation of women in political decision-making. These range from arguments that women are 'unsuited' to decision-making and are their own worst enemies to the gender roles that define what women and men do, effectively excluding women from decision-making.

A socialisation version of the argument is that women have been brought up to regard politics as alien. Their lives and activities have always directed

Figure 1.3 Barriers to women's political participation in Commonwealth Africa



Source: Survey conducted during the 2016 Commonwealth Electoral Network (CEN) Biennial Conference

Note: Data also reflects other regions of the Commonwealth

them away from activities of power. It is also argued that: ‘Women often face a double day, balancing career and family responsibilities, thus limiting their opportunities for career advancement’ (Beckman and D’Amico 1994, p.76).

According to this view, it is not simply the case that women lack the will and attributes to participate in decision-making, but also they are systematically discriminated against by men in authority who pass over them when it comes to promotion; by legislation, which limits their opportunities; and sometimes by a hostile media, which hounds or ridicules women who dare to venture into the political sphere.

Such a society, it is argued, is patriarchal. It accords men the dominant role and the status of decision-makers in both the private sphere (home) and the public sphere (society). It banishes women to the private sphere of home-keeping and limits them to reproductive services in the public sphere. Thus, a society can be called democratic and yet be completely patriarchal (see also: Molyneux 1984; Phillips 1991). In her contribution to the handbook, the vice-president of Tanzania reflects on this challenge (see case study 1.2, below)

Case study 1.2 Political experience from the vice-president of Tanzania



‘My political road to being elected as a member of the House of the Representatives of Zanzibar had no hurdles whatsoever, because of the creation of the window of special seats for women.

For most women, this may not be the case due to various reasons such as cultural setbacks, low level of education and entrenched poverty, in the case of rural women. Other probable challenges arise from the political dynamics of some communities, electoral systems, intra-party procedures and issues of corruption.

My path was smoother because of my level of education, my cultural background, which was free of harmful practices, my professional experience and various training on election procedures and campaign techniques I had benefited from. Consequently, I did not face major challenges in my first election through special seats.

However, I encountered challenges in 2010 when I joined the race to contest for Makunduchi constituency on an equal footing with men. I was the only woman candidate out of the nine contestants. During the intra-party selection of candidates for the general election, I had put up with insults and being scandalised by my eight male competitors, who oozed misogynistic and chauvinistic behaviours. Despite all these challenges, I sailed through and was selected as the party flag bearer for Makunduchi constituency.

I managed to “break the glass ceiling” by adopting a strategy to work closely with fellow women. My motto was – “A scandal falsely directed at a woman candidate at any level is a scandal falsely directed at all women in the constituency”.

HE Samia Suluhu Hassan, Vice-President, United Republic of Tanzania

The second and third barriers to women's political participation (34 per cent each) cited by the EMBs are **lack of support from parties** and the **increasing monetisation of politics** in elections, an issue highlighted by a significant number of COG reports, more recently in Uganda in 2015, and further recorded in a publication co-ordinated by several women's NGO groups in Uganda (Uganda Women's Network et al. 2016). Women appear to be suffering disproportionately from the huge financial burden that comes with contesting elections. The less favourable financial status of women affects their participation in two ways: first, their ability to fund their political campaigns; and second, their ability to meet candidate nomination/registration fees set by the party ahead of primaries and then at the level of the EMB.

The fourth barrier (26 per cent), from the perspective of our EMBs, is **'personal attacks and defamation of character'**. This opens up the less-discussed yet cross-cutting topic of violence against women in politics (VAWP), and in the subcategory of elections (VAWE).

Violence against women in politics is a major deterrent to the entry and retention of women in politics. Women in politics are sometimes portrayed as being morally loose; they face sexual harassment and other threats. Young unmarried women are especially susceptible to such threats. Some women who aspire to go into politics may face violence from their own parties and opposition candidates. In some cases, women often must hire their own security; this adds to the costs of campaigning.

Lack of education and training (19 per cent) is a barrier, which makes the case for capacity-building of female political candidates. Beyond that, it raises the importance of girls' education.

Commenting on the introduction of the 'Grade 12 eligibility requirement or its equivalent' for candidates contesting at all levels in Zambia's 2016 elections, in its report, the COG noted that this eligibility requirement was a barrier for a number of people who would otherwise have been nominated as a candidate, particularly at the local government level. It was also noted that the education requirement disproportionately affected older women, who were less likely to have attained Grade 12 (secondary level or high

Box 1.5 Personal attacks deter women's political participation

'I have had sexual propaganda against me from those who had wanted to demoralise me and throw me off from political engagement. It has been a psychological torture to tolerate such humiliation.'

Hon. Zainab Athman Katimba of Tanzania

Box 1.6 Zambia: Educational qualification requirement excludes many women

In addition to not having a quota, the new electoral legislation introduced in January 2016, six months before the elections, which required all candidates to possess a Grade 12 certificate to qualify to contest elections, resulted in many women candidates dropping out, according to Beauty Katebe, Board Chairperson, Zambia National Women's Lobby Group (ZNWL). 'This new law disqualified 95 per cent of the 630 women trained by ZNWL for the local government leadership for the previous three years. They could not qualify to contest elections, because they did not have the Grade 12 certificate. The ZNWL managed to lobby political parties to adopt other women to replace those that were disqualified and dropped out of the election race. However, there was no time to train the new women candidates in leadership skills.'

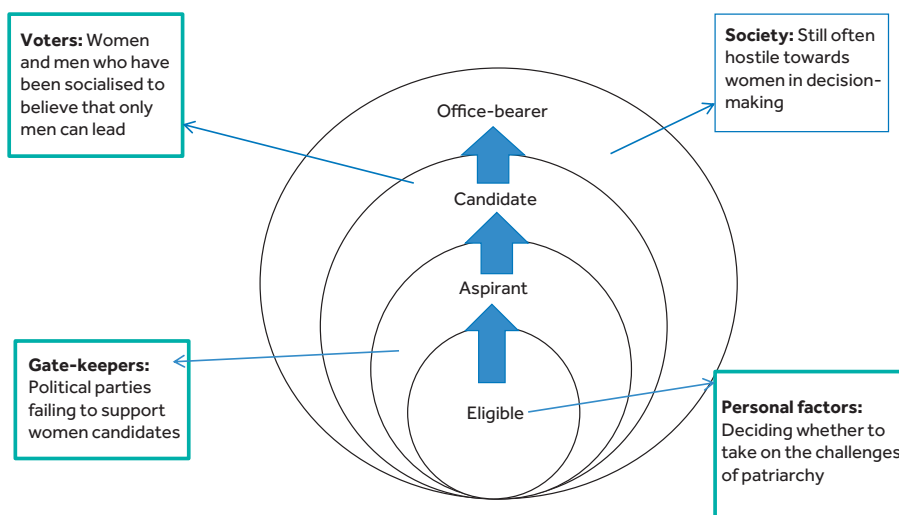
school education) owing to historical gender disparity in education access. However, the COG agreed with the opinion that, because the initiative sought to achieve a public good in the long term, its immediate negative short-term impact could have been mitigated by a gradual implementation.

Although EMBs rank lack of gender parity laws and TSMs quite low in the hierarchy of barriers (11 per cent), Chapter 4 of this handbook shows why and how these can be a crucial factor in opening doors to women.

1.7 Barriers to women's political participation across the electoral cycle

Barriers to women's political participation are intertwined and they extend across the whole election cycle, from the decision to stand to actually holding office. As illustrated in Figure 1.4, the first stage is for the individual to decide to stand for an elective office. Women tend to be constrained at the individual level in terms of ambition and requisite resources. Research conducted, particularly in the USA, has clearly demonstrated that women are less likely than men to think that they are qualified to run for office, to consider running or to seek high-level state and national positions if they do decide to run (Lawless and Fox 2012). There is a considerably lower proportion of eligible women standing for public office, relative to men. In other words, relatively fewer eligible women offer themselves for elective office. Oft-cited lack of confidence results in a gender gap in political ambition. The politics of this gender gap need to be adequately characterised to avoid us falling into the trap of equating the gap to some innate attributes of men and women, but rather to seek to understand the social and historical roots of political ambition differentials. This will ultimately point to the need for clear strategies for closing the gender gap in political ambition.

Figure 1.4 Barriers to women's participation across the electoral cycle



Source: Adapted from Matland (1998, p.67)

The second stage in political recruitment is that of gate-keepers, the political parties (or other mechanisms) that turn those who finally step forward, into candidates. Party rules and practices are therefore important in terms of how they either facilitate or hinder women from translating ambition into candidacy. Evidence shows that party practices either help or block women's full participation. The party leadership and nomination processes have an impact on the way female members of parties will engage in an election.

The final stage is that of voters, who then turn candidates into MPs or local government representatives. Challenges arise in contexts where there is a general tendency for voter preference for male candidates, as well as cultural negativity towards women.

The post-election period relates to what happens in the aftermath in terms of review and making recommendations for the next round of elections. Obstacles to women, especially in the electoral period, also relate to campaign financing, harassment and the reality of electoral violence. The categorisation of these stages in the recruitment process provides a clear framework for identification of concrete actions at each stage of the election cycle.

1.8 Keys to gender-inclusive elections

From the perspective of women as a group that has been historically excluded in structural terms, 'gender-inclusive elections' refers to a context

in which women have a right to be legitimate participants in the entire process – whether as voters, aspirants/candidates or actors in election management and party activists. The rules and practices must ensure that women and men have equitable opportunity and support in the entire electoral process, that is, during the pre-election, election and post-election periods. At the general level, inclusiveness points to the need to

Table 1.4 Key state responsibilities and gender dimensions of each

State obligations during elections	Gender dimensions
Provide for the holding of legislative elections at regular intervals	The handbook notes that the institutionalisation of periodic elections across the continent has increased the opportunity for women to access political office and has embedded their right to vote
Establish a neutral, impartial mechanism for the management of legislative elections	Gender-aware EMBs play a key role in preventing violence against women in elections (VAWE) and other barriers to participation by women in elections
Establish an effective, impartial and non-discriminatory procedure for the registration of voters	Gender-aware EMBs ensure that women are able to register as voters; and that voters receive gender-aware education and can exercise their choice freely
Stipulate clear criteria for the registration of voters, <i>inter alia</i> age and citizenship	There are often gender dimensions to citizenship, such as men married to nationals being denied citizenship
Make regulations governing the formation, registration and functioning of political parties	Political parties play a key role in either facilitating or inhibiting women's political participation
Establish the conditions for competition in elections on an equitable basis	Direct and indirect barriers to women's free and fair participation in elections need to be removed
Provide for and regulate the funding of political parties and electoral campaigns to ensure the promotion of equality of opportunity	Funding is a key barrier to women's participation; ensuring that funding is fairly distributed in an open and transparent manner, and that it does not supersede the issues in elections, is key to ensuring women's effective participation in elections
Ensure parties and candidates have equal access to state-owned media	Persistent gender biases in the media (see Chapter 7) are a key barrier to women's participation; monitoring media fair play needs to include gender dimensions
Ensure that voters have a free choice by maintaining the viability of political parties through public funding or free time in the media	This should include equal access, space and air time for women candidates
Ensure through civic education that the electorate becomes familiar with electoral issues and procedures	This should include the importance of women's participation in decision-making for the success of democracy

address the inhibitors in the electoral system and the entire spectrum of electoral practices, including the assurance of a violence-free process as election violence often discourages women from electoral participation. Table 1.4 summarises key state responsibilities in relation to elections, and the gender dimensions of each.

1.9 Checklist

Barriers to women's political participation

- ✓ What are the key barriers to women's political participation? For example, traditional and cultural barriers, lack of education, lack of adequate financing and violence (especially gender-based violence).



Notes

- 1 The survey comprised six questions. The first two provided a selection of potential answers for the respondents to choose from. The remaining four questions required a response based on the respondents' assessments. These responses were then categorised based on recurring themes and ideas identified in the answers provided. The 2016 CEN Biennial Conference was attended by 57 conference delegates from 39 participating EMBs and 26 delegates from 25 participating EMBs completed this survey. Of these, 11 respondents chose to declare their names, while the remaining 14 chose to complete the survey anonymously.

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Chapter 2

Normative Frameworks

Chapter 2

Normative Frameworks

Key points

- There are at least 16 international, African and subregional commitments on gender equality in decision-making.
- The target in these instruments has progressed from 30 per cent to 50 per cent.
- More than half of Commonwealth African countries have made efforts to domesticate these provisions through constitutional or legislative measures, although these have not always been followed.
- The domestic instruments have also generally shied away from the 50 per cent target and are biased towards local rather than national politics.
- Embedding commitments in national gender policies in enforceable legislation can be a 'game changer'.



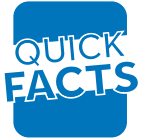
The case for having women and men represented in decision-making no longer needs to be made. It is now etched in national constitutions, legislation and policies in many Commonwealth African countries, as this chapter will illustrate.

Across Commonwealth Africa, national governments have signed, ratified and agreed to several international, continental and regional instruments that promote women's political participation. In some cases, these have been incorporated in national legislation and other mechanisms and measures, reflecting a positive trend of growing support for improving women's full and effective participation in democratic processes.

Every Commonwealth African country has ratified CEDAW, which requires member states to take concrete measures, including legislation and 'temporary special measures' (TSMs) to secure women's equal participation in political and public life, and in elections. Contextualised with the Commonwealth Charter's acknowledgment of women's empowerment as an essential component of basic human rights and human development, and the elevation of these in the Sustainable Development Goals (SDGs), Commonwealth African member states now need to build on their progress if they are to achieve gender parity by 2030. The importance of these

normative frameworks is highlighted in the contributions made by top African women decision-makers to this handbook.

Some of the commitments that Commonwealth Africa has subscribed to at the national, regional, continental, Commonwealth and global levels, and the status of adherence to these obligations, are captured in the Table 2.1. The table shows that:



- There are at least eight global, three Commonwealth, two African and three subregional instruments (16 instruments in total) that commit Commonwealth African countries to achieving gender equality in political decision-making.
- Nine of these provide for affirmative action of some kind.
- Eight of these include specific targets. These targets have evolved from 30 per cent women in decision-making (for example in UN Economic and Social Resolution 1990/15 and the Commonwealth Plan of Action for Gender Equality 2005–2015) to equal participation (SDGs; the two African instruments; the Southern Africa Development Community (SADC) Protocol on Gender and Development; and the East Africa Gender Bill).

2.1 National instruments on gender

Although most Commonwealth countries are signatories to the relevant international human rights instruments, many of the protections contained in these instruments are not available to women in practice. An important step in rectifying this situation is for such instruments to be incorporated into national law and applied practically.

As part of its election observation methodology, Commonwealth observers assess how member countries are implementing their national gender commitments, and the impact on women's representation in the elections, in drawing conclusions about the inclusiveness of the process. Commonwealth African countries have a mix of constitutional commitments, specific legislation and national gender policies.

The adoption of a national gender policy allows governments to outline cross-sectoral strategies and guidelines that mainstream gender in institutions, private or public, that would address the barriers to women's participation. This approach also enables governments to sensitise citizens, create opportunities for engaging with civil society organisations on the issues and builds political will and momentum for legislation on gender to be considered. However, as national gender policies are persuasive non-binding national instruments, they are limited in their ability to affect sustainable change.

Table 2.1 International, African and subregional Instruments for women's participation in decision-making in 2017

Instrument	Year adopted	How applicable to Commonwealth Africa	General provisions	Affirmative action	Specific targets	Timeframes
UNITED NATIONS						
The Universal Declaration of Human Rights 1948	1948	All Commonwealth Africa countries adopted	Article 21(1) stipulates that: 'Everyone has the right to take part in the government of his country directly or through freely chosen representation' and has universal applicability. The Commonwealth's election observation methodology uses this as one of the standards of assessing the inclusivity of a country's election. Link to International Covenant on Civil and Political Rights (ICCPR).	No	No	Not time bound
The Convention on the Elimination of all forms of Discrimination against Women (CEDAW)	1979	All Commonwealth Africa countries have ratified	Article 7 states that 'States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies.'	No	No	Not time bound
The UN Economic and Social Council Resolution 1990/15	1990	Applicable to all Commonwealth Africa countries	Calls on governments, political parties, trade unions, and professional and other representative groups to adopt a 30 per cent minimum proportion of women in leadership positions, with a view to achieving equal representation.	Yes	30%	Not time bound
The Beijing Declaration and Platform for Action	1995	Applicable to all	Outlines 12 strategic objectives and critical areas of action, including 'Women in Power and Decision-making'. Among the critical areas of insufficient progress identified in Beijing + Twenty is the 'participation of women in power and decision-making at all levels'.	No	No	Not time bound
The 2003 UN General Assembly Resolution on Women's Political Participation (A/RES/58/142)	2003	Applicable to all Commonwealth Africa countries	Article 1(e) : 'To promote the goal of gender balance in all public positions and to take all appropriate measures to encourage political parties to ensure that women have a fair and equal opportunity to compete for all elective and non-elective public positions.'	Yes	Equal participation	Not time bound

(Continued)

Table 2.1 International, African and subregional instruments for women's participation in decision-making in 2017 (Continued)

Instrument	Year adopted	How applicable to Commonwealth Africa	General provisions	Affirmative action	Specific targets	Timeframes
The 2011 UN General Assembly Resolution on Women's Political Participation (A/RES/66/130)	2011	Applicable to all Commonwealth Africa countries	Article 4 calls upon states in situations of political transition to take effective steps to ensure the participation of women on equal terms with men in all phases of political reform, from decisions on whether to call for reforms in existing institutions, to decisions regarding transitional governments, to the formulation of government policy, to the means of electing new democratic governments.	Yes	Equal participation	
The Millennium Development Goals (MDGs) (2000–2015)	2000	Applicable to all Commonwealth Africa countries	MDG 3 called for the promotion of gender equality and women's empowerment. All member countries in Commonwealth Africa subscribed to the 15-year commitments. The 2015 <i>Progress Report on MDGs</i> noted that <i>Women have gained ground in parliamentary representation in nearly 90 per cent of the 174 countries with data over the past 20 years. The average proportion of women in parliament has nearly doubled during the same period. Yet still only one in five members are women</i> (United Nations 2015).	No	No	Expired in 2015
The 2030 Sustainable Development Goals (SDGs)	2015	Applicable to all Commonwealth Africa countries	SDG 5 underscores women's full and effective participation and equal opportunities for leadership at all levels of decision-making. It picks up from where MDG 3 left off, calling for the gender equality and empowerment of women and girls. Women's political participation is identified as a main indicator.	Yes	Equal participation	2030
COMMONWEALTH						
The Port of Spain Affirmation of Commonwealth Values and Principles 1999	1999	Applicable to all Commonwealth Africa countries	Upon the 60th anniversary of the modern Commonwealth, Heads of Government affirmed their strong and abiding commitment to Commonwealth values. Gender equality and empowerment of women were identified as one of the fundamental principles of effective and sustainable development.	No	No	Not time bound

(Continued)

Table 2.1 International, African and subregional Instruments for women’s participation in decision-making in 2017 (Continued)

Instrument	Year adopted	How applicable to Commonwealth Africa	General provisions	Affirmative action	Specific targets	Timeframes
COMMONWEALTH						
The Commonwealth Plan of Action for Gender Equality (2005–2015)	2005	Applicable to all Commonwealth Africa countries	Provides a framework for Commonwealth member states to advance gender equality and women’s empowerment. One of the plan’s main objectives was to achieve 30% or more female representation in decision-making spheres by 2015.	Yes	30% participation	Not time bound
The Charter of the Commonwealth (2013)	2013	Applicable to all Commonwealth Africa countries	The charter expresses the commitment of the Heads of Government to the Commonwealth founding principles including democracy, human rights and the rule of law. Gender equality and women’s empowerment are identified as essential components of human development and basic human rights.	No	No	Not time bound
AFRICAN						
The African Charter for Democracy, Elections and Governance	2007	Botswana, Cameroon, Malawi, Tanzania and Seychelles have not signed	This charter establishes the African Union’s standards and norms on elections, democracy and governance.	No	Equal participation	
The African Charter on Human and Peoples Rights (ACHPR) on the Rights of Women in Africa ('the Maputo Protocol')	2003	Botswana is the only Commonwealth African country that has not signed the protocol, which contains specific obligations on elections	This protocol was adopted to complement and strengthen the African Charter by prompting women’s rights. Article 9.1 calls on state parties 'to take specific positive action to promote participative governance and the equal participation of women in the political life of their countries through affirmative action, enabling national legislation and other measures to ensure that women participate without any discrimination in all elections; and women are represented equally at all levels with men in all electoral processes.' State parties are urged to go beyond numbers by ensuring 'increased and effective representation and participation of women at all levels of decision-making.'	Yes	Equal participation	

(Continued)

Table 2.1 International, African and subregional instruments for women's participation in decision-making in 2017 (Continued)

Instrument	Year adopted	How applicable to Commonwealth Africa	General provisions	Affirmative action	Specific targets	Timeframes
REGIONAL						
The Southern Africa Development Community (SADC) Protocol on Gender and Development	2008	All but Mauritius in Commonwealth Southern Africa have signed the updated protocol	Article 12 requires all state parties to endeavour to have at least 50 per cent of decision-making positions in both the private and public sectors occupied by women by 2015. Article 13 goes further and advocates that state parties 'use special/legislative measures to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting'.	Yes	Equal participation	Not time bound, but aligned to SDGs. African Union Agenda 2063 and Beijing+20
The Economic Community of West African States (ECOWAS) Gender Policy 2004	2004	Applicable to all ECOWAS Commonwealth countries	The policy was adopted in 2004 by the Council of Ministers from the 15 ECOWAS member states. Under this policy, member states are urged to expand and promote the gender parity principle, to strengthen institutional frameworks for the promotion and protection of all human rights for women and girls, and to actively promote the implementation of legislation to guarantee women's rights. A new regional instrument on gender and development was adopted by ECOWAS Heads of State and Government in May 2015 titled the Supplementary Act on Equality of Rights between Women and Men for Sustainable Development in the ECOWAS Region.	Yes	No	Not time bound
East Africa Gender Bill	2016	Bill has been passed in the East Africa Legislative Assembly; EAC countries are yet to pass it in their respective parliaments	Respect for gender parity in power and decision-making by 50:50 ratio.	Yes	Equal participation	Not time bound

In the 2014 *Malawian Tripartite Election* COG report, Commonwealth observers noted that, while Malawi had adopted a national gender policy and subscribed to other international commitments, ‘women were still under-represented in political leadership’ (Commonwealth Observer Group 2014, p.12). The 2011 *Nigeria General Election* COG report also highlighted the lack of implementation of the Nigeria’s national gender policy adopted in 2006. This provides for a 35 per cent quota for women in all decision-making positions, yet women’s representation in Nigeria’s National Assembly had decreased since this policy was adopted (from 6.9 per cent in 2006 to 5.9 per cent after the 2015 general elections).

While national gender policies can increase awareness of gender issues within institutions and communities, by themselves they have not been effective in overcoming the cultural, political and socioeconomic barriers to women’s political participation. Embedding these in enforceable legislation is the game changer.

