



# **Political Parties in Africa through a Gender Lens**



International IDEA

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# **Political Parties in Africa through a Gender Lens**

Rumbidzai Kandawasvika-Nhundu




## Foreword

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In Africa and around the world, a lack of gender balance in political leadership and decision making persists. Though situations vary among countries, there are some universal trends in the barriers and challenges to women's equal participation and representation in politics, positions of power and decision making. Hence, it is imperative to examine and consider these challenges when advocating for measures to address women's political participation and representation. There is no doubt that increasing the awareness and understanding of gender issues within political parties as institutions that can support democracy building remains a challenge.

While no ideal environment currently exists to jumpstart the advancement of women's political participation, there are certain conditions that make it more conducive. It is a known fact that the conditions within political parties in respect of the internal practices and democracy processes are of significant importance in the achievement of gender equality in politics and decision making.

The global commitment to redress all forms of discrimination including gender imbalances in politics are stipulated in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). These commitments are reinforced in the *Nairobi Forward Looking Strategies on the Advancement of Women* to the 1995 *Beijing Platform of Action* and the 2000 *Millennium Development Goals-goal number 3*. Since the 1985 adoption of the *Nairobi Forward Looking Strategies on the Advancement of Women*, gender equality and women's political participation and representation at all levels has become a prominent part of politics in Africa and the rest of the world. In 2003 the African Union adopted the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa which also asserts women's rights to enjoy social and political equality with men among other rights in all spheres of life.



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However, beyond the written commitments, achieving true gender equality requires direct measures to be implemented at all levels including from inside political parties. Analysing political parties' written commitments is a practical approach in providing insights on the principles which inform political parties' organizational structures and internal democracy processes and practices. I am therefore delighted to welcome the publication of this book by International IDEA. This book guides different actors by providing an overview of the commitments to gender equality from political parties and the measures for political parties to overcome the barriers towards gender equality and women's empowerment.

Dr Joyce Hilda Banda  
President of the Republic of Malawi

Dr Joyce Hilda Banda, President of the Republic of Malawi is the first female President of the country. Before becoming President she served as the country's first female Vice President, she was a Member of Parliament, Minister for Gender, Children's Affairs and Community Services and Minister for Foreign Affairs and International Cooperation. She is one of the only two female Presidents in Africa and is the current Chairperson of the Southern African Development Community (SADC).




## Preface

One of the persistent democratic deficits throughout the world is the lack of influence of women in politics. In relation to political parties in particular, the voice of women in decision making remains insufficient, and, in some cases, is non-existent. Even though women are courted as voters and are often active supporters of political party mobilisation and campaigning, their participation does not generally translate into inclusion in party policy development and decision making.

The issue is not whether women are capable of performing an active role in political parties, because they currently do contribute at many levels. The issue is how to accelerate the access of women into the political space, to ensure that their voices are genuinely heard and that their membership in political parties is matched with their involvement in the leadership and decision making processes in politics.

In recent years, there has been growing recognition that the equal access of women and men within political and electoral processes is greatly influenced by intra-party democracy processes. These include the identification, selection and nomination of candidates for internal leadership and public decision making positions. Political parties are the ‘real gatekeepers’ to positions of power and decision making. This means that strategies for gender equality and women’s political empowerment must be put into practice within political parties in order to provide an adequate enabling environment for the meaningful and influential participation of women. Despite some global gains in terms of the number of women elected, gender equality and women’s political empowerment remains a complex goal.

In this context, International IDEA has conducted a project over the past two years which aimed at analysing the commitments of political parties to gender equality in 33 countries in Africa. One of the key findings of this research is that although many political parties promote women’s political



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empowerment in their campaign manifestos, these promises are rarely met. This could be due to the fact that many political parties have not yet incorporated gender equality into their policy documents. Most parties researched seemed to be lacking in party rules and regulations for identifying, selecting and nominating women candidates for leadership positions within the party and other positions of power and decision making.

International IDEA firmly believes that gender-informed political analysis and research remains essential for the development of effective policies, tools and strategies that address persisting gender gaps and inequalities in politics and democratic governance. The publication of these findings from our research on gender equality and women's political empowerment within political parties is therefore an important contribution which parties can use to address these gender gaps.

*International IDEA*



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# **Executive Summary**



## Executive Summary

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The aim of this analysis has been to determine the extent to which the policy documents of political parties in 33 countries in Africa include commitments to promoting gender equality and the equal participation and representation of men and women in political leadership, elective positions of power and decision making. With a specific focus on political parties as the institutions of analysis from a gender perspective, this book presents the findings of the analysis on gender equality and women's political participation and representation, as well as the measures that are specified in the constitutions, manifestos and strategies of political parties.

The purpose was to ascertain what is written in the political parties' policy documents in terms of their commitments on gender equality and women's political empowerment. As a baseline study, the focus was limited to the actual text of the political parties' documents and did not investigate the impact of the identified commitments. Prior to undertaking an impact analysis of the defined political parties' commitments on gender equality, it is important to establish the nature of the gender equality commitments contained in the political parties' policy documents, as these ordinarily inform parties' gender responsiveness.

Having established the prevailing commitments in political parties' policy documents, the envisaged next phase will be to support political parties in examining the extent to which their commitments have an impact on achieving gender equality within political parties. In addition, the next phase would also focus on addressing the identified gaps within the political parties' policy documents in order to enhance the nature of their commitments and the measures for translating the commitments into practice. Therefore, this report is a comparative information resource for leaders and members of political parties, researchers and advocates of inclusive political participation and representation, inter-party networks and caucuses, and women's organizations, both within and outside of political parties.

The 33 countries included in the analysis are characterized by multi-party political systems in which regular elections take place as provided for in the national constitution or relevant electoral laws. The examples in this publication highlight texts on gender issues which have been identified across 214 political parties.

A series of interconnected issues influence progress towards gender equality and women's political empowerment, including equality provisions stipulated in national constitutions; legislated quotas and political party measures on the equal participation and representation of men and women in politics; and gender equality commitments in political parties' policy documents, including party constitutions, manifestos and strategy documents. In addition, the extent of gender equality in the parties studied is influenced by party structures, the status of women's structures within political parties and individual countries' ratification of international conventions, instruments and agreements that set standards on gender equality.

The main finding from the text analysis is that the 214 parties' constitutions and manifestos contain varying expressions of commitment to promote gender equality and women's political participation and representation. Such commitments are found in 58 (27 per cent) of the political parties' constitutions and in 124 (58 per cent) of the political parties' manifestos. The remaining 90 (42 per cent) parties' documents make no mention of principles or commitments on gender equality either in the party constitution or manifesto.

Although political parties' constitutions and manifestos contain general texts on commitments to gender equality, these documents do not necessarily outline measures required for ensuring the transformation of the commitments into effective actions and outcomes. Only 45 (21 per cent) of the 214 political parties specify actual targets for remedying women's under-representation in internal decision-making structures and leadership positions as well as positions of power and decision making at all levels. Out of the 45 parties only 12 parties from Burundi, Morocco, Uganda and Rwanda are in line with the legislation. Two of the political parties in Morocco have quotas that are above the 12 per cent that is set in the electoral law reform of 2008 and one party in Uganda has set its quota at 40 per cent which is above the legislated quota of one-third. Therefore, it is evident that even in countries with legislated quotas, not all of the political parties are in compliance with the law. In fact, some political parties' policy documents set targets that are below the level of legislated quotas, especially for their internal leadership and decision-making positions.



As outlined above, parties' commitments on gender tend to be more pronounced in election campaign manifestos than in party constitutions. To a certain extent, political parties are aware of gender issues, as shown by some of the provisions in their policy documents. The challenge is to move beyond this first step and mobilize awareness into pragmatic actions that institutionalize gender equality in politics. The relationship between commitments on gender equality that are expressed in campaign manifestos and the probability of attracting the support of the electorate was not assessed in this analysis but remains an area for future study.

Despite the lack of effective implementation and enforcement mechanisms, the inclusion of texts on gender in political parties' policy documents shows varying levels of awareness and acknowledgement of gender issues within the political parties. While the political parties' awareness and acknowledgement of gender issues is a key first step, political parties still have to face up to the challenge of designing robust measures to eliminate practices and processes that undermine women's political participation and representation in political leadership and decision making.

Even when political parties state their commitments to gender equality, contradictions may still exist between stated commitments and related provisions in the same policy documents. For example, in Tanzania, the Chama Cha Mapinduzi (CCM) party constitution states a commitment to work towards achieving the equal participation and representation of women and men (50-50) in all elective public bodies by 2015. However, the same constitution sets a lower target of 28 per cent for women's representation in the party's National Executive Committee. To take another example, the Sudanese People's Liberation Movement (SPLM) states that gender equality and the political empowerment of women are among its guiding principles, yet only has a 25 per cent quota for women's participation and representation in the decision-making positions and structures of the party.

Analysis of the gender makeup of the leadership of the 214 political parties shows that not one has achieved equal representation and participation for women and men at this level. The African National Congress (ANC) of South Africa is one of the few political parties that is close to achieving parity, as two of the top six party positions—Chairperson and Deputy Secretary General—are held by women and the party has achieved equal representation on its National Executive Committee. The South West Africa People's Organisation (SWAPO) party of Namibia has one woman in the top four party positions. Seven of the eight political parties analysed in Rwanda average between 33 and 40 per cent in terms of the representation of women

in internal leadership structures and positions, with the remaining party, the Rwandan Socialist Party (PSR), averaging 23 per cent.

While a total of 85 per cent of the analysed political parties have produced written documents on the rules and procedures for election to leadership and decision-making positions, gender is not adequately integrated in these rules and regulations. For example, most of the political parties' rules use masculine generic language (e.g. 'he/his' or 'chairman') to refer to leadership positions such as the party President, Chairperson or Vice Chairperson, Secretary General and Treasurer, thus implicitly equating access to these positions with maleness. In contrast, 'she' is only used in reference to the leadership of women's leagues within political parties. In addition, the use of the masculine generic is evident in political parties' constitutions, with references to 'sons of the country' 'menfolk' and 'countrymen'.