Table 2.2 shows that:

- More than half of Commonwealth African countries (11 out of 18) have specific constitutional and/or legislative provisions for enhancing women’s participation in decision-making.
- The seven countries that have no constitutional or legal provisions for advancing women’s participation in decision-making are: Botswana, Ghana, Malawi, Mozambique, Nigeria, Seychelles and Zambia.
- Five countries have constitutional provisions for advancing women’s equal participation. Three (Rwanda, Uganda and Tanzania) have effectively implemented these, while two (Kenya and Swaziland) have not.
- Six countries have legislative provisions for increasing women’s participation in decision-making. In two countries, these cover national and local elections (Lesotho and Cameroon). In four of the countries that have legislative provisions for women in decision-making (Mauritius, Namibia, South Africa and Sierra Leone), these concern local government only. This reflects the general reluctance by governments to legislate TSMs at the national level.
- In 11 instances, the specific target set is 30 per cent. There is only one legislative reference to parity (in Sierra Leone). The South African Local Government Act says that parties must strive to ensure 50 per cent representation of women, but does not make this a requirement.

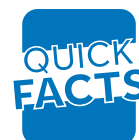


Table 2.2 National constitutional and legal Instruments for women in decision-making in Commonwealth Africa (2016/17)

Country	Instrument	Provision	Affirmative action	Level	Quota
Constitutional provisions that have been domesticated					
Rwanda	Constitution	<i>'The State of Rwanda commits itself that women are granted at least 30 per cent of posts in decision-making organs' (Constitution, Article 9 [4]). The 80 members of the Chamber of Deputies are elected as follows: 53 members elected by direct universal suffrage through a secret ballot using closed list proportional representation, of which at least 30 per cent must be seats reserved for women; 24 women (two elected from each province and from the city of Kigali by an electoral college with a women-only ballot); two members elected by the National Youth Council; and one member elected by the Federation of the Associations of the Disabled (Constitution, Article 76).</i>	Yes	All levels	30%
Uganda	Constitution	Article 78(1) of the constitution states that the parliament shall consist of one woman representative for every district. There are 112 districts in Uganda. Article 180(2.b) of the 1995 constitution states that one-third of the membership of each local government council shall be reserved for women.	Yes	National	30%
	Electoral law	The parliament of Uganda is formed in the following way: there are 238 constituency representatives; 112 district women representatives directly elected by all voters on a special ballot in each district (for women candidates only); ten representatives of the Uganda People's Defence Forces, of whom two must be women; five youth representatives, of whom one must be a woman; five representatives of persons with disabilities, of whom one must be a woman; and five representatives of workers, of whom one must be a woman (Article 8 of the Parliamentary Elections Act, 2005).	Yes	National and local	30%
Tanzania	Constitution	Women members must not make up less than 30 per cent in the National Assembly. The special seats for women are distributed among the political parties in proportion to the number of seats awarded to them in parliament (Constitution, Articles 66(1.b) and 78 (1)).	Yes	All levels	30%
	Electoral law	Women councillors are elected from special constituencies. <i>'The population quota for demarcation of electoral areas for women representatives shall be determined by the requirement of women constituting one-third of any local council being considered'</i> (Article 108(3) of the Local Governments Act, 1997).	Yes	Local	30%
	Electoral law	The National Assembly consists of 350 members. Of these, 102 are reserved for women, 239 members are elected in single member constituencies, seven are appointed by the president, five represent Zanzibar (two of whom are women) and one mandate belongs to the attorney general: <i>'Every Political Party which contests Parliamentary elections may propose and submit the Commission names of eligible women candidates for nomination of Members of Parliament for Women Special Seats'</i> (Elections Regulations 2010, Article 86A(2)).	Yes	National	30%

(Continued)

Table 2.2 National constitutional and legal instruments for women in decision-making in Commonwealth Africa (2016/17) (Continued)

Country	Instrument	Provision	Affirmative action	Level	Quota
Constitutional provisions that have not been domesticated					
Kenya	Constitution Article 36(2) of the Elections Act 2011)	Article 27(8) of the 2010 Constitution states that the 'State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender'. Furthermore, Article 81(b) stipulates that the electoral system shall comply with the principle that 'not more than two-thirds of the members of elective public bodies shall be of the same gender'. The constitution reserves 47 seats in the National Assembly for women deputies elected from 47 counties, with each county constituting a single-mandate constituency. These seats are to be contested only by women candidates nominated by political parties in these counties. In addition, the National Assembly will have 290 elected members, each elected by voters of single-mandate constituencies, and 12 members nominated by political parties to represent special interests, including the youth, persons with disabilities and workers, with the relevant list to be composed of alternating male and female candidates (Article 97 of the Constitution of Kenya, adopted August 2010).	Yes	All levels	30%
Swaziland	Constitution	The constitution requires that women should constitute 30 per cent of the parliament: '[T]he House of Assembly shall consist of not more than seventy-six members [including] four female members specially elected from the four Regions' (Constitution 2005, Article 95, para.1c). 'The nominated members of the House shall be appointed by the King [...] so that at least half of them are female' (Constitution 2005, Article 95, para.2a). 'Where at the first meeting of the House after any general election it appears that female members of Parliament will not constitute at least thirty per cent of the total membership of Parliament, then, and only then, the provisions of this section shall apply. [...] For the purposes of this section, the House shall form itself into an electoral college and elect not more than four women on a regional basis to the House in accordance with the provisions of section 95(3)' (Constitution 2005, Article 86, paras 1, 2).	Yes	National	30%
Legislative provisions – local and national					
Cameroon	Election code	Elections in Cameroon are now governed by Law No. 2012/001 of the 19 April 2002 Election Code. The code lays down the provisions for the governance of elections for members of the National Assembly and municipal councillors. Political parties were expected to demonstrate 'evidence of gender considerations' in drawing up their respective candidates list.	Yes	Local and national	Not specific

(Continued)

Table 2.2 National constitutional and legal instruments for women in decision-making in Commonwealth Africa (2016/17) (Continued)

Country	Instrument	Provision	Affirmative action	Level	Quota
Lesotho	Electoral law	According to the Local Government Elections Act, as amended in 2011, 30 per cent of the total number of seats in municipal, urban and community councils are reserved for women and are distributed proportionally among the parties. The National Assembly has 120 seats. Its members are elected using the mixed member proportional system; 80 in single-member constituencies using the first-past-the-post system and 40 from one national constituency using party-list proportional representation. Proportional representation seats are allocated to compensate parties for the discrepancy between percentage of votes obtained and percentage of constituency seats won. Section 47 (2:b and c) of the National Assembly Election Amendment Act of 2011 introduced the rule for the proportional contest, whereby a political party shall <i>arrange the candidates in order of preference from top to bottom, with a female or male candidate immediately followed by a candidate of the opposite sex; and include equal numbers of women and men</i> .	Yes	Local level and national	30%
Legislative provisions, local only					
Mauritius	Electoral law	<i>Three councillors of a Municipal City Council or Municipal Town Council shall be elected from each electoral ward under the simple majority system. Any group presenting more than two candidates in an electoral ward [for elections of councillors to Municipal City Council or Municipal Town Council] shall ensure that the candidates are not all of the same sex' (Local Government Act 2011, Article 11.6) and 'any group presenting more than two candidates at a Village council election shall ensure that not more than two-thirds of the group's candidates are of the same sex' (Local Government Act 2011, Article 12.6). In addition, a list of reserve candidates for the election of municipal city councillors, municipal town councillors or village councillors, for the purpose of filling any vacancy which may occur between two elections, shall not comprise 'more than two-thirds of persons of the same sex and ... not more than two consecutive candidates on the list shall be of the same sex' (Article 18.5b).</i>	Yes	Local level	30%
Namibia	Electoral law	In the election of any local authority council with ten or fewer members, party lists must include at least three female persons; in the case of a municipal council or town council consisting of 11 or more members, party lists must include the names of at least five female persons (Local Authorities Act, Article 6 (4)).	Yes	Local level	30%

(Continued)

Table 2.2 National constitutional and legal instruments for women in decision-making in Commonwealth Africa (2016/17) (Continued)

Country	Instrument	Provision	Affirmative action	Level	Quota
Legislative provisions, local only					
Sierra Leone	Electoral law and Local Government Act	The 2004 Local Government Act created new local councils. Women's groups had advocated for special seats in the local councils, but the proposal failed. However, equal representation for women was granted at the lower level, for the Ward Development Committees, elected at town meetings: out of ten members, five must be women (Article 95 (2.c) of the 2004 Local Government Act).	Yes	Local level	Equal
South Africa	Local Government Act	In the elections for local councils, parties must seek to ensure that 50 per cent of the candidates on the party list are women (Local Government Act, Schedule 1, Section 11 [3]; Schedule 2, Sections 5 [3] and 17 [5]).	Yes	Local	50% (but not mandatory)
No constitutional or legislative provisions					
Botswana	None	None	N/A	N/A	N/A
Ghana	None	None	N/A	N/A	N/A
Malawi	None	None	N/A	N/A	N/A
Mozambique	None	None	N/A	N/A	N/A
Nigeria	None	None	N/A	N/A	N/A
Seychelles	None	None	N/A	N/A	N/A
Zambia	None	None	N/A	N/A	N/A
Source: Commonwealth Secretariat (2017), with source information from Commonwealth Africa constitutions					



2.2 Checklists

International, regional, subregional frameworks

- ✓ What international, regional and subregional instruments and protocols on women's political participation has the country ratified?
- ✓ What provisions do these make for women's representation and effective participation in the political process?
- ✓ Have these instruments and protocols been domesticated?

Constitution, national laws and policies on gender

- ✓ Does the national constitution explicitly promote gender equality?
- ✓ Is there a conflict or potential conflict between customary and/or religious laws and the constitution?
- ✓ Does the constitution provide for affirmative action for women in political decision-making?
- ✓ Does the constitution allow for independent candidates?
- ✓ Does the constitution provide for an independent body/bodies to promote gender equality? What role do these play in the conduct of elections?
- ✓ Has the country adopted a national gender policy? How effective has this been in mainstreaming gender?

References

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Chapter 3

The Legislature, Electoral
Systems and Temporary
Special Measures

Chapter 3

The Legislature, Electoral Systems and Temporary Special Measures

Key points

- Legislators are in a powerful and important position regarding key electoral and legislative measures that can enhance or hinder women's political participation.
- Legal frameworks have been instrumental in propelling women into leadership positions. Proportional representation (PR) systems have broad dividends for the political system, as they have high potential to cater for diversity and minimise conflict.
- This is partly the reason why some of the countries emerging out of conflict (e.g. Rwanda and South Africa) adopted PR as the suitable electoral system. As a long-term strategy, national legislatures should aim at reforming the electoral laws towards PR systems.
- Commonwealth African countries are at different levels in terms of compliance with international norms and national constitutions.
- As the context changes, it is necessary to regularly review and refine provisions on women's representation so as to achieve the best possible outcomes. In countries outside of the SADC region where gender parity (50:50) has not been articulated as a principle, this should be given priority.



Constitutions are not set in stone, but they are often more permanent than laws. Post-conflict countries often craft new constitutions, and these provide the opportunity to embed provisions on gender. Examples from Commonwealth Africa include Rwanda, Uganda, South Africa and Namibia. Constitutions may be reviewed or amended, as has happened recently in several Commonwealth African countries (such as Tanzania, Kenya, Malawi and Zambia). Normally, an independent commission is set up to oversee the review of a constitution. The legislature can make amendments, usually subject to a two-thirds majority agreeing to the amendment.

The electoral system may be set out in the constitution, or in the electoral law, or both. Electoral systems may be changed or adapted, to suit particular needs and circumstances, although dramatic changes are not likely (except in post-conflict countries). Electoral systems and affirmative action measures for women's political participation have a key bearing on the extent of women's political participation in every country in the world.

All this places legislature in a powerful and important position with regard to key electoral and legislative measures that can enhance or hinder women's political participation. This chapter of the handbook concerns the all-important interplay between electoral systems and TSMs (constitutional, legislated and voluntary) for increasing women's participation in decision-making. The chapter demonstrates that there is every conceivable example in Commonwealth Africa of electoral systems and 'special measures' for advancing gender equality in decision-making. This goes to show that, in countries that have taken no measures at all, there is no excuse for failing to find creative solutions.

3.1 Electoral systems

There are two main types of electoral systems:

- In the **proportional representation (PR)** or 'list system', citizens vote for parties that are allocated seats in parliament according to the percentage of the vote they receive. Individual candidates get in according to where they sit on the list. In an open list system, voters determine where candidates sit on the list. In a closed list system, the party determines where candidates sit on the list, although this is usually based on democratic nomination processes within the party.
- In the **constituency or 'first-past-the-post' (FPTP)** system, citizens vote not just for the party, but also for the candidate who represents the party in a geographically defined constituency. Thus, a party can garner a significant percentage of the votes, but still have no representative in parliament, because in this system 'the winner takes all'.

The most popular electoral model widely practised across the Commonwealth is the FPTP/simple majority electoral model, which is considered to support the incumbent and is not favourable to women's political candidacy. Electoral reform and the introduction of TSMs into political party structures has enabled the rise of women's representation in many Commonwealth countries.

There is overwhelming evidence internationally to suggest that women stand a better chance of getting elected under the PR system (and especially the closed list PR system) as opposed to the constituency electoral system (for more information on the comparative global data on TSMs for women in politics, see: www.idea.int/quota). The reason for this is that, in the latter case, candidates focus on the party and its policies, rather than on a

particular individual. This works in favour of women – at least in terms of ‘getting their foot in the door’ – because of the in-built prejudices against women in politics (Morna 1996). The chance of women getting elected is even higher when the PR system works in concert with a quota.

3.2 Temporary special measures

TSMs are a form of affirmative action or equal opportunity measure targeted at addressing the slow pace of change in the participation of women and minority groups in areas of society where they are historically under-represented (McCann 2013). In Commonwealth Africa, women’s quotas are slowly taking root. This measure is now understood to be the fast track to women’s representation – to produce equality of results, not merely equality of opportunity (Ballington 2004). In addition to the two types of electoral system (PR and constituency) there are two main types of quota (voluntary as well as constitutional and/or legislated).

Voluntary party TSMs have the advantage of party buy-in, but they can only deliver large numerical increases in closed list PR systems, where the party has a significant say on who gets onto the list. In constituency systems, voluntary party TSMs can only succeed in delivering the numbers if women candidates are fielded in safe seats, which is often not the case.

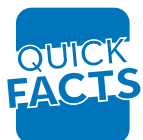
Constitutional or legislated TSMs have the advantage that they guarantee the numbers. However, in the case of the constituency system, where seats have to be ‘reserved’ for women, this may have the disadvantage that such seats are regarded as second class or token. The combination of the PR system and legislated TSMs has the advantage that it delivers the numbers and gives the parties leeway to choose which women to go on the list as long as the quota is met. But some parties argue that *any* quota infringes freedom of choice.

Table 3.1 Possible combinations of TSMs and electoral systems

Type of quota	PR system	Constituency-based system	Mixed PR and constituency-based system
Voluntary party TSMs	E.g. African National Congress in South Africa; FRELIMO in Mozambique	E.g. Opposition parties in Botswana	E.g. South African local government – ANC voluntary quota for list seats
Constitutional or legislated TSMs	E.g. Local government elections in Namibia	E.g. The Tanzanian constitution reserves 20% of seats for women (distributed on a PR basis)	E.g. South Africa’s Municipal Structures Act 1998, as amended, stipulates that parties should strive to ensure parity

TSMs have been a subject of debate. On the one hand, they have been seen as necessary to correct historical imbalances, while on the other they may be viewed as an obstruction to justice, discrimination against men and therefore a distortion of democratic processes. The current consensus is that TSMs are necessary, albeit as ‘short-term’ measures.

Table 3.2 arranges Commonwealth African countries in descending order according to representation in parliament (2016). The 2006 data is provided for comparative purposes. The countries are ranked globally and within the Commonwealth for 2006 and 2016. The table includes data on local government for 2016; the electoral system and type of quota. The table shows that:



- Six out of the top-ten Commonwealth performers in 2016 came from Africa.
- The top-six performers (Rwanda, South Africa, Namibia, Mozambique, Tanzania and Uganda) all have either a PR or mixed system; and legislated, constitutional or voluntary TSMs.
- Namibia has shown that a combination of the PR system and a voluntary quota by the ruling party can result in a remarkable increase in the proportion of women. However, when accompanied by a legislated quota, as happened at the local level, the result is even better (44 per cent).
- PR on its own provides no guarantee that women will be included, as demonstrated by performance of countries such as Sierra Leone. This shows the importance of TSMs for ensuring inclusive electoral systems.
- The highest proportion of women in any Commonwealth African local government is Lesotho (49 per cent at the local level). This is thanks to women performing well in the openly contested FPTP seats and because of the 30 per cent seats reserved for women on a PR basis, giving Lesotho a mixed system at the local level.
- The bottom four performers (Ghana, Botswana, Swaziland and Nigeria) all have the FPTP system. Apart from Swaziland (which has a constitutional quota that has not been implemented) and Botswana (with voluntary party TSMs), these countries do not have TSMs.
- Neither constitutional (Kenya) nor voluntary (Patriotic Front in Zambia) TSMs in the FPTP system produce the desired results. This is because stipulating that parties should field women candidates is no guarantee of success in the FPTP system.

Table 3.2 Comparative analysis of the highest and lowest performers, 2006 and 2016, in Commonwealth Africa

Country	Women in parliament	% representation	World		Ranking	Common-wealth ranking	Local government		Electoral system	Type of TSM		
	2006		2016	2006			2016	2016		2016	Legislated	Constitutional
Rwanda	48.8%	63.8%	1	1	1	1	33.3%	Mixed	National, local			
South Africa	32.2%	42.2%	13	8	2	2	42%	PR			ANC: 50:50	
Namibia	26.9%	41.8%	26	11	3	3	44%	PR	Local		SWAPO: 50:50	
Mozambique	34.7%	39.6%	10	14	4	4	36%	PR			FRELIMO: 40%	
Tanzania	30.4%	36.6%	17	25	5	5	34%	Mixed	National, local			
Uganda	29.8%	35.5%	18	31	6	6	48%	FPTP	National and local			
Cameroon	8.9%	31.1%	102	41	9	9	2%	FPTP	National, local		RDPC: 20–30% SDF: 25%	
Lesotho	11.7%	25.0%	88	69	15	15	49%	Mixed	National, local		LCD: 30%	
Seychelles	29.4%	21.21%	19	84	18	18	N/A	FPTP				
Kenya	27.3%	19.7%	112	95	21	21	6%	FPTP		National		
Malawi	13.6%	16.7%	78	112	25	25	8.3%	FPTP			UDF: 25% MCP: 30–35%	
Zambia	14.6%	12.7%	73	138	32	32	7%	FPTP			PF: 40%	
Ghana	10.9%	12.7%	92	140	37	37	11%	FPTP				
Sierra Leone	14.5%	12.5%	74	142	33	33	12%	PR	Local			

(Continued)

Table 3.2 Comparative analysis of the highest and lowest performers, 2006 and 2016, in Commonwealth Africa (Continued)

Country	Women in parliament		% representation		World		Ranking		Commonwealth ranking		Local government		Electoral system		Type of TSM		
	2006	2016	2006	2016	2006	2016	2006	2016	2006	2016	2016	2016	Electoral system	Legislated	Constitutional	Voluntary party	
Mauritius	17.1%	11.6%	63	146	35	30%	FPTP	Local									
Botswana	11.1%	9.5%	91	157	40	19%	FPTP										BNF; BCP; 30%
Swaziland	10.8%	6.6%	93	173	44	13%	FPTP								National		
Nigeria	6.1%	5.9%	120	178	47	10%	FPTP										

Source: 2006 figures: IPU 31 December 2006; Morna et al. (2013); 2016 figures: IPU 31 December 2016

Notes: ANC – African National Congress
 BCP – Botswana Congress Party
 BNF – Botswana National Front
 FRELIMO – Frente de Libertacao de Mozambique; Liberation Front of Mozambique
 LCD – Lesotho Congress for Democracy
 MCP – Malawi Congress Party: <http://www.quotaproject.org/country/malawi>
 PF – Patriotic Front
 RDPC – Cameroon People's Democratic Movement: <http://www.quotaproject.org/country/cameroon>
 SDF – Social Democratic Front: <http://www.quotaproject.org/country/cameroon>
 SWAPO – South West African People's Organisation
 UDF – United Democratic Front: <http://www.quotaproject.org/country/malawi>

- Mauritius, which has a gender-neutral quota at the local level, has been able to overcome this through public education, awareness and support for aspiring women candidates.
- The only FPTP country that has performed relatively well without a quota is Seychelles. However, as the handbook will demonstrate, this has left Seychelles vulnerable to fluctuating fortunes.

3.3 Rwanda: Constitutional quota – predominantly PR

Post-conflict peace processes have provided a number of countries in Commonwealth Africa with the opportunity to reform their constitutions to reflect the positive roles women have played in peace-building and reconciliation. Rwanda adopted its new constitution after the genocide in the 1990s. The constitution (Article 9(4)) provides for a minimum 30 per cent women in decision-making posts. The law requires that each political organisation shall ensure that at least 30 per cent of the posts that are subject to election are occupied by women.

The implementation of this provision is directly linked to the increased number of female parliamentarians in Rwanda. Rwanda has become the first country in the world with a female-dominated parliament (63.8 per cent).

3.4 South Africa: Pros and cons of voluntary TSMs in a PR system

National elections are conducted on a simple PR basis, while local elections involve a mixed system with both PR and FPTP systems. The Local Government Act says that parties must ‘seek to ensure’ that 50 per cent of the candidates on party lists are women, but this is not mandatory, and it does not apply to the FPTP seats. The ruling African National Congress (ANC) adopted a voluntary quota in 2002, further raising it to 50 per cent in 2007. The effect of the voluntary quota of the ANC as a dominant party has created a ‘snowball or contagion effect’ in the overall election, bringing South Africa as a new nation to number eight on the global ranking.

The advantage of voluntary TSMs is that these are owned and driven by political parties. The downside is that, if the dominant party leading on the voluntary quota loses support (as happened in the 2016 local elections, when the ANC majority declined), the proportion of women also drops (from 40 per cent to 38 per cent).

This has led to an increasing call for a legislated quota, since the current success is predicated on the performance of the ANC as a mass/dominant party. It must be noted that, in the run up to the first democratic elections

in 1994, women within the ANC articulated the need for a quota but also actively argued against reserved seats for women and rejected the Uganda model of a women-only contest, which they observed created a ghetto for women.

Case study 3.1 Impact of Special Measures in Namibia



There has been significant progress in the participation of women in attaining political positions in Namibia. This progress has been noted in the following areas: executive, parliament and in the local authorities. The regional level of the political sphere has unfortunately not noted any significant progress, as reflected in the limited representation of women at the lower legislative arm known as the National Council.

An important measure that is largely responsible for the significant increase in women's representation in parliament in Namibia is the introduction of the so called 'zebra' system. The system provides that every second candidate on a party list for the members of the National Assembly should be a woman, hence the high representation of 41.8 per cent women in parliament due to the fact that the ruling party introduced this system for their party list during the 2014 national assembly elections.