However, the language used when referring to the membership of political parties is universally gender-sensitive. All political parties studied explicitly state that membership is open to 'all citizens' regardless of sex, tribe, religion or gender. In addition, the political parties' policy documents contain generic provisions which state that every party member has the right to elect and be elected to any leadership and decision-making position at any levels, and shall be entitled to enjoy the right to participate in all political parties' activities. Nevertheless, in reality this general right is not always put into practice, especially between women and men, young people and people with disabilities. For instance, it is evident that the general lack of explicit provisions on the equal access of men and women to leadership and decision-making positions within political parties inhibits the equal access of women to these positions and, therefore, limits the enjoyment of these stated rights.

The highest decision-making structure of political parties is usually the National Convention (or General Congress) which meets annually and sets the direction of the political party. The National Executive Committee (or Central Committee) is the structure mostly responsible for the operations of the party. National Executive Committees generally initiate policy, programmes and plans for action, and manage budget issues in line with the decisions of the Convention or Congress. A structure which is supposed to be key in promoting the achievement of gender equality and women's empowerment in political parties and politics across the political parties is the women's league (often also referred to as a women's wing, council or commission). Of the 214 parties covered in this analysis, 142 (66 per cent) have defined the establishment and existence of a women's leagues within the party. However, placing the responsibility for gender equality and women's





empowerment solely under the women's wing could potentially remove gender issues from the main priorities of the political parties.

Women's leagues' effectiveness and role in management and decision-making processes is generally reported as weak. This can be attributed to the fact that even if the women's wing representative is included on the National Executive Committee, which is dominated by men, her presence is generally considered as tokenistic. In fact, the leader of the women's league is included in the National Executive Committees of only 15 per cent of the political parties covered in this analysis. While the 142 political parties that have women's leagues provide them with a permanent seat at the National Convention level, the frequency of these meetings ranges from once a year to once every five years, limiting their influence on the day-to-day functions of the party.

The national constitutions of the 33 countries have varying provisions on the fundamental rights and freedoms of women and men in the political, economic, social spheres, as well as on equality and non-discrimination on the basis of sex or gender. All national constitutions capture discrimination based on biological differences between women and men (sex) as well as discrimination based on the roles and expectations imposed on women and men (gender). However, many national constitutions do not have provisions that are explicit on gender equality and equality of the sexes. Rwanda and Malawi are examples of countries with constitutional provisions that are specific on gender equality, while several other countries have guarantees for equality for all and anti-discrimination on the grounds of gender and sex.

Even when national constitutions contain provisions on equality and prohibitions against discrimination, in some countries (e.g. Lesotho) customs and traditions are exempted from anti-discrimination clauses. In this regard the Swaziland Constitution provides a good example by stipulating that a woman shall not be compelled to undergo or uphold any custom to which she is opposed in conscience. In some instances contradictions exist between constitutional provisions and provisions in laws on elections and political parties, as is the case in the 2011 election law proposed by the Independent National Electoral Commission of the Democratic Republic of the Congo. While the law recognizes that 'each list is determined by taking into account the equal representation of men and women and the promotion of the persons with disabilities' (Article 13), it also states that 'the non-implementation of gender equality and non-representation of the persons living with disabilities are not grounds for inadmissibility of a party candidate list'.

All the countries included in this analysis except South Sudan and Sudan have acceded to or ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW 1979). Apart from Morocco, all the countries have also acceded to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003) and the Solemn Declaration of the African Union on Gender Equality in Africa (2004). In addition, apart from Botswana and Mauritius, the member states of the Southern African Development Community (SADC) have reinforced their commitments on gender equality in the SADC Protocol on Gender and Development (2008).

CEDAW and the African Protocol are mutually reinforcing and premised on the elimination of all forms of discrimination against women and set up the agenda for national actions to end such discrimination and achieve substantive equality for both men and women. Signatories to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa are committed to eliminating all forms of discrimination against women, including practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for women and men.

As the scope of the analysis was limited to the texts of political parties' documents, the proposed recommendations in this report emphasizes multi-dimensional and mutually reinforcing strategies premised on the need for transformative change from within political parties, as well as on sustained initiatives by government actors.





# **Introduction**



## Introduction



This report describes the extent to which political parties in 33 countries in Africa contain explicit commitments to promote gender equality and the equal participation and representation of men and women in politics. The similarities, differences and challenges within ruling and opposition political parties in Africa are highlighted by analysing provisions on gender equality and women's political empowerment in political party documents.

The central question for the content analysis was: Do political parties' policies (constitutions, manifestos and strategy documents) reflect their commitments on gender equality and women's political empowerment? Political parties are the 'real gatekeepers' to women's access to positions of power and decision making (International IDEA 2008). Creating an enabling environment for the meaningful participation and representation of both men and women in political parties as institutions that can support democracy building is therefore a democratic imperative.

The countries included in the analysis are Botswana, Burundi, Cameroon, Cape Verde, Chad, Congo Brazzaville, the Democratic Republic of the Congo (DRC), Ethiopia, Gambia, Ghana, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritius, Morocco, Mozambique, Namibia, Nigeria, Rwanda, Senegal, Seychelles, Sierra Leone, South Africa, South Sudan, Sudan, Swaziland, Tanzania, Togo, Uganda, Zambia and Zimbabwe.

All of the countries covered in this report—with the exception of Swaziland (see below)—were selected on the basis of their established multi-party political systems characterized by the conduct of regular elections. In addition, the capacity to identify competent gender researchers and analysts able to access information from political parties was an influential factor in selecting the countries included in the analysis.