The local authority elections held in 2015 also recorded a high level of women's representation at 44 per cent, and this can be attributed to the Local Authorities Act which provides:

'The members of a local authority council shall be elected on party lists at a general election and each party list shall contain as candidates for such election,

- (a) in the case of a municipal or town council consisting of 10 or fewer members or a village council, the names of at least three female persons;
- (b) in the case of a municipal council or town council consisting of 11 or more members, the names of at least five female persons.

This requirement in the law is strictly enforced by the Electoral Commission of Namibia (ECN), whereby party lists are not accepted during the nomination period unless they comply with these legal provisions.'

Representation of women at the executive level after the 2014 National Assembly Elections, is reflected by the appointment of a woman as prime minister for the first time in Namibian history and also a woman as deputy prime minister for the second time. The cabinet has seven women appointed as ministers out of 26 ministers, while there are 13 women appointed out of 29 deputy ministers and five women governors appointed in the 14 regions.

The National Council has a fairly low representation of women at 23.8 per cent. This is indicative of there being no strategic or legal provision in force to increase the representation of women on this legislative platform.

It is clear that the legislative measures at the local authority level and strategic measure of the 'zebra' system at the parliamentary level have proved to be effective in the Namibian democratic electoral system. However, the 'zebra' system has only been implemented as a strategic measure by one major political party, and therefore needs to be internalised as a strategic measure by other political parties or introduced as a legislative measure. Further strategic measures need to be considered by political parties on how best to increase the participation of women in the legislative arm of the National Council. The legislative measures at the local authority level are effective and therefore need only to be maintained and strengthened by ensuring that nominated women candidates are sufficiently empowered by means of capacity building.

Notemba Tjipueja, Chairperson of the Electoral Commission of Namibia (ECN)

3.5 Namibia: Impact of a mix of special measures

Advocate Notemba Tjipueja is the Chairperson of the Electoral Commission of Namibia (ECN). In her interview with the Commonwealth, she reflected on the impact of voluntary (political party) measures and other legislated measures on women's political participation in her country, Namibia, and why this has been so.

3.6 Botswana: The pitfalls of voluntary party TSMs

The 2014 COG report notes that the opposition Botswana National Front (BNF) and Botswana Congress Party (BCP) have changed their constitutions to include a 30 per cent representation for women on electoral lists. However, the parties have not always met this target. Furthermore, the outcome of elections in Botswana reflects the reality that voluntary party TSMs in the FPTP system seldom yield the desired results, as women candidates only succeed if they are fielded in 'safe' seats, which is often not the case.

3.7 Uganda: Reserved seats – legislated quota in FPTP

The only way to guarantee the desired outcome of TSMs in the FPTP system is through 'reserved' seats. Uganda was a trail blazer in the 1990s and a pioneer in the East African region, when it introduced reserved seats at the national level and a 30 per cent quota in local government. Women only contest for the reserved seats, and they can also still contest open seats. To guard against women who are elected on the 'special seats' being regarded as token, women from different political parties came together to form a multiparty women's caucus:

Box 3.1 Role of The Uganda Women's Parliamentary Association (UWOPA)

'The Uganda Women's Parliamentary Association (UWOPA), which comprises all women Members of Parliament, was established during the National Resistance Council (NRC) in the 5th Parliament of Uganda (1989–94) with the aim of engendering the legislative process, creating awareness campaigns and encouraging lobbying, as well as advocacy, networking, resource mobilisation and information dissemination. UWOPA provides a forum for women MPs to discuss, share experiences and support activities that would enhance women's participation and effective leadership in all dimensions of politics including socioeconomics, science and technology. UWOPA is a major contributor to a just and gender-sensitive constitution, legislation and national policies that enable political, social and economic empowerment of the women and men in Uganda.'

Hon. Rebecca Kadoga, first woman Speaker, Uganda

3.8 Tanzania's quota system

Tanzania was the first country in Commonwealth Africa to adopt a 20 per cent constitutional quota to increase women's political participation in 1998 (Ogunsanya 2012). The current Union Constitution provides that not less than 30 per cent of the members of the National Assembly (Tanzania) and the House of Representatives (Zanzibar) shall be women. Efforts to raise this to 50 per cent had not yet materialised at the time of writing.

Women and men are free to contest all constituency seats. An additional 30 per cent of the seats are distributed among women only on the PR basis (i.e. based on the proportions of votes per party). In 2015, 136 women (36.6 per cent) were elected to the National Assembly in Tanzania: 6.6 per cent through the FPTP system and 30 per cent through the reserved PR seats.

The quota system has taken Tanzania to number 25 on the global ranking. Critics maintain that there is a danger of party patronage on the part of the women. However, in her interview for this handbook, the vice-president of Tanzania points out how she has used the opportunity of coming into politics through 'special seats', to rise to higher leadership and greater possibilities for driving the gender agenda:

Box 3.2 Special seats offer a foot in the door

'You will remember that I came into politics through the special window seats, which were not much of a hassle to contest. The 30 per cent requirement triggered my burning desire to represent the local people to seek their rightful share of socioeconomic development. This marked the onset of my political journey. In 2000, I garnered the consent of the people and I was elected member of the House of Representatives in Zanzibar through special seats for women.

I served as a Member of Parliament special seats for ten years. Thereafter, I ran for the Makunduchi constituency race and I was elected its Member of Parliament in the United Republic of Tanzania for five years (2010–15).

In 2014, I served as a deputy speaker to the National Constituent Assembly, which led the formulation and drafting exercise of the new constitution of the United Republic of Tanzania. The assembly proposed that there should be a 50:50 split of men and women in the House of Representatives and local authorities in the new constitution (not yet adopted).

Now that I have risen to the second highest political office in the country, the task that lies ahead of me as the country's first-ever woman vice-president since the country gained independence is to ensure more women get into decision-making positions, both in political offices and in boardrooms. I will work hand in hand with my government and the ruling political party (CCM) to ensure equal allocation of the TSMs in order to achieve gender parity in the country politics.'

HE Samia Suluhu Hassan, Vice-President of the United Republic of Tanzania

3.9 Lesotho: Tanzania model at local – but not at national – level

In 2005, Lesotho adopted a quota similar to that of Uganda, in which 30 per cent of all constituencies were reserved for women and with a provision for rotation of the reserved constituencies at each election. Women and men still contested the remaining 70 per cent of seats on a FPTP basis. Women won 28 per cent of the FPTP seats, which in addition to the 30 per cent reserved seats gave an overall total of 58 per cent women in local government. However, political actors challenged the fairness of this system.

This system was later amended in line with the Tanzania model (30 per cent reserved seats to be distributed between parties on a PR basis). In the 2011 local elections, women won 19 per cent of the FPTP seats. Together with the 30 per cent PR seats, this gave women 49 per cent of the seats in local government. This still puts Lesotho in top position regarding women in local government in the Commonwealth.

Lesotho has not been as bold at the national level, where the country already had a mixed system. Members are elected to the 120 National Assembly seats using the mixed member proportional system (MMP), which combines FPTP and PR. This system was introduced in 2002 to increase the opportunities for other parties to be represented in the legislature (Ntho 2010). Eighty are filled on a FPTP basis, while the remaining seats are distributed among parties according to the system. Instead of the PR seats being reserved for women (as happened at the local level), the National Assembly Electoral Act 2011 stipulates that, for the 40 PR seats, each party candidate list must have an equal number of women and men (Part 5, Section 47 [2a and b]). In the 2016 elections, women won 19 of the 40 seats (48 per cent) allocated under the PR system. Women only won eight of the 69 seats under the FPTP system (12 per cent). As a result, Lesotho experienced a 2 percentage point drop in women's representation in parliament, from 25 per cent in 2015 to 23 per cent in 2016.

3.10 Mauritius: Gender-neutral quota at the local level

Following civil society activism challenging the low representation of women in politics, the legislature circumvented the clause in the constitution that cites affirmative action as discriminatory by introducing a gender-neutral quota at the local level. The Local Government Act has a provision that requires that at least one-third of all candidates standing for a political party in any electoral ward must be of a different sex.

Parties had to field one-third either men or women, but with no guarantee or reserved seats. With a high degree of mobilisation, women won 30 per cent

Box 3.3 Calls for an affirmative action law in Ghana

The Speaker of the Ghana Parliament, Professor Aaron Mike Oquaye, bemoaned the low representation of women in parliament, calling for an affirmative action law to ensure gender equality.

'A very disturbing aspect of Ghana's parliamentary democracy is the abysmal low representation of women in parliament', he said.

'There is a compelling need for a comprehensive study of the factors which militate against the effective representation of women in parliament. An Affirmative Action law could be the only way of using the law as an instrument of social engineering and mischief correction to ensure equality', he added.

pulse.com.gh (2017)

of the seats. This arrangement does not apply at the national level, where the presence of women still depends on the will of the political parties.

3.11 Malawi moves to introduce legislated quota in FPTP system

Malawi's 2014 *Country Report* on the implementation of the Beijing Declaration and Platform for Action highlights the low level of women's political representation across all four major political parties (Ministry of Gender, Children, Disability and Social Welfare 2014). It attributes this performance, especially in the area of representation in parliament and local councils, to the impact of the FPTP system, underscoring that women are less likely to be selected 'as candidates by male-dominated party structures'.

In 2011, the Malawi Law Commission proposed the following amendments to the Parliamentary and Presidential Elections Act, as well as the proposed Local Government Elections Act: setting TSMs for political party executive positions, as well as their candidate lists (a minimum of 40 per cent and a maximum of 60 per cent for either sex). However, this has not yet come to fruition. Malawi enacted a Gender Equality Act in 2013, which provides for TSMs for women in public, but not political, positions.

3.12 Ghana: The need for TSMs

Ghana,¹ which had elections in late 2016, exemplifies the four Commonwealth African countries (together with Zambia, Botswana and Nigeria) that have a FPTP system and have not tried legislated TSMs of any kind. Pressure is mounting for change.

Ghana's parliament gained six more female Members of Parliament following the 2016 general elections, increasing female representation from 35 in the previous parliament to 41 in the current one, out of 275 MPs (11 per cent). In total, 137 out of the 1,158 parliamentary candidates who contested the elections were women. One gender activist believes, 'if we are doing six in four years, how long will it take us to get to 50 per cent of the 275? That will be a long time. We have done okay, but it is not enough' (as quoted in pulse.com.gh 2016).

The 2016 COG report recommended that:

the government should consider further action to fulfil its commitments as a signatory to the Convention for the Elimination of all forms of Discrimination against Women (CEDAW). It could consider taking specific measures to achieve the goal of increased representation of women in political and public life (Article 7 of CEDAW) by using temporary measures (affirmative action) as set out in Article 4. In particular, the government should consider enacting affirmative action legislation to provide for a mandatory affirmative action quota of a minimum of 30 per cent women candidates, to be enacted by all political parties before the 2020 election.

3.13 Kenya: State taken to task for not abiding by constitutional quota

In wake of the post-election violence after the 2007 general election, a new constitution that had been debated for more than a 20-year period was enacted in 2010 following a referendum. Article 27(8) states that not more than two-thirds of members of the elected house can be of the same gender. The Attorney General requested advice from the Supreme Court and it advised that the one-third gender requirement in the National Assembly and Senate should not be implemented for 2013, but 'progressively' introduced in successive elections.

Advocates of the quota have opposed making the one-third provision an aspirational target instead of a specific mechanism. In June 2017, months ahead of the next elections (scheduled for August), Kenya's Supreme Court gave the country's parliament 60 days to pass a law guaranteeing at least one-third of the country's elected representatives be female or face dissolution. When making the ruling, High Court Judge John Mativo, noted that parliament was in 'gross violation' of the constitution.

The case was brought by a coalition of civil society and human rights organisations, led by the Centre for Rights Education and Awareness. Critics were of the view that the 60-day timeline was too short given that presidential elections were scheduled for August. Advocates of the quota, however, argued that parliament had already had seven years to pass that law and that the only

thing lacking was goodwill. At the time of writing, Kenyans were set to go to the polls in August 2017 without a mechanism in place.

3.14 Cameroon: FPTP and 'evidence of gender considerations'

As reflected in the Commonwealth Observers 2013 report, Cameroon's significant increase in women's political representation in the National Assembly was a result of legislative reform. Municipal, senate and legislative elections in Cameroon are now governed by Law No. 2012/001 of the 19 April 2002 Election Code. The code lays down the provisions for the governance of elections for members of the National Assembly and municipal councillors. Political parties were expected to demonstrate 'evidence of gender considerations' in drawing up their respective candidate lists.

Empowered by this provision, the election management body, Elections Cameroon (ELECAM), rejected several political parties' candidate list submissions on the basis of non-compliance with the 'gender considerations' provision outlined in the Electoral Code. The impact of this legislative reform was instant. The proportion of women parliamentarians increased from 13.9 per cent in 2007 to 31.1 per cent after the 2013 parliamentary elections. The Cameroon example highlights the important role of the legislature in generating the legal framework, which, in turn, empowers other stakeholders such as ELECAM. It is important to note, however, that only a legislative quota would sustain and guarantee women's participation in parliament. In Cameroon's case, the then EMB chair felt empowered to interpret the law and the clause 'evidence of gender considerations' progressively. Arguably, this clause is vague enough to be vulnerable to other less progressive interpretations and could be further strengthened.

3.15 Seychelles: Why TSMs matter

Until its 2016 parliamentary elections, Seychelles had the distinction of being one of Commonwealth Africa's strongest performers, despite having a FPTP system and *no* quota, with women constituting 43.8 per cent of the National Assembly. According to 'An Illustrative Trends Analysis on Women's Political Development in the Commonwealth (2004–2016)' (Morna et al. 2013), Seychelles had been able to achieve this because of its unique national characteristics, including a high literacy rate for older women in comparison with their male counterparts. However, the level of women's representation in the National Assembly dropped from 43.8 per cent to 21 per cent in the 2016 elections. This fall in women parliamentarians reflects the weakness of increasing women's participation without any special mechanism to sustain the gains they have achieved.

3.16 Checklist



Electoral systems, laws and TSMs

- ✓ Does the electoral law/code provide men and women with equal rights to participate in the electoral process?
- ✓ Does the electoral system in the country help enhance women's representation in political decision-making?²
- ✓ Are there special measures to enhance women's political participation? For example, constitutional or legislated TSMs; safe constituencies; reducing and/or waiving nomination fees; voluntary party list TSMs; mandated party list TSMs and double-member constituencies; and TSMs for executive appointees (where these exist)?

Notes

- 1 Ghana's party of independence, Convention People's Party had a quota in 1960 and 1965; see: <http://www.quotaproject.org/country/ghana>. In Zambia, the ruling party, the Patriotic Front, has a voluntary quota of 40 per cent, and in Botswana, two of the opposition political parties, the BCP and BNF, have 30 per cent voluntary quotas.
- 2 Research shows that there is a much higher representation of women in PR electoral systems than in FPTP systems. Mixed electoral systems are also more favourable for women than the FPTP system.

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Chapter 4

Political Parties

Chapter 4

Political Parties

Key points

- Political parties need to be inclusive. This can be done through legislation and systematic harmonisation with the electoral framework, especially where these contain gender commitments, and through mandatory electoral codes of conduct which all parties must sign up to.
- Political parties should have clear guidelines on how they seek to achieve gender inclusiveness. This will require a review of party constitutions and re-alignment of women's leagues, so that they can play more active roles to enhance women's engagement within the parties.
- Political parties need to field women candidates across the board – presidential, legislature and local government. Incentives for political parties to comply will come from the laws that require them to nominate and field women candidates.



Political parties are often referred to as ‘the gate-keepers of democracy’ and have multiple functions within the electoral process. They are first and foremost organisations that serve as the representatives of their membership and citizens of their countries. They also mirror the democratic soundness of their nations.

Internally, political parties facilitate political recruitment and play a crucial role in candidate selection in the nomination process. In some instances, through their party structures, they provide support, financial and professional, to potential candidates that inevitably form legislative bodies as elected Members of Parliament and, in some cases, the executive branch of government. Political parties and their support for women within their party structures and as candidates is crucial to enhancing and sustaining women's representation in the electoral process and in the decision-making process as a whole.

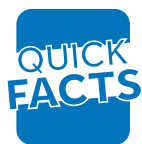
As noted in the earlier chapter on electoral systems and TSMs, parties in the constituency system need to make an even greater commitment to ensuring the representation of women in decision-making, as (in the absence of reserved seats) women can only get their foot in the door in this system if they are fielded in seats where the party is sure to win. This chapter focuses on the role of political parties in enhancing women's political participation, internally as well as in the electoral cycle.

4.1 Women in political party leadership

While some political parties have TSMs for women's representation in parliament, they do not necessarily apply these same TSMs to internal party structures. Studies show the importance of holding office in political party structures as a training ground for local and national politics.

When parties fail to ensure that women assume leadership posts within the party, this raises questions about their commitment to advancing gender equality more broadly. At a practical level, having women in decision-making within parties plays an important role in pushing for, and implementing, TSMs for women.

Table 4.1 shows that:



- All 34 leaders of political parties and main opposition parties in Commonwealth Africa at the time of writing were men.
- Women take up 14 out of 99 of the top positions in these parties (14 per cent).
- Women constitute one-third or more of top leadership in less than one-third (12 out of 34) of the parties.
- At 40 per cent, the main opposition Democratic Alliance Party in South Africa has the highest proportion of women in top leadership.
- Despite their stated commitment to gender equality, political parties have not 'walked the talk' of gender equality in their own ranks.

The absence of women in top leadership in political parties reflects in the paucity of women running for top office in elections. COG reports highlight the lack of female presidential candidates in Commonwealth Africa. Observers noted in multiple reports that, when there are female presidential candidates, they are normally a minority – one or two candidates standing out of a significant number, usually seven to ten. The reports also highlight that women presidential candidates tend to represent smaller parties, unlikely to win the presidency. As reflected in the interview for this handbook with Hon. Zainab Athman Katimba, the youngest woman to enter parliament in her country, access to leadership at all levels within parties is critical for women to gain confidence in political decision-making.

4.2 Political party support for women candidates

A greater focus is usually placed on those who finally win elections and assume public office. Since one of the key hurdles in women's political recruitment is the ambition to stand for public office, it is important to track how many women are actually putting themselves up for selection right from

Table 4.1 Women leaders in ruling and opposition parties, Commonwealth Africa 2017

Country	Party	M	F	Total women in top three	Total top positions	% women
Botswana						
Ruling party	Botswana Democratic Party	1	0	0	3	0%
Main opposition	Botswana National Front	1	0	0	3	0%
Cameroon						
Ruling party	Cameroon People's Democratic Movement	1	0	0	2	0%
Main opposition	Social Democratic Front	1	0	0	2	0%
Ghana						
Ruling party	National Democratic Congress	1	0	0	3	0%
Main opposition	New Patriotic Party	1	0	0	3	0%
Kenya						
Ruling party	The National Alliance	1	0	1	3	33%
Main opposition	Orange Democratic Movement	1	0	1	3	33%
Lesotho						
Ruling party	All Bosothon Convention	1	0	0	3	0%
Main opposition	Democratic Congress	1	0	0	3	0%
Malawi						
Ruling party	Democratic Progressive	1	0	1	3	33%
Main opposition	Malawi Congress Party	1	0	1	3	33%
Mauritius						
Ruling party	Militant Socialist Movement	1	0	1	3	33%
Main opposition	Muvman Liberater	1	0	0	3	0%
Rwanda						
Ruling party	Rwandan Patriotic Front	1	0	0	3	0%
Main opposition	Social Democratic Party	1	0	1	3	33%
South Africa						
Ruling party	African National Congress	1	0	1	3	33%
Main opposition	Democratic Alliance	1	0	2	5	40%
Sierra Leone						
Ruling party	All People's Congress	1	0	0	2	0%
Main opposition	Sierra Leone People's Party	1	0	0	3	0%
Seychelles						
Ruling party	Linyon Demokratik Seselwa	1	0	0	3	0%
Main opposition	People's Party	1	0	0	1	0%
Uganda						
Ruling party	National Resistance Movement	1	0	1	3	33%
Main opposition	Forum for Democratic Change	1	0	0	3	0%

(Continued)

Table 4.1 Women leaders in ruling and opposition parties, Commonwealth Africa 2017 (Continued)

Country	Party	M	F	Total women in top three	Total top positions	% women
Tanzania						
Ruling party	Chama Cha Mapinduzi	1	0	0	3	0%
Main opposition	Chadema	1	0	1	3	33%
Zambia						
Ruling party	Patriotic Front	1	0	1	3	33%
Main opposition	United Party for National Development Zambia	1	0	0	3	0%
Nigeria						
Ruling party	All People's Congress	1	0	0	3	0%
Main opposition	People's Democratic Party	1	0	0	3	0%
Namibia						
Ruling party	South West Africa People's Organization	1	0	1	3	33%
Main opposition	Democratic Turnhalle	1	0	0	3	0%
Mozambique						
Ruling party	FRELIMO	1	0	1	3	33%
Main opposition	Mozambican National Resistance	1	0	0	3	0%
Total		34	0	14	99	14%

Source: Commonwealth Secretariat with data from party websites

Note: For the purposes of this table, the three top roles in political parties are: leader, deputy-leader and secretary-general.

Box 4.1 Political parties and young female leaders: A personal experience

'As a woman, my involvement in politics has been discouraged by many. Limited resources to sustain political engagement have posed a serious setback. These resources include skills, human resources, facilities and finance. I have had sexual propaganda against me from those who had wanted to demoralise me and throw me off from political engagement. It has been a psychological torture to tolerate such humiliation. Had I not been exposed to various leadership training, I would have quit politics at some point.

I have had a platform to exercise my leadership talent from schools I went to. At university, I had the rare opportunity of vying for and holding various positions in the University Students Representative Organization. At a later stage, CCM (ruling party) Youth League became my mentoring ground. I attained leadership training from various institutes. To a large extent, the Youth League has been my entry point into the political world. I have had a platform to exercise my leadership talent in various voluntarily party roles, especially in the party's youth wing. The women's wing of CCM party has mentored me and exposed me to various leadership training.'

Hon. Zainab Athman Katimba, the United Republic of Tanzania

party primaries. Standing in an election is a significant step and, whether women win or lose, the more they stand the more the political culture will be amenable to change as they slowly move from being an exception to the norm.

Some of the COG reports indicate the proportion of women candidates. For example, the 2014 report on Malawi showed that women constituted 20 per cent and 17.4 per cent of candidates at the parliamentary and local council levels respectively. In Tanzania's 2015 elections, women constituted 8.5 per cent of all candidates. In Nigeria's 2007 elections, women constituted 6 per cent of all the candidates for the National Assembly. Such evidence can help to identify the road blocks in women's electoral path, including the reality that women are not offering themselves for public office. It is very evident that there are critical gaps at candidature level. Women are not standing for office in numbers commensurate with their share of the total populations.

4.3 Party support for TSMs – legislated and voluntary

As reflected in Chapter 3, 14 out of the 18 Commonwealth African countries now have TSMs of some kind – whether constitutional, legislated or voluntary. Where there are no 'special measures' (for example in Ghana and Nigeria) pressure is mounting to adopt measures of some kind. This means that parties are under pressure to find and support women candidates.

Where they are constitutional but not legislated TSMs (for example Swaziland and Kenya) these provisions have not always been observed. Where TSMs are constitutional and/or legislated (for example, in Uganda, Rwanda and Tanzania), it is obligatory for parties to field women candidates who are guaranteed a certain percentage of the seats. In the Ugandan case, where there are separate reserved seats for women, political parties have been resistant to placing women on the open/unreserved contests, thereby limiting them to a 'ghettoised' space of separate seats where women compete against each other (Tamale 2004).

Box 4.2 Tanzania: The value to women of political party support

'My political party, CCM, as the ruling party stood firm with the government policy decision to empower women by enabling them to participate fully and on equal ground with men in decision-making. In 2000, the Tanzania Constitution of 1977 was amended and allowed a quota system (30 per cent of women) in the national parliament and local authorities. CCM created a mechanism to encourage women, including to contest for constituencies. The party's women's wing urged Tanzanian women to vote for fellow women who vied for political office.'

HE Samia Suluhu Hassan, Vice-President of the United Republic of Tanzania

Yet having a quota also means that parties must start changing their ways of thinking. This is reflected in an example from Tanzania:

An interesting test of political party commitment is in countries that have voluntary party TSMs. As observed in Chapter 3, three PR African Commonwealth countries – South Africa, Namibia and Mozambique – all have relatively high levels of women in political decision-making because of voluntary TSMs by their ruling parties (the ANC, SWAPO and FRELIMO).

The ANC adopted a voluntary 30 per cent gender TSM for the 2006 local elections. In 2009, the party amended its constitution and increased this voluntary quota to 50 per cent. Similarly, the FRELIMO introduced a gender quota in 1994 that required 40 per cent representation of women in the national assembly and the local assembly. In 2014, Namibia's ruling party, SWAPO, adopted a 50:50 quota system known as the 'zebra' list to ensure that women were equally represented not only in parliament but also in government.

Across the globe, the PR or 'list' system favours women's political participation, as parties have the power to place women strategically in the list to ensure their electoral success. SWAPO and the ANC broke new ground by committing to and largely implementing the 'zebra' system (one woman, one man) in their past elections. This was especially true at the local level in Namibia, where there is a legislative requirement around women's representation.

PR as an electoral system in more than 30 per cent of the countries holds promise for decentring gender ideologies in nomination and campaign processes, as the focus tends to be more on party policies than the individual candidate. The voluntary TSMs in South Africa and Namibia, particularly the zebra style or zipped party list arrangements, are key achievements for women.

Rwanda, which at 64 per cent has the highest representation of women in politics in the Commonwealth, has a mixed electoral system, constitutional and legislated TSMs at the national and local levels. In addition, the constitutions of both the Rwandan Patriotic Front-Inkotanyi and the Centrist Democratic Party (Parti Démocratique Centrist) stipulate that there should be at least 30 per cent of female representation in all decision-making positions within the structures of the party (Kandawasvika-Nhundu 2014). This mix of factors has been critical in delivering a high level of women's political participation. In Lesotho (which also has a mixed system), the Lesotho Congress for Democracy (LCD) introduced a mandatory 30 per cent quota to ensure women's representation within the governance structures of the parties (Ntho 2010).

As reflected in Chapter 3, there are several examples in Commonwealth Africa of political parties in the FPTP system adopting voluntary TSMs. These include the Botswana National Front (BNF), the Botswana Congress Party (BCP) and the Patriotic Front (PF) in Zambia. However, these measures have had limited impact. This is the weakness of voluntary TSMs: political parties themselves are responsible for enforcing the TSMs. Unlike legislated TSMs, which are legally binding with sanctions attached, political parties are under no obligation to meet their own targets and similarly under no obligation to maintain those targets. In the competitive electoral environment of the FPTP system, the chances of these TSMs being dropped in the ‘heat of the moment’ by parties under pressure to win seats are high.

Box 4.3 Supporting candidates in Nigeria

The Nigerian Women's Trust Fund, launched in 2011, is a multi-stakeholder initiative backed by the Federal Ministry of Women Affairs and Social Development and a coalition of civil society, the private sector and international development agency partners, including UN Women.

Since 2011, it has grown into a robust political network-building and knowledge-sharing platform, with an active web presence and two flagship projects, 'Create Her Space' and 'She Should Contest', which seek to carve out a greater space for women politicians to participate in political activities and debates, and to inspire a national dialogue on the urgency of addressing gender imbalance in elective and appointed offices in Nigeria.

Commonwealth Secretariat (2016c)

Evidence suggests that women who make it through the nomination process are often put up to contest seats in districts where they cannot win, leaving the men to contest safe winnable seats (ODI Women). It is no coincidence that all the Commonwealth African countries still struggling to increase the number of women candidates and parliamentarians have FPTP systems and have made limited efforts at TSMs of any kind, whether legislated or voluntary. Male dominance of party politics has been named as one of the key constraints for women to overcome and participate, especially as candidates.

Women's representation in parliaments has remained relatively stagnant over the past ten years in Nigeria, Swaziland, Botswana and Ghana. According to a paper on 'Political Parties and Women's Political Participation in Commonwealth Africa' (M'Cormack-Hale 2018), some political party members have explicitly stated their opposition to TSMs. As these parties are not advocating for electoral reform, legislated or voluntary TSMs, it is unclear how the log jam over women's low political participation in these countries will be overcome.

4.4 Financial support for women candidates

A major barrier to women's political participation is the lack of resources in comparison to their male counterparts. Political parties have a role to play in mitigating the burden felt by women aspirants. The COG reports note that some political parties in Commonwealth Africa, namely the National Democratic Congress and National Patriotic Party in Ghana and the All Progressives Congress in Nigeria, have sought to encourage women's political participation in the electoral process by waiving nomination fees in part or in full.

4.5 Violence against women in politics

Through interviews and surveys, the paper on political parties (this section is from M'Cormack-Hale 2018) found that women in politics may face harassment on several levels. First, respondents in several countries mentioned that women in politics were seen as morally loose, and they faced sexual harassment and other related threats. Unmarried and young women, in particular, mentioned receiving threats and unwelcome propositions. Furthermore, given the risks associated with politics, some women encountered resistance from family members and lack of support, including from spouses, children and parents.

VAWP was another frequently mentioned barrier for women aspiring to go into politics. Women faced violence at all levels, from members of their own party during party nomination processes, to violence from opposition candidates when vying for electoral positions. In this respect, women faced both physical and sexual abuse. Incidents mentioned included physical intimidation and assault, acid attacks, shootings, vandalism, rape and verbal abuse. To ensure their physical safety, women reported campaigning with hired security, which depleted their meagre resources.

Related to harassment, women politician respondents noted that vetting procedures for women were often different from those for men for political appointments, with women subjected to different standards and impertinent questions, including, for example, on their marital status, number of children and their appearance. Women were also judged on what they wore and how they looked. In addition, respondents noted that the public were quicker to condemn and criticise women on scandals, who faced more coverage and condemnation than men in similar positions. They believed that women's indiscretions tended to be blown out of proportion, which in turn discouraged other women from contesting for fear of being 'tarred with the same brush'.

Case study 4.1 South Africa: Gender audit of party manifestos in the 2016 local elections



During the 2016 local government elections, Gender Links devised a gender rating index of South Africa's political party commitment to advancing gender issues. The index rates the extent to which gender is reflected in party manifestos in relation to political and economic participation, infrastructure, services and social concerns, i.e. whether:

1. the importance of women's participation is highlighted and there are strategies for addressing this, including affirmative action;
2. there is a gendered analysis of local economic development and specific strategies for addressing women's equal access and participation;
3. there is a gendered analysis of access to resources such as land, housing and credit, and how to redress these gaps;
4. there is a gendered analysis of access to services such as water, energy and sanitation, and how to ensure that women and men access these equally; and
5. there is a gender analysis of social challenges, especially gender-based violence (GBV), HIV and AIDS, sexual and reproductive health and rights, and how to ensure that local government promotes women's rights.

The analysis put the African National Congress (ANC) and the United Democratic Movement (UDM) in lead positions with a score of just 40 per cent. The Congress of the People (COPE), at 36 per cent, and the Democratic Alliance (DA) and Economic Freedom Fighters (EFF) at 28 per cent did not do much better. The Inkatha Freedom Party (IFP) at 24 per cent and Freedom Front, at 20 per cent, tailed the list. The report commented:

'It stands to reason that any party tapping into the issues impacting directly on a majority voting bloc such as women, should enjoy statistical advantage over its competition. Contentions within the ruling party, shifts in the balance of power between the ANC and its official opposition, the DA, as well as rising contender, the EFF, all indicate that in many municipalities, the vote is up for grabs. Might a party responsive to the everyday needs of the majority of the electorate – that of women – swing that vote? It would appear that no party identified this opportunity.

By comparison, most of the parties have revealed an understanding of particular challenges experienced by the youth as a sector, and have detailed specific interventions in response. These include measures designed to ensure young people's participation in the economy and in municipal decision-making processes, in accessing training and entrepreneurial opportunities, and in addressing social challenges experienced by the youth. As with parties' manifesto commitments on other issues, measures for the youth are not gender mainstreamed, in that they do not stipulate how challenges experienced by young women are likely to be overcome to ensure equal access.

The analysis of party manifestos indicates that some parties have identified specific measures which would benefit women, and most have proposed measures from which women, as community stakeholders, would benefit. Nonetheless, parties cannot be said to be particularly gender-aware, in that they have not mainstreamed gender throughout their manifestos, by clearly indicating measures that would address the systemic challenges and barriers women experience in access to rights and services, outlined earlier in this brief. Gender mainstreaming requires an analysis of such structural challenges and the implementation of specific measures to ensure equal access to rights and services.

Only the ANC addresses the issue of GBV at policy level, by expressing a commitment to work with all sectors to end violence against women and children. The IFP makes a reference to women and

children “feeling safe in our streets”. Neither offers any analysis of why women’s rights continue to be so flagrantly violated in this way.

Only the UDM commits to ensuring women’s representation on municipal structures and in decision-making. The ANC commits to ensuring women constitute 60 per cent of extended public works programme beneficiaries. COPE commits to creating a dedicated women’s fund and encouraging women to engage in small, medium and micro businesses. The UDM envisages supporting youth, women and people with disabilities to be entrepreneurs. None of the parties provide a gendered analysis of access to resources such as land, housing and credit.’

Hicks and Morna (2016)

4.6 Gender and campaigns

A major avenue for assessing women’s participation in the electoral process is during campaigns, when political parties engage with the electorate in a bid to win support for their candidates. The COG reports highlight the role played by women in campaigns. On election day, women participate as presiding officers and party agents. The case study that follows shows the importance of monitoring political party manifestos during elections.

4.7 Political party allegiance

All politicians face dilemmas at one time or another over divergences between political party positions and their own convictions. Women in politics often feel these tensions more acutely because of the expectation that they ‘represent women’.

The dilemmas for women politicians over allegiance to party versus their commitment as women arise in all political systems and cut across countries with high and low proportions of women in politics. Interviewees stressed that, if a member takes a different line to that of her party, she stands a risk of being regarded as challenging the leader and might face disciplinary proceedings.

Women MPs, aware of divisions across party lines, are addressing them in the newly formed parliamentary caucuses where they share strategies to support each other on issues that are common to them as women. They further mentioned that the women’s parliamentary caucus is a good opportunity to bring all women together and to extend solidarity on all issues that affect them.

4.8 Women’s wings

As in other parts of the world, women’s wings in Commonwealth Africa play an ambivalent role. On the one hand, women’s structures in parties have been

an important mobilising tool for women in many countries. However, they also often serve as the glorified hospitality wing of the party, rather than as mechanisms for advancing the status of women in politics and in society.

Research from International IDEA suggests that the agendas of women's wings are often limited to the social and welfare affairs portfolio, therefore reinforcing the marginalisation of women in politics. To increase the effectiveness of women's wings beyond their traditional remit, political parties should incorporate them into the main party structure and increase their role in the candidate preparation selection and mentoring of potential female candidates (OSCE 2016).

4.9 Checklists for political parties



Commitment, codes and party statutes

- ✓ Is there a commitment to gender equality on the part of political parties? How and where is this reflected?
- ✓ Has gender been mainstreamed in the constitution, manifesto, policies and structures of each political party?
- ✓ To what extent do the procedures for the selection of candidates for decision-making within the party enhance or hinder gender balance and sensitivity?
- ✓ Do the political parties offer gender awareness training for all cadres?
- ✓ Do the political parties offer capacity-building, mentorship and other initiatives to enhance the political empowerment of women?
- ✓ Do political parties have codes of conduct on – or that include – firm measures to address sexual harassment/gender violence in all party, political and election conduct? To what extent have these been effectively implemented?

Women in political parties

- ✓ Does the election act oblige political parties to take measures to enhance gender equality?
- ✓ Have the parties themselves instituted special measures to enhance gender parity in all their structures, at all levels? For example, does the party have TSMs for women's participation within the party?
- ✓ How many of the executive positions are held by women?
- ✓ To the extent that women are missing from decision-making in the party, what is being done to redress this imbalance?

- ✓ Do the parties have women's wings? How effective are these in promoting gender equality within the parties?
- ✓ How has the women's wing supported women in the electoral process? For example, by providing mentoring, sponsorship and training for women in politics?
- ✓ How free are women in the party to take a stand on women's rights, especially where these may be contrary to party positions?

Candidates

Selection of candidates

- ✓ Are women involved in the processes to select candidates for the party (for specific seats in the case of FPTP, and position on the lists in the case of the PR system)?
- ✓ Is the right of women citizens to present themselves as candidates for election respected?

Women candidates

- ✓ How many women and men ran for office for each party?
- ✓ How does this compare with the last election? How is the variance explained?
- ✓ If this is a FPTP system, what percentage of women were fielded in safe seats for the parties? In a list system, where are women candidates situated on the lists?
- ✓ What proportion of the women candidates are new and how does this compare with the proportion of new male candidates?
- ✓ How many women are running as independent candidates? Is this more or fewer than before? Why?
- ✓ Are there any women candidates for the post of prime minister or president? Are they treated equally (by the media, public opinion, the EMB etc.)?

Campaign content

- ✓ Do commitments by parties and candidates to address gender issues feature in the campaigns and manifestos?
- ✓ Do these debates challenge or reinforce gender stereotypes?
- ✓ Are women candidates able to campaign on issues that are of particular concern to women, for example domestic violence?
- ✓ Do women candidates speak out on gender and other social justice issues as part of the campaign?

- ✓ Do men candidates speak out on gender and other social justice issues as part of the campaign?

Election outcome

- ✓ How many and what percentage of women were elected: a) in the lower house, b) in the upper house (if this exists) and c) in total?
- ✓ If the elections included local government, how many and what percentage of women councillors were elected?
- ✓ How do these figures compare to the last election? Has there been an increase or decrease in the percentage of women? If so, why?
- ✓ Are there differences in the proportion of women's representation in the different tiers of governance? If so, why?
- ✓ How do the figures break down by political party? Has there been an increase or decrease for each political party? If so, why?
- ✓ What proportion of women were re-elected, i.e. what is the retention rate? How does the retention rate compare to that of men?
- ✓ Do the parties accept the election outcome? If not, are any of the seats won by women contested in court or through other means? What is the outcome of this?

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Chapter 5

Gender and Election Management Bodies

Chapter 5

Gender and Election Management Bodies

Key points

- Election management bodies (EMBs) have a role to play in levelling the playing field. This starts with gender-responsive practices within their own institutions – a test of their own commitment to inclusive elections.
- EMBs should develop and publicise clear guidelines for political parties to facilitate the implementation of gender obligations in the electoral framework. EMBs should be empowered to enforce such gender obligations.
- EMBs should develop gender-responsive codes of conduct, which all parties should sign up to, as part of the pre-election period activities.
- EMBs should develop and regularly update gender-disaggregated databases that include information on key parameters over the years. For example, the proportion of women as candidates at all levels, as voters, as election managers and as political party agents.
- Concrete strategies should be devised to address gender-based electoral violence.



EMBs are key stakeholders in the electoral process. Responsible for the management and conduct of elections, EMBs play a crucial role in ensuring that fair, credible elections are held and in the end accepted (Commonwealth Secretariat 2016b).

All 18 Commonwealth African countries have some sort of EMB in place. While legislation defines the scope of work undertaken by EMBs, their own internal policies and processes demonstrate their commitment to contributing to gender equality in politics.

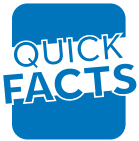
This chapter outlines the steps necessary to ensure the gender responsiveness of EMBs internally, as well as the mainstreaming of gender in elections. The chapter demonstrates the strategic and catalytic role that EMBs are well poised to play in promoting gender equality.

In January 2017, the Commonwealth Secretariat conducted a survey on gender mainstreaming in Commonwealth Africa EMBs. The snap survey shows that while there have been efforts to mainstream gender in the EMBs, these are still inconsistent. As reflected in Table 5.1:

Box 5.1 Promoting gender equality throughout the electoral cycle

'There is an emerging body of guides for EMBs in promoting inclusive elections which list a number of measures. In my view, the guides which promote gender equality through the electoral cycle are most effective. These put specific emphasis on measures to be executed during the pre-election period, election period and post-election period. The pre-election period will include measures relating to registration, nomination of candidates and parties, and voter outreach. The election period will cover planning for election day, polling place management, voter information, while the post-election period will include election assessment, recommendations for regulatory framework and strategic and action plans.'

Advocate Notemba Tjipueja, Chair, Namibia Electoral Commission



- Eight EMBs said that gender was mainstreamed but not 'adequately'. Four EMBs said that gender was mainstreamed to a large extent.
- Six out of 18 – or one-third of the EMBs – said they had a gender policy (Lesotho, Namibia, Nigeria, Rwanda, Sierra Leone and Zambia).
- Six out of 18 – or one-third of the EMBs – said they had gender focal points (GFPs) (Nigeria, Rwanda, Sierra Leone, South Africa, Tanzania and Zambia).
- Women lead five of the 18 electoral commissions (28 per cent). These are Ghana, Lesotho, Malawi, Namibia and Sierra Leone.
- Overall, women constitute 28 per cent of election commissioners in the EMBs.
- Women constitute 24 per cent of senior managers in the EMBs.

5.1 Challenges in recruiting women to senior positions

From the survey, it is clear that an area that all EMBs are struggling with is recruiting women to senior management (24 per cent of the total). The recent study commissioned by the IEC in South Africa offers interesting insights into why this may be the case, at least in that context. Many of the issues raised in principle are likely to apply in other Commonwealth African countries.

Table 5.1 Gender audit of electoral commissions in Commonwealth Africa in 2016

Country/EMB	Is gender mainstreamed in your EMB?	Gender policy	Gender focal points	Legal provisions for gender-balanced recruitment	Number of women commissioners/total	% women on EMB	Chair M/F	Number of women managers/total	% women managers
Independent Electoral Commission of Botswana (IEC)	No	No	No	None.	3/7	43%	M	11/183	6%
Elections Cameroon (ELECAM)	Yes, but not adequately	No	No	None, but appointment and recruitment policies in EMB are gender sensitive.	4/18	22%	M	40/89	45%
Electoral Commission of Ghana (EC)	Yes, but not in legislature	No	No	None, though chair is female and one of deputy chair persons is female. Now gender imbalance favouring women.	5/7	71%	F	Not available	Not available
Independent Electoral and Boundaries Commission of Kenya (IEBC)	No	No	No	None, deputy chair is a woman. Five women out of 11 senior staff; 12 women out of 28 senior staff heading the secretariat – CEO is male and deputy is female.	3/8	38%	M	12/28	43%
Independent Electoral Commission of Lesotho (IEC)	Yes, but not adequately	Yes – developed and adopted	No	None, one woman out of three commissioners, three women out of six executive managers.	2/5	40%	F	3/6	50%
Malawi Electoral Commission (MEC)	Yes, but not adequately	Planned	No	None; although in practice the appointing authority complies with gender balance considerations, all three executive managers are men.	5/7	71%	F	0/3	0%
Mauritius Electoral Boundaries Commission	N/A	N/A	No	Indirectly through constitutional provision that stipulates that there should be no discrimination on gender grounds in the performance of the functions of any public office or any public authority.	0/1	0%	M	9/14	64%

(Continued)

Table 5.1 Gender audit of electoral commissions in Commonwealth Africa in 2016 (Continued)

Country/EMB	Is gender mainstreamed in your EMB?	Gender policy	Gender focal points	Legal provisions for gender-balanced recruitment	Number of women commissioners/total	% women on EMB	Chair M/F	Number of women managers/total	% women managers
Mozambique Comissão Nacional de Eleições (CNE)	Unsure	N/A	No	No requirements for gender balance in recruitment and appointment of commissioners and staff.	2/17	12%	M	5/12	42%
Electoral Commission of Namibia (ECN)	Yes	Yes	No	The Electoral Act, Act 5 of 2014, makes provision that at least two commissioners should be female; two women are deputy directors in the secretariat.	2/17	17%	F	5/12	42%
Independent National Electoral Commission of Nigeria (INEC)	Yes (sex-disaggregated data for the 2015 elections)	Yes	Yes	None.	Data unavailable/13	Unsure	M	5/unsure	TBC
National Election Commission of Rwanda (NEC)	Yes	Yes	Yes	There are constitutional guarantees for the effective participation of women in all decision-making processes.	3/11	27%	M	1/3	33%
Electoral Commission of Seychelles (ECS)	Yes, but not adequately	N/A	Unsure	None currently. Conversely, of the technical staff, nine assistant registration officers as well as the chief registration officer are female.	1/5	20%	M	Data unavailable	Data unavailable
National Electoral Commission of Sierra Leone (NEC)	Yes, to a large extent	Yes	Yes	None, but in practice, the government has always ensured a gender balance in the appointment of commissioners.	2/5	40%	F	1/8	13%

(Continued)

Table 5.1 Gender audit of electoral commissions in Commonwealth Africa in 2016 (Continued)

Country/EMB	Is gender mainstreamed in your EMB?	Gender policy	Gender focal points	Legal provisions for gender-balanced recruitment	Number of women commissioners/total	% women on EMB	Chair M/F	Number of women managers/total	% women managers
Electoral Commission of South Africa (IEC)	Yes, to a large extent; study on gender and mobility in IEC to be implemented in 2017	No	Yes	Constitution of the Republic of South Africa (1996) viz. Section 1 (b) – Non-racialism and non-sexism, and to Section 9, Equality, Commissioners nominated by the public; interviewed by Chief Justice of the Constitutional Court, representatives of the Human Rights Commission, Commission on Gender Equality, Public Protector.	1/5	20%	M	2/3	67%
Elections and Boundaries Commission of Swaziland (EBC)	No	None	No	None	1/4	25%	M	Data unavailable	Data unavailable
National Electoral Commission of Tanzania (NEC)	Yes, but inadequately	The NEC has a gender focal point	Yes	No specific legislation, three out of seven commissioners are female; likewise, 73 out of 164 NEC staff are female.	3/7	43%	M	Data unavailable	Data unavailable
Electoral Commission of Uganda (EC)	Yes, but not adequately	No	No	No specific legislation; guidelines for inclusion of people with disability.	3/7	43%	M	2/17	12%
Electoral Commission of Zambia (ECZ)	Yes, but inadequately	Yes	Yes	None.	1/3	33%	M	1/3	33%
TOTAL					41/147	28%	5/18 (28%)	97/381	24%

Source: Survey of Commonwealth Africa EMs and additional desktop research

Case study 5.1 South Africa probes dearth of women managers in elections



In April 2016, the Human Sciences Research Council (HSRC), conducted a study titled *Transforming the Electoral Commission: Staff Perceptions of Gender Equality and Mobility* in response to a request by the Electoral Commission of South Africa (also known within the country as the IEC). The report aimed at explaining the lack of women's representation at senior levels within the IEC.