These countries have diverse socio-cultural, political and legal systems and structures marked by widely varying perceptions and practices that perpetuate

inequalities between women and men, and these present complex challenges to democracy. The number of existing political parties also varies from country to country, from the Seychelles (which has just 2 political parties), Botswana (6 parties) and Morocco (35 parties) to Senegal (174 parties) and Cameroon (360 parties).

### **The case of Swaziland**

All of the countries covered in this report were selected because they possess multi-party political systems and hold regular elections. The only exception is Swaziland, which holds regular elections, but under a system known as *tinkundla* which is not political party-based but operates instead on the basis of individuals. There is no law in place authorizing the free operation of political parties within the country. The 1973 proclamation banning political parties issued by King Sobhuza II has never been repealed (Swaziland Proclamation No. 7 of 12 April 1973). Political parties are not allowed by law to operate and contest in elections in Swaziland. However, political parties are known to be in existence and five political parties in Swaziland are included in this analysis.

Three main types of electoral systems are used in the different countries that form part of this analysis (International IDEA, 2005). Twenty of the countries in this analysis use the plurality or majority system, while eight use the proportional representation system and the remaining five use mixed systems. South Sudan's electoral system is currently defined as transitional. Since it is a new state established in July 2011, no electoral system has been formalized by legislation at this stage. First, proportional representation (PR) is an electoral system based on the principle of the conscious translation of the overall votes of a party or grouping into a corresponding proportion of seats in an elected body. For example, a party which wins 30 per cent of the votes will receive approximately 30 per cent of the seats. All PR systems require the formation of multi-member districts. There are two major types of PR system: list PR and the single transferable vote (STV).

Second, plurality or majority systems are based on the principle that a candidate or party with a plurality of votes (i.e. more than any other) or a majority of votes (i.e. 50 per cent plus one—an absolute majority) is declared the winner. Such a system may use single-member districts (e.g. first-past-the-post, alternative vote or the two-round system) or multi-member districts (e.g. the block vote or party block vote).

Third, mixed systems are systems in which the choices expressed by voters are used to elect representatives through two different systems, one proportional representation system and one plurality/majority system. There are two kinds of mixed system: parallel systems and mixed member proportional systems.



## Why focus on political parties?

Over the past two decades, recognition of the centrality of political parties to the achievement of gender parity in politics and decision making has increased and is now widely acknowledged by gender equality advocates and policymakers. Furthermore, progress has been made in the articulation of international norms and global commitments to redress gender imbalances in politics and positions of power and decision making.

Comprehensive frameworks such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Beijing Declaration and Platform of Action, and the Millennium Development Goals (especially Goal 3) as well as other instruments on civil and political rights express these global commitments. In Africa, these commitments are reinforced by the adoption of frameworks such as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003) and the African Union Charter on Democracy, Elections and Governance (2007). Given the importance of political parties as institutions as conduits for promoting gender equality in democracy building, political parties are increasingly becoming an integral part of national and international gender-responsive initiatives.

Therefore, the need for alignment between national and global commitments that countries have made on gender equality in politics, public leadership and decision making and commitments at the political party level cannot be overemphasized. It is at the political party level where access to political power, leadership and decision making typically begins. Since the adoption of the Beijing Declaration and Platform of Action in 1995, there has been a positive trend on the part of national, regional and international gender-equality advocates to focus on political parties' performance in promoting gender equality and women's political empowerment.

At the international level, there is a general consensus that political parties cannot be neglected in the pursuit of healthy democracies. The role of political parties has long been essential to the functioning of modern representative democracy as they are seen to be among the key institutions for inclusive participation and accountable representation (International IDEA 2012). In general, people get involved in public life via political parties and support candidates and parties that reflect their views and interests.

While the debate over whether political parties make democracy more democratic continues, in most countries political parties are identified as

instrumental in the recruitment, nomination and election of candidates for public office, socialization of prospective political representatives and leaders, disseminating political information and exposing citizens to democratic politics (International IDEA 2007).

Although it is widely accepted that in most countries political parties are central to representative democracy and to the process of democratization, they are also perceived to be increasingly weak and have numerous imperfections in performing the functions that are essential to a healthy democracy. These include institutional, structural and ideological values and cultures which can cause parties to act in ways contrary to democracy. Specifically, political parties are challenged with regard to their performance on representative functions pertaining to the equal participation and representation of women and men in decision making. Given that political party systems are often defined as ‘democratic’ even when the female half of the population is substantially under-represented, this is an obvious contradiction—in almost all countries of the world, women continue to be under-represented at all levels of decision making, including within political parties.

## **Why promote women’s political participation and representation?**

Across the world, women continue to encounter significant discrimination in fully exercising their right to participate and still face significant barriers to accessing positions of power at all levels of decision making, even though they constitute half of the world’s population. Women are clearly entitled to participate and represent themselves in processes and institutions where decisions that affect their lives are made.

The under-representation of women is evident in the predominance of men among parliamentarians, cabinet ministers, members of the judiciary, local and regional authorities, heads of state and government and private sector executives. Since the adoption of the Beijing Platform of Action, some notable qualitative and quantitative progress towards increasing women’s participation and representation has been made, especially at the legislative level, although this progress is slow and uneven across the regions of the world. There are significant barriers to women’s participation in public and political life that stem from economic, social and cultural issues, as well as from negative stereotypes about women and entrenched gender roles. The public sphere has traditionally been a domain for men, who ‘across virtually all cultures, are socialized to see politics as a legitimate sphere for them to act in’ (International IDEA 2008).





The principles of the right to equality and the prohibition of discrimination, which are the basis of gender equality and women's political participation and representation in politics and decision making, are enshrined in the United Nations Charter, the Preamble of which states that there is a need 'to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women'. The Universal Declaration of Human Rights (UDHR), which forms the basis of bills of rights included in many national constitutions, also enshrines the entitlement of all persons to non-discrimination, including on the basis of sex (Articles 1 and 2). Two instruments coming out of the UDHR, the 1966 International Covenant on Civil and Political Rights (ICCPR) and the 1966 International Covenant on Economic Social and Cultural Rights (ICESCR) contain specific provisions on the right to equality between men and women in public and political life and the General Comments of their respective treaty-monitoring bodies have actively promoted women's participation in public and political life. In particular, the ICCPR states:

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without reasonable restrictions:

- a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- c) To have access, on general terms of equality, to public service in his country (Article 25).

CEDAW is a comprehensive instrument to address women's human rights. By ratifying CEDAW, countries have an obligation to eradicate all forms of discrimination against women by adopting measures to respect, protect and fulfil all of the rights contained in CEDAW at the national level (Articles 1 and 2). The definition of discrimination contained in Article 1 of CEDAW encompasses any difference in treatment made on the basis of sex which intentionally or in practice places women in a disadvantaged position and impairs the full recognition of their rights in the public and private spheres. This prohibition of discrimination extends to domains that limit the full exercise of women's rights to participate in public and political life. Article 7 is particularly relevant to the rights of women in the field of political participation, including their right to be elected to public office, to fully participate in the public functions and service of their countries and the right to vote:

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 give women, on equal terms with men, the right:

- a) To vote in all elections and public referendums and to be eligible for election to all public elected bodies;
- b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- c) To participate in non-governmental organizations and associations concerned with the public and political life of the country (CEDAW, Article 7).

## Methodology

Between June 2011 and June 2012, International IDEA commissioned 33 national researchers and gender equality analysts to conduct national analyses of political parties' constitutions, manifestos and strategy documents from a gender perspective. The primary method of information collation involved a content analysis of the provisions contained in the above-mentioned political party documents. In some countries, interviews with political party representatives were also conducted.

Party documents were accessed through the parties' secretariats or offices, via elected members of the political parties, national electoral management bodies and political parties' websites. However, the access to and availability of political parties' policy documents varied from country to country and in some countries the researchers were required to visit the offices of political parties.

The qualitative analysis focused on the following aspects of the political parties:

1. Analysis of party policy documents, including party constitutions, manifestos, strategy documents, in terms of their provisions on gender equality and measures on women's political empowerment;
2. Examination of political party measures for equal access to leadership in political parties and public decision making positions; and
3. Investigations into political party structures and functions, as defined in the policy documents, including leadership and decision-making roles, positioning and role of the women's wings in political parties in relation to other party structures, and any specification of the equal participation of women and men in these structures.



The 214 political parties included in the analysis (apart from the five political parties in Swaziland) were selected on the basis of three criteria. First, the political party must be registered as required in national legislation. Second, the party must have participated in recent elections at the local, regional, national and presidential levels. Third, the political party must be represented in the national legislature. Table 1 presents an overview of the political parties analysed in this report. Annex A contains a list of all the political parties included in this analysis.

## **Structure of this report**

This report is divided into five main sections. Section 1 outlines the gender provisions in national constitutions. Section 2 details the gender equality provisions in political parties' constitutions, manifestos and strategy documents. Section 3 explores legislated quotas and the measure undertaken by political parties, either unilaterally or in response to the existing legislation. Section 4 focuses on the women's structures within overarching political party structures. Section 5 examines the extent to which individual countries included in the analysis are signatories to international and regional conventions and agreements on gender equality and also contains a brief case study on experiences from Latin America, where International IDEA conducted a similar analysis on political parties. The report ends with a section on conclusions and recommendations.

**Table 1. Overview of the political parties' analysis**

Country	Number of political parties analysed per country	Principle on gender equality		Positive measures for women	Party Rules and Regulations	Women's Wing/League/Commission represented in the NEC	Women's Wing in Parties
		In Constitution	In Manifesto				
BOTSWANA	4	3	3	3	4	0	4 (0)
BURUNDI	7	7	7	4	7	0	4 (0)
CAMEROON	4	0	0	1	4	1	4 (1)
CAPE VERDE	4	4	0	0	3	0	3 (0)
CHAD	8	0	2	0	8	0	0
CONGO (DRC)	7	0	4	1	7	2	0
CONGO-Brazza	7	0	0	0	7	0	5 (2)
ETHIOPIA	5	0	5	1	4	1	4 (1)
GAMBIA	3	0	0	0	5	0	3 (0)
GHANA	3	0	3	0	3	0	3 (0)
KENYA	7	3	7	0	7	0	5 (0)
LESOTHO	10	0	10	3	10	1	10 (1)
LIBERIA	10	0	6	1	2	1	7 (1)
MADAGASCAR	14	1	0	0	9	3	7 (3)
MALAWI	4	0	4	0	4	1	4 (1)
MALI	27	12	7	0	12	0	0
MAURITIUS	5	0	5	0	5	0	2 (0)
MOROCCO	8	0	2	2	8	0	4 (0)
MOZAMBIQUE	3	0	3	1	3	0	3 (0)
NAMIBIA	9	3	8	1	8	0	9 (0)
NIGERIA	8	0	8	2	8	1	8 (1)