The research was done using a qualitative and quantitative mixed-method approach consisting of focus groups, online surveys and key informant interviews. The study found several organisational practices that hindered women's involvement at higher levels of management.

From the study, higher rank staff members indicated that they are more likely to feel exhausted by their work and often find themselves sacrificing their personal time for work. Many senior female managers felt that their jobs affected their family time more so during the elections period, ultimately affecting people's overall personal relationships. Many lamented that the IEC did not place family at the core of employees' lives. In line with this, female respondents noted that female employees tend to ignore certain promotional positions, as these would place additional pressure on them. Consequently, senior management positions were often sought by women who were past child-bearing age.

In terms of organisational culture, the study found that the lean structure of the electoral commission does not provide promotional opportunities for women and these tend to diminish the higher up a person goes. Lack of deputy managerial positions (a prerequisite for appointment to manager positions) means that most internal candidates cannot apply for manager positions and so many women cannot move up. Women employees also noted that men were more likely to be promoted over them.

A gendered division of labour exists at work, where some positions tend to be viewed as either strictly male or female. Female focus group participants noted that the organisation is stereotypical and women are restricted or concentrated to human resources and corporate services units, which are viewed as 'feminine' posts.

The patriarchal nature of the electoral commission came up as another key issue. Fewer women than men noted that they felt free to raise their opinion at work without being ridiculed. Furthermore, fewer women than men indicated that their 'voice was heard' at work. The electoral commission's work environment was not viewed as a level playing field for women and it was noted that women, including those in senior chair positions, have to put in extra effort to be recognised in their work – which is not always the case with men.

When it comes to workplace discrimination, results show that the discrimination observed the most was race/colour, followed by gender, culture, age and language, in descending order. On the issue of salary, the survey found that the electoral commission largely does not discriminate between men and women.

In terms of employment equity, key informant participants noted that that the commission considers both race and gender in advertisements and recruitment selection processes.

As for sexual harassment in the workplace, most of the online survey participants (n = 629) agreed that sexual harassment is not tolerated at the electoral commission (71 per cent agreed or strongly agreed compared to 7 per cent that disagreed or strongly disagreed).

Overall, female participants were less positive than their male counterparts about the electoral commission's efforts to address the advancement of women. For example, a smaller proportion of women (41 per cent) than men (66 per cent) agreed that the electoral commission is serious about eliminating barriers that prevent women from reaching their potential.

Electoral Commission of South Africa (IEC)

5.2 How EMBs are mainstreaming gender institutionally

While efforts at gender mainstreaming in the EMBs are still patchy at best (and non-existent at worst), pockets of good practice contribute to a collective wisdom about what needs to be done to promote gender-responsive institutions. These include the following.

Developing gender policies

Having a stand-alone gender policy helps ensure that gender mainstreaming outlives particular individuals who may champion gender causes within the organisation. Ideally, such gender policies should be reflected in the vision and mission of the EMBs (if these are to move from being gender-blind or gender-neutral to being gender-aware).

Appointments

EMBs are adopting policies and practices to ensure a gender balance in their own organograms. Most would appear to be drawing from general constitutional provisions on non-discrimination on grounds of gender. Rwanda and Kenya have specific constitutional requirements on gender balance in public positions and Namibia's Electoral Act makes provision that at least two out of the five commissioners should be female.

Even in the absence of specific constitutional and legal requirements, appointing authorities, in the case of commissioners, are increasingly ensuring a gender balance. In Sierra Leone, for instance, although there is no such legal requirement, from 2011 to 2016, out of five commissioners, three were female, including the chairperson. At the time of writing, the balance was two women and three men.

A lack of progress in achieving gender equity is evident from the continuing low number of women elected to parliament and the lack of women occupying senior positions in political parties or government (as well as in EMBs). The challenge is to translate the Commonwealth's ideals into everyday practice. Too many EMBs – even though they may boast attractive-sounding policies in this area – remain dominated by men.

A fundamental change in attitudes to gender will be required if the current situation is to change fundamentally. EMBs should include a commensurate number of women at all levels of leadership. Yet this will not happen without the adoption of clear strategies for women's advancement. Where necessary, tailored training programmes should be developed to make it easier for women to progress to positions of responsibility.

Gender management system

One-third of the EMBs have either appointed a gender focal person (GFP) or a committee responsible for gender issues in the organisation. It is important to take this a step further, by ensuring that gender is reflected in the job descriptions and performance agreements of senior staff, as well as in the specific terms of the GFP. It is crucial that EMBs have gender expertise, gender awareness and capacity-building programmes, as well as budget allocations for mainstreaming gender through their work. This must include the collection and analysis of sex-disaggregated data on voter registration, voter turn-out, candidates (especially where there are TSMs) and staffing data.

Staff recruitment and retention

Measures to ensure women's participation in senior management include gender-aware recruitment panels; job adverts that encourage women to apply; (internally) talent spotting and fast-track programmes; executive management coaching; and mentorship.

Creating a family-friendly work environment

During elections, EMBs have long working hours. The work may also be dangerous, depending on the context. Work hours and family-friendly practices like child-care facilities are important, as in other workplaces that are serious about retaining women. EMBs also recruit large numbers

Box 5.2 Family-friendly measures recommended in South Africa

To eliminate these barriers, the above-mentioned study by the Electoral Commission of South Africa recommended that cultural and organisational impediments to women's advancement to senior positions be examined. This can be done by having a more inclusive and consultative organisational and management approach. The electoral commission should create a family-friendly work environment, with flexi-hours for single mothers and all women. It should promote internal mentorship, headhunting and retention of women. Furthermore, the patriarchal nature of the workplace should be dismantled through gender mainstreaming. Workplace workshops that sensitise employees on personal power and harassment should also be put in place.

The findings of this study provided a baseline for the IEC to set up a sustainable gender framework, as well as put in place adequate monitoring and evaluation instruments to assess the effectiveness and efficiency of this framework. Having this mechanism in place would push for more women into senior positions.

HSRC (2016)

of short-term staff for the elections themselves. Often these are teachers (a profession in which women often predominate, especially at the primary level). It is important that short-term contracts also be gender-aware. The IEC study in South Africa highlights the importance of tackling all these issues head on.

Changing attitudes

The Commonwealth Election Management: A Compendium of Commonwealth Good Practice (Commonwealth Secretariat 2016b) comments:

The approach to gender equity adopted by election management bodies around the Commonwealth differs considerably. Given their adherence to international human rights instruments, and their membership of the Commonwealth, all are committed in principle to improving the status of women. However, the forces resisting such reforms, whether they be cultural or linked to those seeking to consolidate current power structures, also remain strong ... Appeals to the sanctity of 'culture', however, which are often employed by those resisting reform, can be self-serving. Culture is not static and remains subject to change and adaptation. All societies, including the most traditional, have within them a deep commitment to fairness, the importance of consultation and the need for community solidarity. Such commitments can provide, from within the culture concerned, powerful resources which may be interrogated and mobilised in support of fundamental reforms.

Changing attitudes, and addressing people's real concerns about the impact of social change, is a long-term challenge. Such change is more likely to be achieved in the context of substantive institutional and legal reform, backed up by programmes of practical action.

5.3 Pre-elections

Electoral systems and legislative reforms

Although it is the job of the legislature and the executive to initiate legislation, EMBs can support changes in legislation – for instance, if appropriate, for the introduction of TSMs in parliament. This might also involve leadership and support in legislating for electoral procedures that do not discriminate against women; ensuring that all agencies involved in elections – including, for example, police investigating electoral malpractice – are trained to respect the rights of women; and providing sufficient resources to EMBs to enable them to implement gender-related programmes. EMBs can also use their experience from elections to provide evidence for electoral and legislative reform. The

Case study 5.2 The Electoral Commission of Namibia and gender mainstreaming



The formulation of a gender policy at the Electoral Commission of Namibia (ECN) has enjoyed priority and special effort for the following reasons.

First, the equal rights of men and women to fully participate in all aspects of political, economic and social life and non-discrimination are fundamental human rights principles. As such, it is the EMB's responsibility and obligation to comply with human rights principles, including international declarations and protocols ratified by the Republic.

Second, women make up more than 50 per cent of the Namibian population and the country will not be considered democratic if women are excluded from full and equal participation in political, economic, social, electoral and decision-making processes.

Third, women often have different experiences, different needs and different perspectives than men. It is therefore essential and practical to involve women and draw on their experiences to ensure a more representative society.

Fourth, it makes economic sense, because the EMB believes that gender equality leads to more prosperous societies. The EMB's budget is financed with public funds and therefore the EMB has the responsibility to all the citizens of the country to manage and spend the public funds in an equitable manner.

The ECN has led by example in terms of women's representation. The Electoral Act prescribes that at least two out of five commissioners must be women. At present, women's representation at the commission level stands at 60 per cent compared to 40 per cent male representation and, for the first time in the history of the EMB, the chairperson of the commission is female. This is a classic example where the legislation has a clear positive impact on women's representation, as demonstrated in the appointment of commissioners of the EMB. Women's representation at the management level and permanent staff levels is 40 per cent and 63 per cent, respectively.

The ECN has put in place a process of identifying voter registration points to ensure unimpeded access to voter registration centres. The ECN also has a process in place whereby mobile teams and fixed points are assembled in order to reach to all groups of people.

The ECN has a process in place to identify places where the provisional registers are displayed and safeguarded during the objection period. One of the criteria of identifying the places for displaying the registers is its accessibility to all voters. By law, the EMB advertises a list of the identified places where the voters' registers are displayed in the local newspaper. The ECN also displays the list of these places at prominent public places in order to ensure that the public is made aware of the identified places.

Where queuing is required, the ECN ensures that priority is given to women with special needs, such as expectant and breastfeeding women, and men and women who are elderly/aged and with disabilities, regardless of their age or gender.

The necessary assistance for people with disabilities to participate in the voters' registration is rendered, and access to information is provided in close co-ordination with organisations that provide support for people with disabilities.

The ECN has introduced a biometric system to capture voter registration data, which has the capacity to disaggregate sex and age data. In the future, the system will be used to compile the needs of voters and candidates through the voter registration process and analysed from a gender perspective. Such information will guide the ECN in the development of the relevant voter and civic education and the appropriate means of disseminating the voter education information. The process of conducting the voters' registration exercise involves and is undertaken by both women and men.

The ECN has established a Democracy Building Division within the EMB which is solely dedicated to voter and civic education and dissemination of information to the public.

The ECN provides village-to-village voter and civic education and information. In order to ensure equal access to voter education and information by diverse groups of women and men, the outreach is expanded to urban and peri-urban areas by targeting people living in remote and hard-to-reach areas.

The voter and civic education and information disseminated by the EMB is gender-sensitive, highlighting the important roles of both women and men in electoral processes, as both voters and people to be voted for. Equally important, the voter and civic education programmes are gender-sensitive in terms of the use of inclusive language, messages, images and approaches.

Excerpts from the paper by ECN Chair, Advocate Notemba Tjipueja, at the validation meeting for the handbook, Commonwealth Secretariat, 7 July 2017

interview with the chair of the Namibian EMB for this handbook reflects the kind of stance that an EMB can take in relation to TSMs.

Voter registration

In practice, women are more likely to be registered under systems which provide for the automatic registration of all eligible citizens. Where individuals are required to register in person, the process should be well publicised, employing channels of communication most likely to reach women voters; registration stations should be easily accessible; and the procedures should be made quick and simple. Attention should be given to registering displaced persons. To accommodate the dual roles of women at home and in the workplace, the EMB can invest in mobile registration units (this has been done in Uganda and South Africa). Where there is potential discrimination against naturalised citizens – for example the foreign husbands of women in the country where the election is to take place – the EMB must be prepared to uphold their rights.

Voter education

Well-designed, gender-sensitive voter information and civic education programmes should be deployed, with the specific goal of increasing women's participation. UN Women's manual for EMBs notes:

When creating voter outreach material, attention should be paid to avoiding subliminal messaging. For instance, a poster showing only male voters may give the message that only men vote. Outreach materials should show women of all ages participating in every task and every role – as registration and polling staff, as observers and security forces, as registration applicants and as voters. With respect to gender equality, there are two very important messages to be communicated: first, that women

Box 5.3 Namibian EMB comes out in support of TSMs

'At this juncture as an EMB we fully support the "zebra system" adopted by the ruling party, and can only support the introduction of this system by other parties. If necessary, the legislators may consider introducing a legal provision to this effect in the electoral law to ensure that all political parties competing in the National Assembly elections will be required to include women on their party lists in accordance with the "zebra system".'

Advocate Notemba Tjipueja, Chair ECN

have the right to vote and stand for election and that their participation often needs to be encouraged; and second, that the ballot is secret – no one else needs to know how an individual's vote has been cast (UNDP and UN Women 2015, p.95).

Nomination of candidates

The arrangements for nomination and the level at which deposits are set should be designed to facilitate the participation of women candidates. The rules must be applied impartially. EMBs can also encourage political parties to ensure that women are allowed to play a full role at all levels in the administration and policy structures of the party, and are enabled to offer themselves for nomination as candidates – with a realistic hope of being selected.

In a handbook presented at an international conference on gender mainstreaming in electoral administration (Hassan 2014), a former EMB chairperson highlights the role an EMB can play in ensuring that parties comply with the law on submission of party lists for special seats reserved for women in parliament and in local government.

Location of polling stations

Women are more likely than men to be disadvantaged if polling stations are inconveniently located, if polling hours are too short, or if too few polling stations are opened and voters are required to wait in long lines. Where necessary, the EMB should consider providing separate polling stations, so that women can vote in an environment free from pressure or intimidation. In such cases, this can significantly increase the likelihood of participation.

Design and printing of ballots

In countries with high rates of illiteracy, EMBs should design ballots to include party emblems or photographs of candidates. Ballots and voter education material should be provided in all commonly used languages.

5.4 Elections

Campaigning

Ensuring a level playing field requires equal treatment of women candidates. The EMB should ensure that campaign spending limits do not, in practice, work against women, in societies with economic inequalities. Media regulations should ensure that women candidates get equal access to, and equal treatment from, the mass media.

Electoral codes of conduct that criminalise demeaning and derogatory language that is sexual in nature against women candidates and facilitate the active participation of women candidates in the campaigning period. Such instruments have the potential to shift political party culture and social norms, which will go a long way in levelling the playing field for women in elections.

Election day

Voting

Available evidence demonstrates that, in many of the countries, more and more women are coming out to participate in elections as voters – and are sometimes in the majority. Quite a number of COG reports have noted this positive trend. For example, it is noted that Seychelles has a high level of participation by women in active politics. However, there are no numbers attached to this observation, which would otherwise indicate the proportion of females as voters.

The variations between countries may be a function of how peaceful the election promises to be and the level and/or messaging of civic education and general political development. In particular, election violence has a negative impact on voters, and discourages women especially from active participation as voters. While the ballot of each voter is secret, who comes out to vote is not. It is important for EMBs to work out ways of researching the demographics of voters (sex, age, region) without compromising the secrecy of their vote.

The participation of women as voters should go beyond mere support and towards their having a substantive influence on the election agendas of their parties and respective countries. Care must be taken to ensure the secrecy of the ballot and to prevent family voting, so that women can cast confidential, independent ballots. ‘Family voting’ is when heads of family (usually men) influence other family members in how to cast their vote.

Intimidation

Intimidation of women candidates can be a serious problem, especially in post-conflict societies. It is important, therefore, to take measures to

protect women under such threat and to provide adequate security at polling stations. This should be part of an EMB's efforts to ensure a peaceful campaign environment.

The challenge of achieving gender equity can be especially difficult in post-conflict societies, where democratic procedures are new, the political stakes high and the commitment to democracy among former combatants weak. It is particularly important in such circumstances to ensure that women are well represented in the EMB and gender policies are advanced.

Counting ballots

The approach to counting votes may also disadvantage illiterate or poorly educated voters, especially women, by overly strict rules for determining the validity of ballots – for example requiring that a ballot with a check mark rather than a cross next to the chosen candidate be disqualified. The EMB can provide clear guidelines to party agents and polling officials on this process, which can often be a very tense exercise.

5.5 Post-election

Election results announcement

As noted in several Commonwealth election observation reports, waiting for the results of an election can be a period of high risk of electoral tension and violence. It is the moment when parties and candidates, or their supporters, are most likely to behave in a provocative, irresponsible or irrational manner. Any lack of transparency, or any unforeseen delays in announcing results, may well fuel tensions and could spark disorder.

The security agencies, following the lead of the EMB, should remain on heightened alert for election violence generally, and gender violence specifically. Working with the security agencies, and other stakeholders, the EMB should monitor indicators of any impending violence relating to the announcement of election results. Vulnerable individuals and groups, such as women and minorities, must be protected. Security sector interventions should not, however, be used to suppress political liberties and/or the free expression of opinion.

It is helpful, when assessing risks to the electoral process, to explore possible post-election scenarios, identifying potential triggers or flash points. Peace forums should remain active throughout the period of the announcement of election results and women should be actively involved in such forums.

Election review and analysis

Once the election is over and a new administration is in place, time should be allotted for a careful evaluation of all aspects of the electoral process – especially those aspects that may have had a bearing on any instances of political intimidation or GBV. Lessons should be learnt and, where appropriate, legal and administrative reforms put in place. It is also important for the EMB to undertake an assessment of staff performance and identify needs for professional training and capacity-building, including in relation to gender sensitisation.

Particular attention should be paid to improving collaboration with security sector agencies and other state and non-state actors whose actions impact on the inclusivity of elections. As part of this process, the performance of such agencies during the election, and their capacity-building needs, should be carefully reviewed.

5.6 Electoral violence¹

In a questionnaire on Women's Political Participation at the 2016 CEN Biennial Conference, most EMB representatives (56 per cent) strongly disagreed with the notion that political violence was a barrier to women's political participation.² Evidence from the COG reports suggests otherwise. Several COG reports note that women have been discouraged from participating in the electoral process because of the levels of violence perpetuated against them. Research undertaken by the International Foundation for Electoral Systems (IFES) indicates that political violence against women affects their effective and sustained participation in the electoral process as voters, candidates and party supporters, and as electoral officials (Bardall 2015). While women and men alike are victims and perpetrators of violence, evidence from IFES' research suggest that women are four times more likely to be victims of violence in comparison to their male counterparts (Ibid).

The COG reports currently do not make a distinction between political and electoral violence; however, evidence suggests that these events are distinct occurrences that need to be recorded as so. Varying forms of violence against women during the electoral cycle are reported in the COG reports, but with the only clear incident of political violence recorded being that of Nigeria in the 2015 elections. During the 2015 general election in Nigeria, women (and men alike) in the north-eastern states of Nigeria faced increased security concerns because of the terror threat posed by Boko Haram. Other incidents recorded in the COG reports demonstrate examples of electoral violence.

Box 5.4 VAWIE Framework

In an effort to better understand and address the ways in which electoral violence creates a barrier to women's participation, IFES has developed the Violence Against Women in Elections (VAWIE) Framework to specifically identify and address the unique issues related to gender-based election violence. US Agency for International Development (USAID) provided IFES with a grant to conduct primary and desk research for the VAWIE Framework, as well as to pilot the implementation of tools designed to address issues related to gender-based election violence. This typology expands the traditional categories of electoral violence monitoring and research efforts to encompass the nuances presented by women's experiences.

Key findings of the research include:

1. there is a lack of knowledge and data about VAWIE;
2. there is a gender bias in current data collection, research and programming efforts related to electoral violence;
3. women experience different types of violence and in different spaces compared to men;
4. there is often an existing relationship (e.g. familial, social, hierarchical) between the perpetrator and survivor when women experience violence in elections; and
5. there is a lack of programming to address VAWIE specifically.

The assessment can stand alone or be integrated with any electoral or gender assessment.

Huber and Kammerud (2016)

After the 2007 Kenyan general election, the country experienced its worst incidences of post-election violence, which left more than 1,300 civilians dead and saw 300,000 people flee their homes (*The Guardian* 2014). Research from Amnesty International suggests that post-election violence in Kenya included 40,000 incidences of sexual and gender-based violence, confirming the findings of Commonwealth observers of increased 'levels of violence perpetuated against women'.

In both Ghana COG reports examined for this handbook, observers documented incidents where female candidates were subjected to slander and character assassinations. In the case of Swaziland, the levels of intimidation experienced by female candidates was noted to have been encouraged by traditional leaders, because a female candidate 'wore trousers' and in one case because the female candidate in question was a 'widow'. During the 2012 Sierra Leonean election, three senior female politicians received death threats and observers also found women faced increased levels of intimidation at polling stations.

These varied examples from the COG reports show that political and electoral violence targeting women in Commonwealth Africa is a pertinent

issue that needs to be addressed by all the main stakeholders in the electoral process, including the legislature, political parties, EMBs and civil society organisations. The COG reports have noted in that in some cases – for example Kenya in 2007 – national laws designed to protect candidates from such levels of violence were not enforced. EMBs have a crucial role to play in ensuring that elections are not marred by violence, which invariably has a gendered impact.

5.7 Checklists



Gender commitments of electoral management boards

- ✓ Is the EMB committed to gender mainstreaming?³ Where and how is this reflected?
- ✓ Does the election act or law that establishes the independent electoral body or structure provide for equal representation of women and men at all positions and at all levels within the organisation?
- ✓ Does the EMB have a balance of women and men commissioners? If not, what measures have been taken to address this consistent with the appointment procedures in the country?
- ✓ Does the EMB have a balance of women and men officials at all levels? If not, what measures have been taken to address this?

Women candidates

- ✓ How are EMBs supporting women candidates? For example, by reducing and/or waiving nomination fees?
- ✓ Has the EMB engaged in gender-targeted interventions?
- ✓ Does the EMB collect sex-disaggregated data in all parts of the electoral process?
- ✓ Is this information routinely analysed and used to take corrective action?
- ✓ Does the EMB ensure gender awareness training for the administration of an election?

Voter rights, registration and education

Voter rights

- ✓ Are women able to express political opinions without interference otherwise than as reasonably permitted by law?
- ✓ Do all citizens, women and men, have the right to receive and impart information and to make an informed electoral choice?