Country	Number of political parties analysed per country	Principle on gender equality		Positive measures for women	Party Rules and Regulations	Women's Wing/League/Commission represented in the NEC	Women's Wing in Parties
		In Constitution	In Manifesto				
RWANDA	9	8	8	7	8	7	8 (7)
SENEGAL	4	0	3	2	4	4	4 (4)
SEYCHELLES	2	0	2	1	0	0	2 (0)
SIERRA LEONE	4	0	0	0	4	0	4 (0)
SOUTH AFRICA	4	4	4	2	4	2	4 (2)
SOUTH SUDAN /SUDAN	7	0	5	2	7	3	6 (3)
SWAZILAND	5	5	0	3	5	4	4 (4)
TANZANIA	5	5	5	3	5	0	5 (0)
TOGO	5	0	5	1	5	0	5 (0)
UGANDA	4	3	3	2	4	1	3 (1)
ZAMBIA	5	0	2	0	5	0	5 (0)
ZIMBABWE	3	0	3	3	3	0	3 (0)
TOTAL	214	58	124	46	182	32	142 (32)
% of parties analysed		27%	58%	21%	85%	15%	66% (15%)

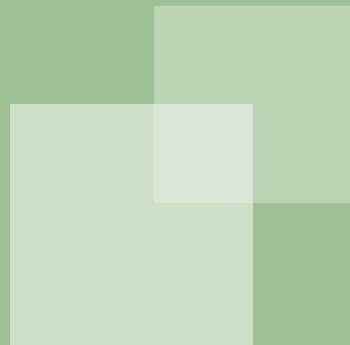
DRC=Democratic Republic of the Congo.

Note: Figures in parentheses indicate the number of political parties' women's leagues that are represented in the party's National Executive Committee.



# **Chapter 1**

## **Gender equality provisions in national constitutions**



## Chapter 1

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# Gender equality provisions in national constitutions

Gender, like other areas of life, is institutionalized in the constitutions of many countries. National constitutions are therefore essential to protect and advance gender equality within the private and public spheres, including women's political participation and representation in positions of power and decision making. Gender equality in national constitutions not only implies formal guarantees of equal rights for women, men, boys and girls but also entails substantive equality in exercising and enjoying these fundamental rights. Guarantees of gender equality and non-discrimination in national constitutions ultimately influence how men and women participate and are represented in politics and public leadership.

The principles and rights articulated in national constitutions to realize equality between women and men take many forms. The foundation of a gender-sensitive constitution is the language used to describe the members of the constitutional community. Gender-inclusive language to describe citizens, public officials, and political actors indicates a fundamental recognition of women as members of the constitutional community and serves a symbolic function in society as well as a signalling function to the legislature, judiciary, and to political parties that women are autonomous participants in the social, economic, cultural and political life of the nation. Recognition of gender equality in the preamble of the constitution, while generally not justiciable, is also a powerful expression of shared values and provides guidance in constitutional interpretation.

In general terms, constitutional provisions related to gender equality seek to advance either formal equality or substantive equality. Provisions related to non-discrimination, while essential to achieve substantive equality,

are primarily aimed at creating equal opportunities for women and men. Provisions that address substantive equality, such as those that specifically mention the concept of equality or parity and positive discrimination, seek to go beyond equality of opportunity in order to achieve the conditions for equality of outcome. The inclusion of substantive equality provisions is a recognition that unequal power relations in society can result in further imbalances as a result of merely formal equality.

Therefore equality is protected and promoted constitutionally through both negative rights, such as non-discrimination which requires the state to refrain from a certain action, and positive rights, which require action and resources from the state to achieve, such as equal access to education. The full range of political, social, economic and cultural rights entails both negative and positive rights. Hierarchy of law is critical in an evaluation of rights, both negative and positive, in contexts that recognize plural legal systems such as customary and religious law. The supremacy of constitutional rights ensures that customary and religious legal practices do not undermine the achievement of formal and substantive equality.

Provisions to address the political participation and representation of women are essential to overcome entrenched biases and systematic discrimination. Mechanisms include reserved seats in the legislature for women, quotas for women in the legislature, candidate quotas, voluntary party quotas and gender-neutral quotas. In addition to quotas for legislative positions, political participation and representation can be advanced through quotas for the judiciary, decision-making bodies, oversight bodies and the civil service.

The analysis shows that, to varying degrees, all 33 national constitutions contain provisions on the fundamental rights and freedoms of women and men in the political, economic and social spheres, as well as on equality and non-discrimination on the basis of sex or gender. All of the national constitutions studied capture discrimination based on biological differences between women and men (sex) as well as discrimination based on the roles and expectations imposed on women and men (gender).