- ✓ Is the right to freedom of association, assembly and movement for women and men equally respected, other than as reasonably permitted by law?
- ✓ Is the right of every citizen to be eligible as a voter, subject only to disqualification in accordance with criteria established by law, respected for all women and men?

Voter registration

- ✓ Do voter registration procedures affirm the right of women citizens to an effective, impartial and non-discriminatory procedure for registration of voters?
- ✓ Is information on voter registration accessible and non-discriminatory to women and men?
- ✓ Do the times for registration take account of the multiple roles of women and are they flexible enough to allow either early or late times for registration?
- ✓ Does the registration take place in safe and easily accessible venues?
- ✓ Do the procedures cater for all levels of literacy and illiteracy, including functional illiteracy?
- ✓ Are there clear criteria for the registration of voters, such as age, identification and citizenship, and are these fair to men and women?

Voter education

- ✓ How gender-aware are voter education materials?
- ✓ Are there voter education programmes specifically targeted at women?
- ✓ Do women access and participate in voter education programmes?
- ✓ Does the electorate become familiar with gender equality as being central to electoral issues and procedures through national programmes of civic and voter education?
- ✓ Do voter education programmes explain complex electoral processes in a manner which will be understood by illiterate voters (most whom are women in some societies)?
- ✓ Are voter education workshops accessible to women?

The campaign

Campaign finance

- ✓ How does the existence of campaign finance regulations or lack thereof impact on the participation of women?

Campaign rules and conduct

- ✓ Is the right to move freely within the country in order to campaign for election equally observed for women and men?
- ✓ Is the right of women party members, candidates and voters to campaign on an equal basis with their male counterparts respected?
- ✓ Are campaign rules clear and gender aware? Do they include protection from violence, including GBV, in all forms?
- ✓ Do security arrangements take account of the particular challenges that women face, including GBV? Is this effectively prevented/addressed during the elections?
- ✓ Are women visible in campaign events, as candidates, voters, spokespersons and commentators?

Polling day

Rights of voters

- ✓ Is there provision of information about the polling process, venues, times etc. in languages and formats accessible to all women and men, especially in remote rural areas?
- ✓ Is the right to vote in secret strictly observed for women and men?
- ✓ Are voting stations equally and easily accessible to women and men?
- ✓ Are all voting stations safe, including from gender violence of any kind?

Special provisions

- ✓ Have special provisions been made for women and men with physical disabilities, pregnant women, the elderly and those with children?
- ✓ Is there provision for 'special votes' for those who may not be able to make it to the polling station on election day?
- ✓ Does the EMB keep sex-disaggregated data on special votes? Is this analysed as part of understanding the gendered nature of elections?

Polling day experience

- ✓ Were women equally represented as polling officials?
- ✓ Were there any incidents of women being pressured to vote in a certain manner?
- ✓ How accessible were officials running elections and how responsive were they to problems or complaints?

Election violence

- ✓ Were there incidents of election-related violence?
- ✓ Were women disproportionately targeted?
- ✓ Did women perpetrate any of the violence?
- ✓ How was the violence resolved, and what effect did this have on the election results?
- ✓ To the extent that there was post-election violence, how did this affect women's political participation?

Notes

- 1 COGs need to differentiate: political violence (Nigeria Boko Haram) and electoral violence (others).
- 2 Twenty-six respondents from across the five Commonwealth regions answered this questionnaire. It was not limited to Commonwealth Africa.
- 3 'Gender mainstreaming' is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels (UN ECOSOC 1997).

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Chapter 6

Civil Society

Chapter 6

Civil Society

Key points

- Civil society organisations (CSOs) play a key role in promoting gender-inclusive elections.
- CSO advocacy tends to be episodic, partly influenced by resources. It is necessary to identify cost-effective means of tracking and keeping the advocacy publicly alive and enduring.
- Knowledge building is key: it produces evidence and creates a basis for public engagement. As part of civic engagement and advocacy, cutting-edge policy research should be conducted on a consistent basis.
- Lack of confidence is a by-product of the social system that diminishes women's ambition for political leadership. Part of the civic mobilisation around this should be to empower young women aspirants.



According to the Commonwealth Charter, responsibility for upholding and promoting a 'democratic culture' rests with governments, political parties and CSOs. This recognises that the ultimate goal of the constitutional order is to produce not only democratic procedures, but also a democratic 'culture': a culture in which all citizens – whatever their background – can participate and feel that they have a stake; and a culture in which unjust social privileges and oppressive hierarchies are tamed in the interests of social harmony and justice (Commonwealth Secretariat 2013).

The charter notes that 'the health and dynamism of civil society – that multitude of organisations, autonomous and semi-autonomous, formal and informal that lie between government and individual citizens and their families – is a significant indication of the quality of a country's democracy'. It urges CSOs and others to use the charter as a yardstick for evaluating the extent to which their governments, and the constitutional and legal framework under which they operate, meet the basic democratic and human rights standards of the Commonwealth.

Since the 1990s, there has been a proliferation of CSOs and women's rights organisations (WROs). These groups have helped shape the gender equality agenda in their countries. Through their advocacy and awareness-raising campaigns, they have sensitised fellow citizens to gender issues and created the momentum for necessary legislated and constitutional reforms. These

groups have also played a role in building the capacity of prospective candidates, serving as gender, media and election watchdogs, as well as helped mediate conflict in some instances. This chapter maps these diverse groups and the role they play in promoting inclusive elections.

6.1 Mapping CSOs and WROs in Commonwealth Africa

CSOs have been central to the promotion of citizens' rights, good electoral practices and demand for accountability and representation for minority groups. In recent years, gender and equal representation of women has become integral to their work.

West African Commonwealth countries have a variety of national and regional CSOs that have played an important role in elections. Sierra Leone, for example, has witnessed growth in the number of CSOs since the civil war. These CSOs have been part of the reconstruction process. WROs constitute about 6 per cent of all CSOs in Sierra Leone (Oppong et al. 2013).

Civil society has helped promote and advocate for free, fair and credible elections in Nigeria since 1999. There are strong CSOs founded by women and working towards promoting gender equality. They participate in the mobilisation of communities, especially women, during elections, using methods such as focus groups. For example, Women in Nigeria is a political interest organisation that aims at transforming class and gender relations, while Women in Law and Development (WILDAF) is an African network with a strong presence in Ghana.

CSOs also have a long history in East Africa. The Index of Philanthropic Freedom (Hudson Institute 2015) scored Tanzania highest in the East Africa region for affording space to civil society groups (Kwayu and Lipovsek 2010–2015). Eastern African Sub-regional Support Initiative for the Advancement of Women (EASSI), a network of East African WROs based in Uganda, led the campaign for an East African Gender Equality Act, and launched the first 'Gender Barometer' for the region in 2017. FEMNET, an African advocacy network that co-ordinates inputs by WROs into African and global agendas, is based in Nairobi, Kenya.

In Southern Africa, Women in Law Southern Africa, which has chapters in various countries, has long driven the women's rights agenda in this region. Gender Links, based in Johannesburg, with offices in ten Southern African countries, co-ordinates the Southern African Gender Protocol Alliance, which campaigned for a subregional instrument for promoting gender equality that brings together global and African commitments in one binding instrument. Various organisations also promote women's political participation at

the national level. These include the Women in Politics Support Unit in Zimbabwe and the Zambia National Women's Lobby (ZNWL).

Challenges faced by CSOs include political interference, limited funding and management issues, as well as questions regarding credibility, competency and a non-evidence-driven approach. For instance, perceptions of corruption are high in Sierra Leone and affect CSO credibility. There have also been calls for CSOs to strengthen their internal management capacity to allow them to be more influential and credible in their work. Lack of social buy-in from the public is sometimes linked to perceptions of neutrality, while some CSOs have been accused of focusing on urban areas at the expense of the rural areas where most people live.

For CSOs working on gender and women's empowerment, patriarchal attitudes create direct and indirect barriers to progress. Women activists working in this field may face GBV, which can impede their work. Despite these challenges, CSOs play a crucial role in the gender and governance agenda. Specific areas of work and influence are summarised in the sections that follow.

6.2 Research and advocacy on TSMs

Gender Links, working with the Southern African Gender Protocol Alliance and the EASSI, produced the first East Africa Barometer in 2017. This has played a crucial role in tracking the relationship between electoral systems and TSMs, making the case for 'special measures'. The Media Watch Organisation in Mauritius, which provides the focal network of the Southern African Gender Protocol Alliance there, is credited with successfully campaigning for the gender and local government quota adopted, despite much resistance to the idea of TSMs in 2013.

CSOs in Kenya were instrumental in pushing for the constitutional quota there. A coalition of civil society and human rights groups led by the Centre for Rights Education and Awareness brought a case concerning non-compliance with the constitution in the current parliament to the High Court (see Chapter 3).

The Zambia National Women's Lobby Group (ZNWL) has also been advocating for a more gender-responsive electoral system in the country. According to Board Chairperson, Beauty Katebe:

Election management bodies, political parties and legislature need to do more in supporting women's political participation. The election management body must continue ensuring that the participation of women in the electoral process as candidates and voters is equal.

Political parties must engender their manifestos and constitution to include quota systems for women, as well introducing gender-sensitive laws and policies that promote women's welfare. Parliament can enact laws that will entrench gender equality in political participation. They can also come up with laws that will compel political parties to introduce TSMs.

6.3 Mobilisation power of CSOs

The ZNWL's list of achievements shows the mobilising powers of WROs. The Zambian organisation has mobilised more than 1,000 women since its establishment, who have vied for leadership positions at various levels of decision-making processes – some with success. The ZNWL has also helped build the capacities of more than 1,500 women already in leadership, women aspiring candidates and women in political parties in various areas, and has successfully lobbied political parties and government to appoint women in key leadership and decision-making positions. Zambia now has a female vice president and most of the country's political parties have appointed women to key leadership positions. The ZNWL is continuing to work with key community leaders – such as traditional leaders and church leaders – with influence in supporting women's participation in leadership at all levels.

In Tanzania, meanwhile, during the 2014 constitution review process, several CSOs were active collecting citizens' views and creating public awareness, as well as monitoring what was happening in the process.

6.4 Support to women candidates

CSOs in Africa have been at the forefront of providing support for female candidates in elections, including through building the capacity of women aspirants, sensitising communities on the importance of inclusive political representation and lobbying governments and political parties to promote greater participation of women in politics and elections. The ZNWL exemplifies the type of support offered by CSOs to women candidates:

Box 6.1 The Zambia National Women's Lobby

'The ZNWL offers support to women leaders, aspiring candidates and women in political parties in various areas. We lobby political parties and Government to give full support to women and nominate them to key leadership and decision-making positions. We sensitise communities on the importance of women's full participation in governance, decision-making processes and leadership. We advocate for domestication of international instruments that promote women's participation – SADC/AU protocols. We also lobby political parties to adopt women and introduce legislated quota systems to guide appointments. We protested against political parties requesting huge sums of money as part of the party nomination process.'

Beauty Katebe, Board Chairperson, Zambia National Women's Lobby Group

CSOs in Cameroon, like More Women in Politics, play a crucial role in supporting women's participation in the electoral process. In 2016, the organisation signed an agreement with the Cameroon government to empower hundreds of youth and women in elections participation. This process involved building capacity to reinforce leadership and civic education.

Indeed, many women in politics in Commonwealth Africa come from civil society roots and acknowledge the important role that WROs have played in shaping their careers. This is illustrated by the examples that follow from Tanzania and Uganda:

Box 6.2 Link between women in politics and CSOs

'I can trace my political ambition from 1991 to 2000, when I actively engaged myself in human rights advocacy, specifically on the rights of women, people with disabilities and people living with HIV/AIDS in Tanzania and Eastern Africa.

Having worked with these communities and having experienced their challenges first-hand, I knew the trends were not as positive as they were being reported at the time.

I felt there was need for me to be the voice of these people since I had an in-depth understanding of the real situation on the field, which, coupled with facts and figures, were [in] stark contrast to what officials had been reporting. Then came a golden opportunity that provided me with a springboard to join politics: that was in 1998/99, when the parliament of Tanzania passed a law that required 30 per cent women's participation in legislatures.

As an activist, my major interest was to empower marginalised groups to be able to identify their own needs and take advantage of opportunities available to them in improving their lives.

Civil society institutions like the Tanzania Association for Non-Governmental Organisations and the Association of NGOs in Zanzibar, in collaboration with other international and national entities, have tirelessly contributed to the provision of various training and support mechanisms that seek to build morale and also empower women with skills on election procedures and campaign techniques.'

H.E. Samia Suluhu Hassan, Vice-President, United Republic of Tanzania

'Admittedly, civil society in Uganda has been very supportive of women's political participation. It is on record that before I joined parliament, I was the founder the Federation of Women Lawyers (FIDA), and was a key player in fighting for women's rights in Uganda. We as parliamentarians have also benefited immensely from the partnership and training from CSOs in areas of gender-responsive budgeting and human rights, among others. There are 45 NGOs that are focused on women's rights in Uganda. They do not work in isolation, but in collaboration with the Ministry of Gender, Labour and Social Development.

There are several umbrellas that house civil society organisations, like the Uganda Women's Network (UWONET), which comprises 16 women's organisations and nine activists. UWONET was created in 1993 after the East African Women's Conference in Kampala. This organisation was formed to represent a united voice of women, as well as to create a platform where women would collectively put forward issues of their political and economic life and other kinds of discrimination in various spheres of society.'

Rebecca Kadaga, first woman speaker, Uganda

6.5 Capacity-building for newly elected leaders

The need for capacity-building for women in politics is even greater following their election. There is need for ongoing support and a dynamic day-to-day relationship between WROs and women politicians. This is reflected in the example from Zambia:

Box 6.3 Building the capacity of newly elected female leaders in Zambia

'Most women that won the 2016 elections, especially at local government level, have requested for urgent capacity-building because they are entering politics for the first time, have never held any leadership positions before and most of them are young, below the age of 35. This was discovered during the ZNWL's recent local government conference, where it was established that about 90 per cent of the women that won local government elections [were] first-time politicians. The ZNWL is of the view that the newly elected women leaders should be trained in the following areas: local government systems and mechanisms; gender and gender mainstreaming; transparency, accountability and good governance; effective service delivery in the ward; understanding democracy and community participation; and decision-making skills, bargaining power and networking skills, advocacy, problem-solving skills and building alliances. These are some of the topics suggested by the newly elected women councillors themselves.

The other emerging challenge is the abrupt end of the political career of women that could not qualify to participate in the elections as candidates due to lack of qualifications. Most of these are highly experienced women, who still have the potential to be active in politics. Some of them have said they will upgrade their qualifications, so that they can participate in future elections. Others have given up. There is need to mobilise these women to continue being active in politics and mentor the young ones.

There is also need to promote cross-party collaboration among women from different political parties to counter the violence and hatred that escalated during the 2016 elections.'

Beauty Katebe, Board Chairperson, Zambia National Women's Lobby Group

6.6 Election watchdogs

CSOs often serve as gender and election watchdogs. In Uganda, CSOs launched the Citizens Election Observers Network – Uganda (CEON-U) to monitor the 2016 general elections. This was a collaborative effort of 15 CSOs, working together with the Uganda Electoral Commission and supported by international organisations such as the National Democratic Institute, the EU and USAID. Some of CEON-U's mandates included voter registration, voter education, media monitoring, women's participation and gender, participation of persons with disabilities, security and defending human rights (Democratic Governance Facility 2015).

The West Africa Civil Society Institute has provided women with training workshops to learn requisite skills to observe and report on presidential elections in Sierra Leone and Ghana. Sierra Leone (2012) and Nigeria (2015) CSOs have also set up Women's Situation Rooms (WSRs) to promote gender equality and peaceful and non-violent campaigning, especially condemning GBV.

NGOs in Ghana, meanwhile, played a visible role in demanding gender accountability in Ghana's 2016 elections through to the post-election period:

Case study 6.1 NGOs demand gender accountability in Ghana



The 2016 Ghana elections were both successful and peaceful, and part of this is attributed to the contributions of the country's vibrant civil society. Successive governments in Ghana have supported civil society over the years and protected their right of expression.

The Strengthening Transparency, Accountability and Responsiveness (STAR-Ghana) programme, funded by UK Aid (DFID), the Danish International Development Agency (DANIDA) and the EU, supported the 2016 electoral process. STAR-Ghana's mandate as described in its website is 'to develop a vibrant, well-informed and assertive civil society able to contribute to transformational national development and inclusive access to high-quality, accountable public services for all Ghanaian citizens'.

The programme provided financial support to civil society organisations, such as the Ghana Federation for the Disabled, to enable marginalised groups to participate in the electoral process. It also provided support to allow partnerships between civil society and electoral management bodies, in a bid to foster collaboration between the two, and further engaged the media on their role in the electoral process and supported presidential and parliamentary debates. Finally, the programme provided domestic and national oversight during the elections.

Other international organisations, like UN Development Programme and UN Women, also played a key role in supporting the political process. Part of this role included promoting peaceful dialogue in constituencies, promoting the participation of youth and women as both voters and candidates, strengthening transparency and information-sharing, and promoting dialogue and facilitating the role of women as leaders of peace initiatives during the election period through the Women's Situation Room.

This fully hands-on engagement of CSOs and other non-state actors in the electoral process, as well as their cordial relationships founded on neutrality and professionalism, can be emulated in other African countries. A favourable environment provided by government is crucial for such a space to exist.

CSOs in Ghana carried demands for accountability on to the post-election period, with a scrutiny of the cabinet. WILDAF-Ghana called on the government to honour its promise to appoint 30 per cent of women in public offices, as indicated in its 2016 manifesto, and in Article 35 Section 6(b) of the Constitution of Ghana.

According to members of the group, the list of nine women out of 36 ministerial appointees presented by the president to parliament did not reflect the 30 per cent promised in the 2016 manifesto.

Likewise, the Federation of International Women Lawyers (FIDA-Ghana) issued a statement condemning growing verbal attacks on women in public office which, it noted, was discriminatory, reprehensible and contrary to the spirit and letter of the constitution (*Daily Graphic* 2016).

6.7 Media monitoring

Media Monitoring Africa and Gender Links have conducted gender and media monitoring of several South African and Southern African elections (see Chapter 8). Gender Links has devised a holistic approach to gender and elections capacity-building and monitoring, which includes:

- capacity-building for women aspirants and candidates on campaigning and using the media (mainstream, new media and traditional media);
- gender and elections training for the mainstream media;
- gender and elections monitoring training for civil society;
- gender and elections media monitoring for media students; and
- conducting comprehensive gender audits of elections (see checklist in Annex A) that draw on all the above components.

6.8 Budget monitoring

Lack of citizen engagement in Tanzanian budget-making prompted the CSO Policy Forum to initiate a Budget Working Group. Among the activities of this group is to summarise national annual budgets in a way that is accessible and understandable to most citizens (Kwayu and Lipovsek 2010–2015).

In Rwanda, CSOs are relatively active in the electoral and governance process and this has been a growing area. For example, the Rwanda Governance Board (RGB) – in collaboration with One UN Rwanda – organised a two-day training designed for 19 CSOs, which has recently been awarded grants totalling US\$620,000. The grants were given by RGB and One UN under a joint programme on Strengthening CSOs for Responsive and Accountable Governance in Rwanda (International Centre for Not-For-Profit Law 2017). The EU also works closely with Rwandan civil society on issues such as democracy and governance, gender, electoral processes and the promotion of human rights (EU, no date).

6.9 Monitoring gender violence during elections and promoting peace

Another important role played by CSOs is monitoring GBV during elections, as illustrated in the case study that follows from the August 2017 elections in Kenya. Similarly, CSOs have played an active role in peace-building, including quelling post-election violence. In Sierra Leone, women are involved in political peace-building initiatives at both the local and regional levels. For

Case study 6.2 Women lawyers in Kenya blow the whistle on GBV during elections



Kenya's Federation of Women Lawyers (FIDA-Kenya) launched a toll-free SMS hotline for victims, called *Sema Usikike* ('Speak and Be Heard'), to make it easier to report incidences of violence against women candidates and their supporters in the August 2017 elections. FIDA-Kenya pointed out that women had the right to vote, run for office and be protected from any form of electoral violence. On its dedicated webpage, it documented some of the facts and figures relating to violence against women in elections. To operationalise this service, victims and/or witnesses were directed to send a brief text message to a dedicated number, describing the violence and providing the location of the incident. FIDA lawyers would then respond to the text and liaise with the nearest police station. The lawyers were to follow up the matter with the victims and, where relevant, offer legal aid. The public could also call FIDA on dedicated phone numbers. FIDA's website clarified that this platform was complementary to the police services, emphasising that the responsibility to ensure that the rule of law was upheld rested primarily with the police.

Federation of Women Lawyers (2017)

example, the Campaign for Good Governance in Sierra Leone has advocated for women's involvement at all levels of peace building (Ekiyor 2008).

6.10 Checklist



- ✓ Are women's rights organisations among the civil society stakeholders consulted in the electoral process?
- ✓ Do civil society organisations (CSOs) promote gender-inclusive elections?
- ✓ Do CSOs support capacity-building of women candidates, regardless of political affiliation?
- ✓ Do CSOs support the gender mainstreaming efforts of EMBs?
- ✓ Do CSOs form part of election monitoring processes?
- ✓ Do CSOs conduct a specific gender audit of the elections?

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Chapter 7

The Media and Social Media

Chapter 7

The Media and Social Media

Key points

- Women politicians and civil society need to hold the media accountable for its coverage during elections. Importantly, the media must be encouraged to report on women in politics in a fair and accurate manner, where the gender of the politician does not influence in any way the quality, or quantity, of the coverage afforded to them.
- Gender, elections and media training and monitoring should be factored into all strategies for enhancing gender-aware elections.
- Media training for women candidates should include content on how to interact with both the positive and the negative elements of social media.
- New media use must be accompanied by checks and balances that curb online gender-based abuse and trolling.



The ability to impart and receive information, without the unwarranted interference of the state or of other powerful institutions, is a fundamental characteristic of any free society.

While media freedom has improved in Commonwealth Africa over the past decade, the continual threat to a free media is heightened in covering crucial events like elections, particularly when the media begins to probe and investigate difficult issues.

The media plays a key role in determining how women and men in politics and decision-making, among other areas, are viewed by society. During elections, the media has a responsibility to give equal access to women and men. However, women are grossly under-represented, misrepresented and often treated unfairly in the media coverage of elections. This chapter covers key areas and issues concerning gender, the media and elections. It includes a section on social media, recognised in the Commonwealth *Election Compendium of Good Practice* as a crucial new area in election management (Commonwealth Secretariat 2016b).

7.1 Women in the news and in election coverage

Gender equality and equality of all voices is intrinsic to freedom of expression. Yet studies have repeatedly shown that women's voices make up

less than one-quarter of those whose views and voices are heard in the news media. This ‘silent censorship’ has given rise to a global gender and media movement demanding gender equality ‘in and through the media’.