However, 31 of the national constitutions do not have explicit provisions on gender equality besides generic equality and non-discrimination on the basis of gender or sex. It could be argued that this lack of explicit constitutional provisions on gender equality—in combination with discriminatory customary practices, traditions and religious interpretations—reinforces the perpetuation of discrimination between men and women in all spheres of life.





The existence of gaps between the constitutional guarantees on fundamental rights and the reality of women and men illustrates the conflicts between the formal rights and multiple competing influences that shape gender equality realities in the different countries. While the impact of constitutional provisions on gender and the realities on the ground were not the focus of this analysis, the link and reinforcement between political parties' constitutions and the national constitutions can be characterized as weak.

Rwanda and Malawi are good examples of countries with constitutional provisions that are specific on gender equality, while other countries have generic guarantees of equality for all and anti-discrimination on the grounds of gender and sex. The following section examines national constitutions in Burundi, Chad, the DRC, Ghana, Kenya, Malawi, Rwanda, Swaziland and Uganda in order to highlight the nature of constitutional provisions on equality and anti-discrimination on the grounds of gender and sex.

## **1.1. Examples of national constitutional provisions on equality and anti-discrimination on the grounds of gender and sex**

### ***Burundi***

***In the Constitution of Burundi both gender and sex are enshrined as anti-discrimination grounds.***

Burundi's 2005 Constitution stipulates that 'no Burundian will be excluded from the social, economic or political life of the nation because of race, language, religion, gender or ethnic origin' (Article 13). It also states that 'no person shall be discriminated against for their origin, race, ethnicity, sex, colour, language, social status, religious faith, philosophical or political beliefs or for a physical or mental disability or for being HIV/AIDS-positive or for suffering from another incurable disease' (Article 22). Importantly, the constitution guarantees a minimum of 30 per cent representation for women in political decision making.

## **Chad**

***The Constitution of Chad guarantees equality of the sexes and specifies non-discrimination against women as well the protection of their rights in both the private and public spheres.***

Chad's 1996 Constitution confers equality before the law to all citizens by stating that 'Chadians of both sexes have equal rights and duties' and 'they are equal before the law' (Article 13). It also states that 'the State guarantees to all, equality before the law without distinction of origin, race, sex, religion, political opinion or social position' and 'it has a duty to ensure the elimination of all forms of discrimination against women and protect their rights in all spheres of private and public life' (Article 14).

## **Democratic Republic of the Congo**

***The elimination of all forms of discrimination against women and protection of their rights including the right to participate in public life are guaranteed in the Constitution of the DRC. Gender equality is stipulated as an implementation strategy for national development by the state.***

The DRC's 2006 Constitution stipulates that, 'the state shall ensure the elimination of all forms of discrimination against women and ensure the protection and promotion of their rights. In all fields, including civil, political, economic, social and cultural fields, the state will take all appropriate measures to ensure the full development and full participation of women in national development. It will take action against any form of violence against women in public life and in private life. Women have the right to fair representation in national, provincial and local institutions. The state shall ensure the implementation of gender equality in these institutions' (Article 14).

## **Ghana**

***Discrimination on the basis of gender is prohibited in the Constitution of Ghana. The constitution also has a provision on the implementation of affirmative action measures to ensure gender balance in public offices.***

Ghana's 1992 Constitution prohibits discrimination on the grounds of 'gender, race, colour, ethnic origin, religion, creed or social or economic status' (Article 17.2). It also confers on all citizens the right and freedom to form or join political parties and to participate in political activities subject to such qualifications and laws as are necessary in a free and democratic society and



contains a provision for ‘appropriate measures to achieve reasonable regional and gender balance in recruitment and appointment to public offices’ (Article 35.6b).

### **Kenya**

***The right to equal treatment between women and men is guaranteed in the Constitution of Kenya which also prohibits discrimination on the basis of sex.***

Kenya’s 2010 Constitution confers equality before the law and the right to equal protection and equal benefit of the law on every person. It also guarantees that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres. Furthermore, the Constitution prohibits discrimination against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth (Part 2 (27) (1) (2) (4)). Finally, the Constitution provides for the adoption of affirmative action measures and stipulates the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender (Part 2 (27) (6) (8)).

### **Malawi**

***The attainment of gender equality is stipulated in the Constitution of Malawi which also prohibits discrimination on the basis of sex.***

Malawi’s 1995 Constitution states that gender equality is to be attained through the full participation of women in all spheres of Malawian society on the basis of equality with men and the implementation of the principles of non-discrimination and such other measures (Chapter 3.13.i and ii). It also prohibits discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property, birth or other status (Chapter 4.20.i).

## **Rwanda**

***Equal rights for women and men are guaranteed in the Constitution of Rwanda based on the principle of gender equality and anti-discrimination on the basis of sex.***

Rwanda's 2003 Constitution stipulates a commitment to ensuring equal rights between Rwandans and between women and men without prejudice to the principles of gender equality and complementarity in national development. All Rwandans are born and remain free and equal in rights and duties. Discrimination of whatever kind based on ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith or any other form of discrimination is prohibited and punishable by law (Preamble). Equally importantly, the Constitution restates the fundamental principle on equality of all Rwandans and between women and men by ensuring that women are granted at least 30 per cent of all posts in decision-making bodies (Fundamental Principles, Article 9).