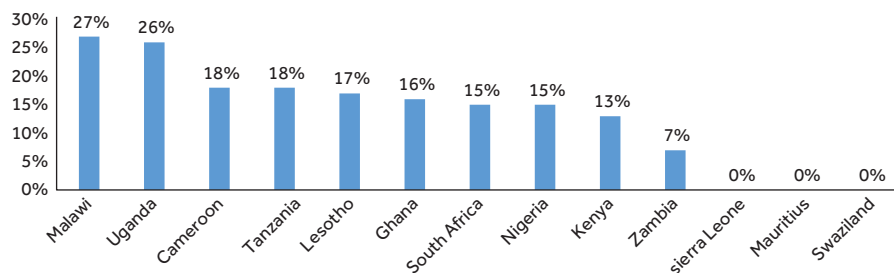
Inclusivity, especially in the media, is central to elections. Journalists are often encouraged to seek a diversity of perspectives and interview sources representing different sexes, races, classes, age, ethnicity and socioeconomic backgrounds. An important role of media in a democracy, and particularly during an election, is not only to inform the public, but also to ensure that all these voices and opinions are heard.

Even though women make up more than half of the population in many countries, their voices are often missing in election coverage. Male dominance of politics is underscored by their dominance in news coverage of the elections and the magnification of their voices.

Figure 7.1 is extracted from the Global Media Monitoring Project (GMMP) 2015 results. It shows the under-representation of women in coverage of politics. This one-day monitoring, which has taken place every five years since Beijing, shows that, among the 13 African Commonwealth countries that participated in the study, Malawi had the highest proportion of women subjects in political coverage (28 per cent). Women’s views and voices were not heard at all in the coverage of political topics in Sierra Leone, Mauritius and Swaziland. Even where women are present as politicians, their voices are not heard in proportion to their representation.

Media monitoring during elections shows that, generally, women’s voices are still grossly under-represented and that gender does not really feature as a topic in the media, although there are some variations across countries. For example, according to Media Monitoring Africa, in Lesotho’s 2015 general elections women constituted 20 per cent of media sources, while in South

Figure 7.1 Women subjects in political coverage in Commonwealth African countries



Source: GMMP (2015)

Africa's 2014 general elections women constituted 25 per cent of those whose voices were heard in the media.

7.2 Women politicians and the media

As one of the most powerful tools for politicians, the media is a critical factor in the efficacy of women in politics. Most politicians have a love/hate relationship with the media. For women in politics, this relationship is that much more troubled.

An IPU study found that only a slight majority of women (53 per cent) said they had good relations with the media; 10 per cent had a bad relationship; and 22 per cent expressed ambivalence (IPU 2003, p.166).

The issues confronting women politicians and the media are two-fold. The first is that they are for the most part simply ignored. The Gender and Media Baseline Study carried out by Gender Links and the Media Institute of Southern Africa showed that, while on average women comprise 19.4 per cent of Members of Parliament in the region, only 8 per cent of politicians whose views are sought for comment are women. In South Africa, the Media Monitoring Project found that men constituted 87 per cent of the news sources in the 1999 elections (Media Monitoring Project 1999).

The second issue is that, to the extent that the views of women in politics are sought, they are sometimes trivialised. According to the GMMP study:

Women entering the political sphere provide the news media with a 'problem'. They embody a challenge to masculine authority. They also defy easy categorisation. The scrutiny of women's work in our society, therefore, is closely tied to their traditionally defined roles as 'women'. Their images fit in well with prevailing cultural perceptions of women. These images also help to maintain the patriarchal structure by inculcating restricted and limited images of women (Gender Links 2010).

The media is a terrain most women politicians feel threatened by, as the coverage seems to push them off the news agenda. Women politicians in elections face constant public scrutiny, cutthroat smear campaigns and numerous sexist and insensitive portrayals. According to the Ethical Journalism Network 'media have contributed to gender discrimination and hate speech that is characterised by stereotyping. The first yardstick for judging women seeking political office therefore becomes morality, regardless of how male counterparts may behave. The hate speech has been repeatedly used as a weapon of gender-based violence meant to intimidate women into silence' (Nakitare 2017).

'Women who wish to succeed in politics are forced to define themselves outside of patriarchal definitions of femininity in order to be taken

seriously. Consequently, the media and our society represent these women as unfeminine, as “iron women”, ruthless, going against what is expected of them. These are positive attributes in men, in fact the media frequently call for “strong” leadership, yet when this leadership emerges from women in cabinet and parliament, they are criticised and vilified in the media’ (Media Monitoring Africa 1999).

Below are some examples of headlines from Kenya, South African and Rwanda in the lead up to elections:

- ‘The Iron Lady of Kalenjin Politics Does It Yet Again’ – Kenya (*Daily Nation* 2013)
- ‘Xhosa King Tells Dlamini-Zuma “Women are Too Weak to Lead”’ – South Africa (*The Citizen* 2017)
- ‘Rwanda: “It’s Not Good for a Girl to Go into Politics”’ – Rwanda (*The East African* 2017)

7.3 Gender-responsive reporting

According to Media Monitoring Africa, the inadequacy of reporting about women and the marginalisation of women – related issues in the media – contributes to the treatment of gender equality as being of secondary importance in elections.

There is a tendency to assume that any story that has a woman as its subject, is automatically a gender story. This approach misses the point that gender is about power relations between men and women, as well as the dynamic nature of these relations, which change from time to time and place to place. Good gender reporting not only focuses on events and issues, but also looks at how men and women are differently affected by these. The point is that all stories can be viewed through a ‘gender lens’.

One study notes that:

Gender-aware reporting requires journalists and editors to ensure that an event or issue is told through the voices of both women and men. It requires journalists and editors to seek and use data disaggregated by sex, to ensure that background information (context) and analysis reflect the perspectives of both women and men. Such an approach would help illustrate how the particular issue, policy or event being reported on affects diverse members of a society, including male and female citizens. Good research, in-depth reporting and analysis, a diversity of sources and perspectives together bring about gender-aware reporting. Clearly these characteristics are also the basis of good journalism (Made 2011).

Table 7.1 Gender-responsive reporting versus gender-blind reporting

Gender-aware reporting	Gender-blind/ gender-biased reporting
Gender balance of sources (voices)	Lack of gender balance in sources (voices)
Gender-neutral language (e.g. chairperson rather than chairman)	Gender-biased language
Awareness of differential impact	Lack of awareness of gender dynamics
Fairness in approach to issue: <ul style="list-style-type: none"> • No double standards • No moralising • No open prejudice • No ridicule • No placing of blame 	Biased coverage of issue: <ul style="list-style-type: none"> • Double standards • Moralising, e.g. being judgmental • Open prejudice, e.g. women are less intelligent than men etc. • Ridicule, e.g. of women in certain situations • Placing blame, e.g. on rape survivors for their dress etc.
Challenges stereotypes	Perpetuates stereotypes
Gender-disaggregated data	Aggregated data

In effect, gender-responsive reporting requires journalists to ensure that they are not perpetuating stereotypes, and that equal voice and space are given to issues affecting women. Best practice in gender-responsive coverage addresses subjects that have traditionally been sidelined and challenges male and female stereotypes and norms. Additionally, it is sensitive to the impact of the story on both genders and recognises the power of the media to influence (see Llanos and Nina 2011). Table 7.1 provides a comparison between gender-responsive reporting and gender-blind reporting.

7.4 Social (new) media and elections

Alternative media platforms such as blogs, Facebook, Twitter, YouTube and many others provide an alternative communication platform to mainstream media, and are fast becoming a powerful vehicle to advance news and uncensored information. The 'local' is becoming 'global' in an instant, by the click of a button. This is helping society gain an understanding of the realities of people on the ground in different environments.

Social media permits everyone (or at least many people) to broadcast their views (not to mention their prejudices) and to co-ordinate their political activities via the internet, without recourse to traditional outlets. Social media has provided political parties, women's movements and gender advocates with a significant and powerful new communication tool. On the other hand, these new media also bring their own problems and challenges.

The reliability and quality of such information, comment and analysis is often difficult to verify. Furthermore, the interactivity of the new media, and the

ability to comment online (including on the websites of the traditional press) can prove to be a double-edged sword. Where social media is employed as a tool for vilifying women in politics through ‘trolling’ or ‘twitter storms’, for instance, the impact can be damaging and traumatic, given the reach of these platforms. Media training for women candidates should include content on how to interact with both the positive and the negative elements of social media. Additionally, mechanisms to deter VAWE in all its forms, including political parties’ codes of conduct, should explicitly recognise and address the misuse of social media as a vehicle for perpetuating such abuse.



7.5 Checklists

Mainstream media

- ✓ Does the media afford equal voice to women and men voters, candidates and officials?
- ✓ Does the reporting include the views and voices of those most affected, including women, and especially the most marginalised groups in society?
- ✓ Does the reporting provide and analyse sex-disaggregated data on candidates and voters?
- ✓ Are women and men described in ways that either promote or challenge gender stereotypes?

New media

- ✓ Is new media used equally by women and men candidates to convey their message?
- ✓ Do other parties in the election (the EMB, civil society, the media, election observer missions) use new media to highlight gender dimensions of the elections?
- ✓ Do women and men voters participate equally and actively in new media discussions relating to the elections?
- ✓ Are there instances of sexism or misogyny perpetuated through new media? What is the effect of this?

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Chapter 8

Election Observers

Chapter 8

Election Observers

Key points

- International election observation teams must be gender-balanced.
- Women and youth as categories should be separated within the observation analysis and reporting.
- Regional and international bodies can contribute to gender-inclusive elections by highlighting and promoting best practice in their reports and related advocacy.
- Through the Declaration of Principles for International Election Observation and its accompanying Code of Conduct (OSCE 2005), major regional and international observers have committed to examining barriers to credible and inclusive elections. However, gender issues, which feature in general terms, could be magnified in the declaration.



Openness to observation is a sign of institutional transparency. There is always a great deal to learn from *bona fide* election observation initiatives, both on the part of the observer and on the part of the EMB. Such initiatives provide an excellent mechanism to help propagate good practice. They can contribute to strengthening the independence of the EMB, rather than undermining its authority.

Observers can also play an important role, especially where there are tensions, in helping build confidence in the electoral process. For that reason, it has become an international good practice to invite and accredit citizen and international observers to follow all aspects of the electoral cycle. Observers, who must respect the laws of the country and not intervene in the electoral process, should abide by the relevant codes of conduct.

Decisions about which international observer groups to invite, as well as regulations governing such observation, can prove controversial. The onus should be to welcome all those who are willing to abide by the rules. It is important that timely invitations are issued, and accreditation completed, in a manner consistent with clearly articulated criteria drawn up in line with international good practice. Increasingly, there is a mix of domestic, regional and international observer missions on the ground during elections. This is common practice in Commonwealth African countries.

8.1 Gender balance in election observer missions

Gender balance within election observer missions remains a major concern. In total, research for this handbook examined 32 Commonwealth Observer Group (COG) reports in Commonwealth Africa to identify trends on good practices on women's political participation for this report. Only four women had chaired an election observation mission in Commonwealth Africa as at the time of publication. Only 11 women have chaired COGs in the Commonwealth's 25-year election observation history. COGs are usually chaired by former Heads of Government or other senior leaders. This disparity in itself reflects imbalance of women in political leadership across the Commonwealth.

8.2 Regional and international co-operation

The election management body should co-operate closely with similar institutions at the regional and global levels, with the objectives of:

- i. *raising standards through the exchange of information and experience;*
- ii. *ensuring consistency in approaches to improve the electoral process;*
- iii. *providing practical assistance (for instance, through the mutual observation of elections); and*
- iv. *providing moral support and solidarity in periods of difficulty.*

Commonwealth Electoral Network Working Group

There are considerable benefits to be gained from co-operation among EMBs at both the regional and the global levels. The Commonwealth Electoral Network (CEN) was established in 2010 to promote contact between national election management bodies and collaboration between them, especially in developing models of electoral best practice. The CEN also collaborates with regional and other groupings of EMBs where possible.

On 27 October 2005, a broad cross-section of election monitoring bodies adopted the *Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers* (OSCE 2005). Although gender is implicit in the 24 principles, it is not directly referred to in any of them. The *Code of Conduct* also makes no reference to gender considerations. There is clearly scope for collaboration around gender standards and a gender checklist for election observers.

8.3 Checklist

- ✓ What percentage of the election observer missions are led by women?
- ✓ Is gender a consideration in the criteria of all the election observer missions?
- ✓ Based on the assessment, what recommendations can be made for enhancing women's political participation? These may include:
 - Introduction of special measures (legislative and policies)
 - Electoral reform
 - Legislative reform
 - Political party reform
 - Gender-sensitive civil and voter education
 - EMBs
 - The media (including new media)



Reference

Organization for Security and Co-operation in Europe (OSCE) (2005), *Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers*, UN, New York, available at: <http://www.osce.org/odihr/16935?download=true> (accessed 15 December 2017).

Chapter 9

Conclusions and Recommendations

Chapter 9

Conclusions and Recommendations

Key points



- There are at least 16 international, African and subregional commitments on gender equality in decision-making.
- Commonwealth Africa has recorded the greatest increase in levels of women's representation in parliament compared to other Commonwealth regions: from 19.0 per cent in 2004 to 26.6 per cent in 2016, a variance of 7.6 per cent. Commonwealth African countries could build on these gains, exchange best practices and become global leaders in achieving gender parity in politics.
- Research indicates that Africans want more, albeit better-quality, democracy. In this context, elections will continue to be the primary mode of attaining elected office. They must be conducted in an inclusive manner that allows women to compete on an equal footing with men.
- Legislators are in a powerful position with regard to enacting key electoral and legislative measures that can enhance or hinder women's political participation. They are critical in ensuring that national, regional, Commonwealth and international gender commitments are translated into implementable and enforceable legislation.
- Election management bodies demonstrate their own commitment to gender equality when they mainstream gender within their institutions. They must also mainstream gender throughout the electoral cycle.
- Commonwealth election observer mission reports recognise the role of political parties as key agents for political recruitment.
- Political parties should have clear guidelines on how they seek to achieve gender inclusiveness. This will require a review of party constitutions and processes, and re-alignment of women's leagues so that they can play more constructive roles within the parties.
- CSOs and women's organisations have been critical in promoting women's political participation through advocacy, training of women candidates and aspirants, monitoring the media to ensure gender sensitivity in reporting, and throwing light on violence against women in elections (VAWE), among others. They can play a critical role in delivering quality training that helps produce quality, impactful women political leaders.
- The media must ensure gender-responsive reporting, where issues are reported through the lenses of both women and men. Social media presents a powerful tool for promoting women in politics. Yet it can introduce another platform for VAWE. Media training for women candidates should include content on how to interact with both the positive and the negative elements of social media.
- Election observation teams must be gender-balanced. They can contribute to gender-inclusive elections by highlighting and promoting best practice in their reports and related advocacy. The gender aspects of the *Declaration of Principles for International Election Observation* and its accompanying *Code of Conduct* could be strengthened.

9.1 Requisite policy actions for key stakeholders

The recommendations to inform requisite policy actions are derived from a synthesis of the observer mission reports and the general trajectories available in the various analyses of gender and political development in Commonwealth Africa. The recommendations are made under five main actors: EMBs, the legislature, political parties, CSO actors and regional and international bodies.

1. ELECTION MANAGEMENT BODIES

- **Gender mainstreaming in policy structures and programmes**

The well-known fact that men dominate the political stage and set the rules of the game implies that EMBs have a role to play in ‘levelling the playing field’. The policy should specifically guide their demand side – what EMBs demand from key actors, especially political parties and the media – as well as their supply side – in terms of civic education, in content and messaging to achieve a paradigm shift.

- **Develop guidelines for political parties that require them to field a specified minimum of women candidates, where the legal framework enables this**

EMBs should develop and publicise clear guidelines for political parties that especially require established minimums of women candidates, where the legal framework enables this. EMBs should be empowered to reserve the right to have sanctions for non-compliance, including but not limited to threats to deregister political parties. In the same vein, EMBs should develop gender-responsive codes of conduct, which all parties should sign up to as part of the pre-election period activities.

- **Keep gender-disaggregated data on key aspects of the electoral process**

EMBs should develop and regularly update elaborate gender-disaggregated databases that include information on key parameters over the years. For example, data on the proportion of women as candidates at all levels, as voters, as election managers and as political party activists, including agents. This data will help in tracking progress and highlighting areas for action and innovation. The UN’s guide on gender-inclusive elections identifies the key role EMBs can play in this issue in terms of collecting and managing data on aspects such as voter registration, candidate registration, voter turnout and staffing (UNDP and UN Women 2015). Disaggregating such data will help improve the responsiveness of the EMBs by identifying key areas of entry.

- **Create a favourable condition for campaigns**

The campaign, as the central part of the electoral period, should be continuously monitored and documented to create favourable conditions for women candidates and voters. In particular, concrete strategies should be devised to address (prevent) electoral violence and monetisation of elections. Monetisation makes the campaign unnecessarily costly and often dissuades women from active participation, due to their limited economic muscle.

2. THE LEGISLATURE

- **Enact and amend the electoral laws**

It is clear that legal frameworks have been instrumental in propelling women into leadership positions. The PR systems have proved effective in embedding notions of inclusiveness, without putting the burden on the individual woman. PR systems have broad dividends for the political system, as they have high potential to cater for diversity and minimise conflict. This is partly the reason why some countries emerging out of conflict (e.g. Rwanda and South Africa) have adopted PR as the suitable electoral system. As a long-term strategy, national legislatures should aim at reforming the electoral laws towards PR systems.

- **Ensure basic compliance with international norms and national constitutions**

Commonwealth African countries are at different levels in terms of compliance with international norms and national constitutions. Swaziland, for instance, is noted as one case of limited compliance with the constitution, the SADC protocol of gender and development and the AU protocol of women's rights, as well as the Commonwealth Charter.

- **Regularly review, update and refine provisions on women's representation**

As the context changes, there is a need to regularly review and therefore refine provisions on women's representation so as to achieve the best possible outcomes. In countries outside of the SADC region where gender parity (50:50) has not been articulated as a principle, this should be given priority. The laws should empower EMBs to demand accountability on key parameters, including women's representation as candidates and party leaders. The laws should also ensure adequate independence of EMBs and require gender parity in the composition of key election management personnel.

3. POLITICAL PARTIES

- **Design clear gender policies**

Political parties should have clear guidelines on how they seek to achieve gender inclusiveness. This will help in tracking progress and documenting compliance with international and national norms. This will require a review of party constitutions and re-alignment of women's leagues, so that they can play more active roles to enhance women's engagement within the parties – beyond 'dancing' for party leaders.

- **Change the political culture and field women as candidates and in winnable positions**

Observer mission reports across Commonwealth Africa rightly recognise the role of political parties as key agents for political recruitment. Hence political parties need to field women candidates across the board – at the presidential, legislature and local government levels. Incentives for political parties to comply will come from the laws that require them to nominate and field women candidates. Often, structures of power tend to be amenable to inclusion and change if a '*business case*' is well articulated. In other words, the losses to the political party if and when they do not field women candidates should be well articulated.

4. CSO ACTORS

- **Invest in building a business case for political parties to include women as candidates**

Evidence has shown that political parties seek to maximise electoral fortunes. CSO actors should therefore invest in building a business case to demonstrate the losses parties incur by being male-dominated and gender-blind. A business case depends on the context of each country, but on the whole the success of such engagement depends on the ability of the women to become indispensable in the political system. This takes enormous and strategic social mobilisation within civic associations as well as political parties. Strategic selling of the gender agenda is key.

- **Design an advocacy strategy that is consistently monitored over time**

CSO advocacy tends to be episodic, partly influenced by resources. There is a need to identify cost-effective means of tracking and keeping that advocacy publicly alive and enduring.

- **Invest in knowledge-building**

Knowledge-building is key. It produces evidence and creates a basis for public engagement. As part of civic engagement and advocacy, cutting-edge policy research should be conducted on a continuous and cumulative basis.

- **Design support mechanisms for women and invest in quality**

One of the factors identified as a key barrier is what has been termed as ‘women lacking confidence’. Lack of confidence is only a by-product of the social system that diminishes women’s ambition for political leadership. Part of the civic mobilisation around this question would be to design support, especially for young women and especially focusing on producing quality.

5. REGIONAL AND INTERNATIONAL BODIES

- **Increase and refine parameters for observation on women’s participation in elections**

As part of the international observation function, teams should be gender-balanced. More importantly, the parameters from observation should be expanded and deepened beyond the general level to bring out the key issues that can be monitored over time. Also, women and youth as categories should be separated within the observation framework, as the two are different in terms of the sources of marginalisation.

- **Support partnerships to amplify the voice on gender-inclusive elections**

Regional and international bodies can enhance leverage on the issue of gender-inclusive elections through strengthening strategic partnerships. This will also have the effect of amplifying the voice on the topic accordingly. This support could be in terms of documentation, maintenance of tracking systems and/or strategic dissemination.

9.2 Conclusion

The question of gender-inclusive elections brings to the fore the structural imbalances in the political system. There is growing recognition that structural imbalances require continuous, enduring and long-term perspectives. Women’s participation as voters, candidates and election managers needs to be tracked using gender-disaggregated data to continuously proceed to inform strategic actions.

Table 9.1 Action matrix: Policy actions to achieve meaningful participation of women in elections

#	Key actors	Strategic actions	Specific interventions	Targets	Timeframe
1.	Electoral management bodies (EMBs)	Design a gender strategy	<ul style="list-style-type: none"> Conduct wide consultations with key stakeholders in electoral processes to map out the status of women's participation in elections as managers, voters and candidates. Identify strategic actions for engendering EMBs. Train and build the capacities of election managers on approaches to integrate gender into electoral processes. 	National strategy for gender-inclusive elections	One year
		Establish a civic education commission to ensure sustainable civic engagement beyond election season	<ul style="list-style-type: none"> Design a gender-aware civic education programme and sensitise the public on rationale for women-specific political representation. Carry out regular civic education to raise women's awareness and ambition to engage in electoral processes and political leadership. Promote women's rights as citizens, voters and candidates. Women need to know that their participation in political leadership is by right rather than a privilege. Partner with civil society organisations to develop gender-sensitive campaign materials. Integrate civic and rights education programmes into the education system. 		
		Develop a mechanism for monitoring political party responsiveness to gender equality	<ul style="list-style-type: none"> Track political party activities with regard to promoting gender equity (in manifestos, party leadership, sponsoring women candidates for political leadership). Enforce the regulations pertaining to the involvement of women in electoral processes (provide specific quotas for women's participation as electoral managers and candidates). Indicate the inclusion of gender as one of the key requirements for political party registration and qualification to participate in elections. Develop a gender-sensitive binding code of conduct governing legally recognised political parties, government and other political actors prior to, during and after elections on the involvement of women in electoral processes. The electoral codes of conduct should commit political parties to involve women as actors at all levels of leadership. De-register political parties that do not commit to implement gender-equity provisions on women's participation in electoral processes. 		

(Continued)

Table 9.1 Action matrix: Policy actions to achieve meaningful participation of women in elections (Continued)

#	Key actors	Strategic actions	Specific interventions	Targets	Timeframe
2.	Political parties	Integrate gender into political party rules, structures and practices	<ul style="list-style-type: none"> Align political party laws to national laws (the constitution) and to regional and international laws, and protocols that state parties have assented to, pertaining to women's political participation. Develop gender policies. Review and incorporate gender-aware provisions into party constitutions (e.g. by ensuring specific quotas for women in party leadership, approval of female candidates as official political flag bearers in national elections etc.). Develop and operationalise women's leagues as recruiting avenues for political leadership. 		
3.	Parliament	<p>Mobilise resources for gender-responsive electoral processes</p> <p>Reform electoral laws to ensure independence of EMBs and gender inclusiveness (enact and amend laws)</p> <p>Provide conceptual clarity on the labelling, mandate and modalities for electing women to the affirmative action seats</p>	<ul style="list-style-type: none"> Identify, mentor and support women to move into political leadership, e.g. through financing radio programmes, posters and mobilisation for their campaigns. Where possible, reform the electoral system towards PR. Provide for gender parity (50:50) political representation in national constitutions. Enact a law that requires the appointing authority to ensure equal representation of men and women on EMBs. Regularly review and update provisions on women-specific political representation to ensure that there is no perpetuation of inequality based on sex. 		

(Continued)

Table 9.1 Action matrix: Policy actions to achieve meaningful participation of women in elections (Continued)

#	Key actors	Strategic actions	Specific interventions	Targets	Timeframe
4.	CSO actors, including academia	Strategic selling of the gender agenda in electoral processes	<ul style="list-style-type: none"> Partner with EMBs to promote gender-aware civic education (e.g. by developing gender-sensitive campaign messages). Conduct regular studies to produce concrete evidence on the performance of EMBs and political parties. Identify key training areas for female candidates. Hold EMBs and political parties accountable on the implementation of their gender strategy. Collectively structure, implement and monitor a common women's agenda for gender-inclusive elections. Identify and support women to stand for political positions and invest in quality. 		
5.	Regional/ international bodies	Develop gender-responsive strategic partnerships	<ul style="list-style-type: none"> Create and strengthen visible strategic partnerships for gender-inclusive electoral processes. Create mechanisms for state parties to regularly report on progress registered on women's participation in elections as voters and contestants. 		
		Create an information management system to track progress registered and constraints encountered by women in electoral processes	<ul style="list-style-type: none"> Promote periodic research on the progress made by women. Support tracking systems, especially for women in local government and as candidates. Document prospects for increasing women's engagement in electoral processes. Compile national and international reports indicating progress on women's participation in electoral processes (in voter registers as voters, candidates and election officials, along with any other gender-sensitive trends in elections). Profile cases of women who have made it in political leadership at the regional and international levels. 		
		Constitute gender-sensitive electoral observer missions	<ul style="list-style-type: none"> Ensure gender parity in the composition of electoral observer missions. Election observer missions should expand the measures of reporting on women beyond the general level. 		

In terms of women's representation in elective public structures, quotas as a first-track method have enabled progress in numbers that may not have been achieved at the same pace were it not for those special measures. Progress has been registered. However, gender parity, a critical component of human rights and human development, according to the Commonwealth Charter, is far from being a reality – and this calls for continuous innovation.

All stakeholders discussed in this handbook have a critical role to play in contributing to gender-inclusive elections as one way of ensuring women ascend to elected office. Yet 'charity begins at home': two key actors in particular, EMBs and political parties, are challenged to ensure that, within their own institutions, they are promoting gender equality.

Ultimately, women must offer themselves for public office and actively engage in party politics. The more women participate, the more they help create the world of the possible and move from the exception to the norm, to the legitimate. Efforts must be galvanised to increase the pool of women who are able to stand – especially from the young generation. This brings in the role of legislatures in terms of creating the requisite legal framework, which removes the remaining barriers to women's political participation and creates opportunities that give women a 'foot in the door'.

Once women have been elected, they must deliver, to give confidence to the electorate that women's political participation goes beyond numbers. Civil society and non-state actors have a role to play here, in supporting women with quality and sustained training. Through gender-responsive reporting, the media can showcase success stories of both genders, and contribute to positive narratives on leadership in Africa that deliver, irrespective of gender.

Examples of good practice pertaining to how these stakeholders contribute to gender-inclusive elections abound in Africa. Through experience-sharing, Commonwealth Africa can become global champions in achieving gender parity in politics, taking Rwanda's lead.

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Annex

Annex

Draft Commonwealth Gender and Elections Checklist¹

This checklist has been designed as a tool to strengthen the gender recommendations of Commonwealth election observer missions within the context of the Commonwealth Secretariat's focus to strengthen the participation of women in the political and decision-making process.

This checklist will be useful to the following:

- Gender experts on Commonwealth election observations
- Commonwealth staff members on pre-election assessments and election observation
- Other stakeholders

Pre-elections

Barriers to women's political participation

- ✓ What are the key barriers to women's political participation? For example traditional and cultural barriers, lack of education, lack of adequate financing and violence (especially GBV).

Normative frameworks

International, regional, subregional frameworks

- ✓ What international, regional and subregional instruments and protocols on women's political participation has the country ratified?
- ✓ What provisions do these make for women's representation and effective participation in the political process?
- ✓ Have these instruments and protocols been domesticated?

Constitution, national laws and policies on gender

- ✓ Does the national constitution explicitly promote gender equality?
- ✓ Is there a conflict or potential conflict between customary and/or religious laws and the constitution?
- ✓ Does the constitution provide for affirmative action for women in political decision-making?
- ✓ Does the constitution allow for independent candidates?

- ✓ Does the constitution provide for an independent body/bodies to promote gender equality? What role do these play in the conduct of elections?
- ✓ Has the country adopted a national gender policy? How effective has this been in mainstreaming gender?

Electoral systems, laws and TSMs

- ✓ Does the electoral law/code provide men and women with equal rights to participate in the electoral process?
- ✓ Does the electoral system in the country help enhance women's representation in political decision-making?²²
- ✓ Are there special measures to enhance women's political participation? For example constitutional or legislated TSMs; safe constituencies; reducing and/or waiving nomination fees; voluntary party list TSMs; mandated party list TSMs and double-member constituencies; and TSMs for executive appointees (where these exist)?

Political parties

Commitment, codes and party statutes

- ✓ Is there a commitment to gender equality on the part of political parties? How and where is this reflected?
- ✓ Has gender been mainstreamed in the constitution, manifesto, policies and structures of each political party?
- ✓ To what extent do the procedures for the selection of candidates for decision-making within the party enhance or hinder gender balance and sensitivity?
- ✓ Do the political parties offer gender awareness training for all cadres?
- ✓ Do the political parties offer capacity-building, mentorship and other initiatives to enhance the political empowerment of women?
- ✓ Do political parties have codes of conduct on – or that include – firm measures to address sexual harassment/gender violence in all party, political and election conduct? To what extent have these been effectively implemented?

Women in political parties

- ✓ Does the election act oblige political parties to take measures to enhance gender equality?
- ✓ Have the parties themselves instituted special measures to enhance gender parity in all their structures, at all levels? For example, does the party have TSMs for women's participation within the party?

- ✓ How many of the executive positions are held by women?
- ✓ To the extent that women are missing from decision-making in the party, what is being done to redress this imbalance?
- ✓ Do the parties have women's wings? How effective are these in promoting gender equality within the parties?
- ✓ How has the women's wing supported women in the electoral process? For example by providing mentoring, sponsorship and training for women in politics?
- ✓ How free are women in the party to take a stand on women's rights, especially where these may be contrary to party positions?

Electoral management bodies

Gender commitments of EMBs

- ✓ Is the EMB committed to gender mainstreaming?³ Where and how is this reflected?
- ✓ Does the election act or law that establishes the independent electoral body or structure provide for equal representation of women and men at all positions and at all levels within the organisation?
- ✓ Does the EMB have a balance of women and men commissioners? If not, what measures have been taken to address this consistent with the appointment procedures in the country?
- ✓ Does the EMB have a balance of women and men officials at all levels? If not, what measures have been taken to address this?

Women candidates

- ✓ How are EMBs supporting women candidates? For example by reducing and/or waiving nomination fees?
- ✓ Has the EMB engaged in gender-targeted interventions?
- ✓ Does the EMB collect sex-disaggregated data in all parts of the electoral process?
- ✓ Is this information routinely analysed and used to take corrective action?
- ✓ Does the EMB ensure gender awareness training for the administration of an election?

Civil society

- ✓ Are WROs among the civil society stakeholders consulted in the electoral process?
- ✓ Do CSOs promote gender-inclusive elections?

- ✓ Do CSOs support capacity-building of women candidates, regardless of political affiliation?
- ✓ Do CSOs support the gender mainstreaming efforts of EMBs?
- ✓ Do CSOs form part of election monitoring processes?
- ✓ Do CSOs conduct a specific gender audit of the elections?

Voter rights, registration and education

Voter rights

- ✓ Are women able to express political opinions without interference otherwise than as reasonably permitted by law?
- ✓ Do all citizens, women and men, have the right to receive and impart information and to make an informed electoral choice?
- ✓ Is the right to freedom of association, assembly and movement for women and men equally respected, other than as reasonably permitted by law?
- ✓ Is the right of every citizen to be eligible as a voter, subject only to disqualification in accordance with criteria established by law, respected for all women and men?

Voter registration

- ✓ Do voter registration procedures affirm the right of women citizens to an effective, impartial and non-discriminatory procedure for registration of voters?
- ✓ Is information on voter registration accessible and non-discriminatory to women and men?
- ✓ Do the times for registration take account of the multiple roles of women and are they flexible enough to allow either early or late times for registration?
- ✓ Does the registration take place in safe and easily accessible venues?
- ✓ Do the procedures cater for all levels of literacy and illiteracy, including functional illiteracy?
- ✓ Are there clear criteria for the registration of voters, such as age, identification and citizenship, and are these fair to men and women?

Voter education

- ✓ How gender-aware are voter education materials?
- ✓ Are there voter education programmes specifically targeted at women?

- ✓ Do women access and participate in voter education programmes?
- ✓ Does the electorate become familiar with gender equality as being central to electoral issues and procedures through national programmes of civic and voter education?
- ✓ Do voter education programmes explain complex electoral processes in a manner that will be understood by illiterate voters (most whom are women in some societies)?
- ✓ Are voter education workshops accessible to women?

Elections

Candidates

Selection of candidates

- ✓ Are women involved in the processes to select candidates for the party (for specific seats in the case of FPTP, and position on the lists in the case of the PR system)?
- ✓ Is the right of women citizens to present themselves as candidates for election respected?

Women candidates

- ✓ How many women and men ran for office for each party?
- ✓ How does this compare with the last election? How is the variance explained?
- ✓ If this is a FPTP system, what percentage of women were fielded in safe seats for the parties? In a list system, where are women candidates situated on the lists?
- ✓ What proportion of the women candidates are new and how does this compare with the proportion of new male candidates?
- ✓ How many women are running as independent candidates? Is this more or fewer than before? Why?
- ✓ Are there any women candidates for the post of prime minister or president? Are they treated equally (by the media, public opinion, the EMB etc.)?

The campaign

Campaign content

- ✓ Do commitments by parties and candidates to address gender issues feature in the campaigns and manifestos?
- ✓ Do these debates challenge or reinforce gender stereotypes?

- ✓ Are women candidates able to campaign on issues that are of particular concern to women, for example domestic violence?
- ✓ Do women candidates speak out on gender and other social justice issues as part of the campaign?
- ✓ Do men candidates speak out on gender and other social justice issues as part of the campaign?

Campaign finance

- ✓ How does the existence of campaign finance regulations or lack thereof impact on the participation of women?

Campaign rules and conduct

- ✓ Is the right to move freely within the country in order to campaign for election equally observed for women and men?
- ✓ Is the right of women party members, candidates and voters to campaign on an equal basis with their male counterparts respected?
- ✓ Are campaign rules clear and gender aware? Do they include protection from violence, including gender-based violence (GBV), in all forms?
- ✓ Do security arrangements take account of the particular challenges that women face, including GBV? Is this effectively prevented/addressed during the elections?
- ✓ Are women visible in campaign events, as candidates, voters, spokespersons and commentators?

Polling day

Rights of voters

- ✓ Is there provision of information about the polling process, venues, times etc. in languages and formats accessible to all women and men, especially in remote rural areas?
- ✓ Is the right to vote in secret strictly observed for women and men?
- ✓ Are voting stations equally and easily accessible to women and men?
- ✓ Are all voting stations safe, including from gender violence of any kind?

Special provisions

- ✓ Have special provisions been made for women and men with physical disabilities, pregnant women, the elderly and those with children?

- ✓ Is there provision for 'special votes' for those who may not be able to make it to the polling station on election day?
- ✓ Does the EMB keep sex-disaggregated data on special votes? Is this analysed as part of understanding the gendered nature of elections?

Polling day experience

- ✓ Were women equally represented as polling officials?
- ✓ Were there any incidents of women being pressured to vote in a certain manner?
- ✓ How accessible were officials running elections and how responsive were they to problems or complaints?

Election violence

- ✓ Were there incidents of election-related violence?
- ✓ Were women disproportionately targeted?
- ✓ Did women perpetrate any of the violence?
- ✓ How was the violence resolved, and what effect did this have on the election results?
- ✓ To the extent that there was post-election violence, how did this affect women's political participation?

The media

Mainstream media

- ✓ Does the media afford equal voice to women and men voters, candidates and officials?
- ✓ Does the reporting include the views and voices of those most affected, including women, and especially the most marginalised groups in society?
- ✓ Does the reporting provide and analyse sex-disaggregated data on candidates and voters?
- ✓ Are women and men described in ways that either promote or challenge gender stereotypes?

New media

- ✓ Is new media used equally by women and men candidates to convey their message?
- ✓ Do other parties in the election (the EMB, civil society, the media, election observer missions) use new media to highlight gender dimensions of the elections?

- ✓ Do women and men voters participate equally and actively in new media discussions relating to the elections?
- ✓ Are there instances of sexism or misogyny perpetuated through new media? What is the effect of this?

Election observer missions

- ✓ What percentage of the election observer missions are led by women?
- ✓ Is gender a consideration in the criteria of all the election observer missions?
- ✓ Based on the assessment, what recommendations can be made for enhancing women's political participation? These may include:
 - ✓ Introduction of special measures (legislative and policies)
 - ✓ Electoral reform
 - ✓ Legislative reform
 - ✓ Political party reform
 - ✓ Gender-sensitive civil and voter education
 - ✓ EMBs
 - ✓ The media (including new media)

Post-elections

Election outcome

- ✓ How many and what percentage of women were elected: a) in the lower house, b) in the upper house (if this exists) and c) in total?
- ✓ If the elections included local government, how many and what percentage of women councillors were elected?
- ✓ How do these figures compare to the last election? Has there been an increase or decrease in the percentage of women? If so, why?
- ✓ Are there differences in the proportion of women's representation in the different tiers of governance? If so, why?
- ✓ How do the figures break down by political party? Has there been an increase or decrease for each political party? If so, why?
- ✓ What proportion of women were re-elected, i.e. what is the retention rate? How does the retention rate compare to that of men?
- ✓ Do the parties accept the election outcome? If not, are any of the seats won by women contested in court or through other means? What is the outcome of this?

Notes

- 1 Based on the original Commonwealth Women's Political Participation Checklist; work by Gender Links in conducting gender audits of various Southern African national and local elections; 'Gender Checklist for Free and Fair Elections Southern Africa', prepared for the Southern African Development Community-Election Support Network by the Tanzania Gender Networking Programme in 2002; and the IPS-Inter Press Service Gender and Elections Checklist, available at: www.ipsnews.net/africa.
- 2 Research shows that there is a much higher representation of women in PR electoral systems than in FPTP systems. Mixed electoral systems are also more favourable for women than the FPTP system.
- 3 'Gender mainstreaming' is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels (UN ECOSOC 1997).

Glossary

Glossary

Electoral management bodies (EMBs)

EMBs are the structures and individuals responsible for carrying out many of the activities involved in the planning and administration of elections. While a single body may be primarily responsible for most of the activities, it is also common for electoral administration tasks to be distributed across multiple bodies (ACE project no date).

Gender

‘Gender’ refers to the roles, behaviours, activities and attributes that a given society at a given time considers appropriate for men and women. In addition to the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, gender also refers to the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialisation processes. They are context/ time-specific and changeable. Gender determines what is expected, allowed and valued in a woman or a man in each context. In most societies, there are differences and inequalities between women and men in responsibilities assigned, activities undertaken and access to and control over resources, as well as decision-making opportunities. Gender is part of the broader sociocultural context, as are other important criteria for sociocultural analysis including class, race, poverty level, ethnic group, sexual orientation, age etc. (UN Women no date).

Gender analysis

Gender analysis is a critical examination of how differences in gender roles, activities, needs, opportunities and rights/entitlements affect men, women, girls and boys in certain situation or contexts. Gender analysis examines the relationships between females and males and their access to and control of resources and the constraints they face relative to each other. A gender analysis should be integrated into all sector assessments or situational analyses to ensure that gender-based injustices and inequalities are not exacerbated by interventions and that, where possible, greater equality and justice in gender relations are promoted (UNICEF, UNFPA, UNDP and UN Women no date).

Gender balance

‘Gender balance’ refers to the participation of an approximately equal number of women and men within an activity or organisation. Examples are representation in committees, decision-making structures or staffing levels between women and men (UNDP and UN Women 2015, p.6).

Gender blindness

This term refers to the failure to recognise that the roles and responsibilities of men/boys and women/girls are assigned to them in specific social, cultural, economic and political contexts and backgrounds. Projects, programmes, policies and attitudes that are gender-blind do not consider these different roles and diverse needs. They maintain the status quo and will not help transform the unequal structure of gender relations (UNICEF, UNFPA, UNDP and UN Women no date).

Gender discrimination

Gender discrimination is defined as: ‘Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field’ (UN 1979, Article 1).

Gender equality (equality between women and men)

This refers to the equal rights, responsibilities and opportunities of women and men and girls and boys. Equality does not mean that women and men will become the same, but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognising the diversity of different groups of women and men. Gender equality is not a women’s issue, but should concern and fully engage men as well as women. Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centred development (UN Women no date).

Gender equity

The preferred terminology within the UN is ‘gender equality’, rather than ‘gender equity’. Gender equity denotes an element of interpretation of social

justice, usually based on tradition, custom, religion or culture, which is most often to the detriment to women. Such use of 'equity' in relation to the advancement of women has been determined to be unacceptable. During the Beijing Conference in 1995 it was agreed that the term 'equality' would be used.

This was later confirmed by the CEDAW Committee in its General Recommendation 28: 'States parties are called upon to use exclusively the concepts of equality of women and men or gender equality and not to use the concept of gender equity in implementing their obligations under the Convention. The latter concept is used in some jurisdictions to refer to fair treatment of women and men, according to their respective needs. This may include equal treatment, or treatment that is different but considered equivalent in terms of rights, benefits, obligations and opportunities' (UN Women no date; CEDAW committee 2010).

Gender mainstreaming

Gender mainstreaming is the chosen approach of the UN system and international community toward realising progress on women's and girl's rights, as a subset of human rights to which the UN dedicates itself. It is not a goal or objective on its own. It is a strategy for implementing greater equality for women and girls in relation to men and boys.

Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a way to make women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality (UNICEF, UNFPA, UNDP and UN Women no date; OSAGI no date).

Gender norms

Gender norms are ideas about how men and women should be and act. We internalise and learn these 'rules' early in life. This sets up a lifecycle of gender socialisation and stereotyping. Put another way, gender norms are the standards and expectations to which gender identity generally conforms, within a range that defines a particular society, culture and community at that point in time (UNICEF, UNFPA, UNDP and UN Women no date).

Gender roles

‘Gender roles’ refer to social and behavioural norms that, within a specific culture, are widely considered to be socially appropriate for individuals of a specific sex. These often determine the traditional responsibilities and tasks assigned to men, women, boys and girls. Gender-specific roles are often conditioned by household structure, access to resources, specific impacts of the global economy, occurrence of conflict or disaster and other locally relevant factors such as ecological conditions. Like gender itself, gender roles can evolve over time, in particular through the empowerment of women and transformation of masculinities (UNICEF, UNFPA, UNDP and UN Women no date).

Gender-sensitive

This takes into consideration the diversity of various groups of women and men, their specific activities and challenges (UN Statistical Division no date).

Gender stereotypes

A ‘gender stereotype’ is a generalised view or preconception about attributes or characteristics that are or ought to be possessed by, or the roles that are or should be performed by, women and men. A gender stereotype is harmful when it limits women’s and men’s capacity to develop their personal abilities, pursue their professional careers and make choices about their lives and life plans. Harmful stereotypes can be both hostile/negative (e.g. women are irrational) or seemingly benign (e.g. women are nurturing). It is, for example, based on the stereotype that women are more nurturing that child-rearing responsibilities often fall exclusively on them.

Gender stereotyping refers to the practice of ascribing to an individual woman or man specific attributes, characteristics or roles by reason only of her or his membership in the social group of women or men. Gender stereotyping is wrongful when it results in a violation or violations of human rights and fundamental freedoms. An example of this is the failure to criminalise marital rape based on societal perception of women as the sexual property of men.

Compounded gender stereotypes can have a disproportionate negative impact on certain groups of women, such as women in custody and conflict with the law, women from minority or indigenous groups, women with disabilities, women from lower caste groups or with lower economic status, migrant women etc. (OHCHR no date).

Sex-disaggregated data

Sex-disaggregated data is data that is cross-classified by sex, presenting information separately for men and women, boys and girls. Sex-disaggregated data reflect roles, real situations, and general conditions of women and men, girls and boys in every aspect of society. For instance the literacy rate, education levels, business ownership, employment, wage differences, dependants, house and land ownership, loans and credit, debts, etc. When data is not disaggregated by sex, it is more difficult to identify real and potential inequalities. Sex-disaggregated data is necessary for effective gender analysis (UNICEF, UNFPA, UNDP and UN Women no date; UNESCO 2003).

Temporary special measures (TSMs)

These are specific targeted measures taken to accelerate the equal participation of women in the political, economic, social, cultural, civil or any other field. Given the legal commitment of states to produce de facto or substantive equality of women with men in a timely manner, special measures may need to be adopted to enhance women's electoral and political participation (CEDAW Committee 2004).

Violence against women in elections (VAWE)

This is any harm or threat of harm committed against women with the intent and/or impact of interfering with their free and equal participation in the electoral process during the electoral period. It includes harassment, intimidation, physical harm or coercion, threats and financial pressures, and it may be committed in the home or other private spaces, or in public spaces. These acts may be directed at women in any of their roles as electoral stakeholders (e.g. as voters, media actors, political actors, state actors, community leaders or electoral officials) (IFES 2016).

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- Southern African Development Community (SADC), Gender: <http://www.sadc.int/issues/gender/>
- Quota Project: <http://www.quotaproject.org/>
- WEF Gender Gap Reports: <http://reports.weforum.org/global-gender-gap-report-2016/>
- Commonwealth Elections Observer Mission Reports: 34 COG reports from Commonwealth Africa have been examined for this report. The earliest COG reports examined was Zambia 2006 General Elections and the latest Ghana General Elections 2016.