## **Swaziland**

***In the Constitution of Swaziland, the right to equal treatment between women and men is guaranteed as well as the prohibition of discrimination on the basis of gender.***

Swaziland's 2005 Constitution states that women have the right to equal treatment with men, and that this right shall include equal opportunities in political, economic and social activities. It also prohibits discrimination on the grounds of gender, race, colour, ethnic origin, birth, tribe, creed or religion, or social or economic standing, political opinion, age or disability. Finally, the Constitution requires that women make up at least 30 per cent of the seats in parliament.

## **Uganda**

***The right to equal treatment between women and men is enshrined in the Constitution of Uganda as well as obligations to implement affirmative action measures that address gender imbalances in politics and public decision making positions.***

Uganda's 2006 Constitution stipulates that women have the right to equal treatment with men, including equal opportunities in political activities (Article 33.4). It also obliges the state to take affirmative action in favour of marginalized groups on the basis of gender, or other reason created by history,

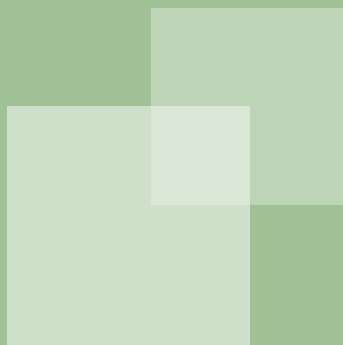


tradition or custom for the purposes of redressing existing imbalances (Article 32.1). Therefore, women are identified as having a right to affirmative action for the purpose of redressing the imbalances created by history, tradition or custom. The Constitution requires that members of the national bodies of a political party shall be elected with due consideration for gender (Articles 33.5 and 71.1.d). Finally, the Constitution reserves seats for women representatives for each district in the national parliament, and obliges parliament to review this representation every five years (Article 78.2).



# **Chapter 2**

## **Gender equality in political parties' policy documents**



## Chapter 2

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# Gender equality in political parties' policy documents

The analysis concentrates on political parties' policy documents. If such documents contain commitments on gender equality and women's empowerment, this constitutes a positive benchmark against which parties can be assessed in terms of the integration of these commitments into their foundational principles. While the explicit commitments in political parties' policy documents are considered as essential first steps in acknowledging the existence of gender inequalities, the need for pragmatic, gender-responsive strategies to address these inequalities within the political parties is equally important.

Given the evident representation and participation gap between women and men in political decision making, it is essential that political parties are aware of existing inequalities and committed to eliminating the gender imbalance in leadership through internal democracy processes. In addition, political parties' policy provisions, which generally provide institutional development and the broader framework for the party, should define the fundamental principles of gender equality and outline systemic approaches to remove the obstacles to gender equality and women's political participation and representation. Therefore, the policy documents of the political parties were assessed in terms of their specific commitments to gender equality in representation and decision making as a political goal or objective.

While national constitutions and laws are significant in terms of articulating guarantees on gender equality and women's political empowerment, political parties play an important role in translating formal rights into practical action. As one of the many factors influencing the levels of women's participation and representation in politics and public leadership, policy documents formalize

and articulate the political parties' positions with regards to gender equality in political leadership and decision making.

The analysis reveals that while many political parties' policy documents contain commitments on gender equality, they do not necessarily set out strategic measures for effective enforcement and implementation of the commitments. Nevertheless, it is evident that political parties demonstrate a certain level of awareness on gender issues, as 27 per cent have commitments on gender equality in their party constitutions and 58 per cent have expressions of commitments to gender equality in their party manifestos (or in both the constitution and the manifesto).

Gender commitments are more pronounced in political parties' manifestos. It can be inferred that this demonstrates political parties' responsiveness to current gender-related developments. Political parties' manifestos can be considered as dynamic and adaptable documents that are used in election campaigning and therefore present opportunities to integrate promises on promoting gender equality in the community at large. However, there is a big difference between stipulating gender equality principles in a political party constitution or in a political party manifesto. This is due to the recognition that party constitutions are foundational documents which outline the values that guide political parties. On the other hand, party manifestos are usually developed for election campaigning purposes and tend to be perceived as 'election campaigning rhetoric' that is not necessarily fulfilled after the elections.

The analysis also shows that most political party constitutions date from the time of the party's formation. Some political parties were formed more than 30 years ago and even in cases where party constitutions have been amended, the amendments have not specifically addressed gender issues. Only political parties established in the past decade, or in countries emerging from independence struggles and armed conflict, or in countries that have undergone national constitutional reviews—including Burundi, Kenya, Namibia, Rwanda, South Africa and Uganda—incorporate gender in their party constitutions.

However, it can also be argued that the preference by political parties for including statements on gender equality and women's empowerment issues in their election manifestos demonstrates the 'electioneering rhetoric' around gender equality. The dominant tendency among political parties is to mention gender in election campaign promises without defining gender as a priority objective in the party constitutions, which more systematically inform





political parties' internal processes and practices. For example, although the manifesto of the Liberation Front of Mozambique (FRELIMO) specifies equality between women and men, as well as the principle of gender equity in its decision-making bodies, there is no specification of how the principle will be translated into practice. The FRELIMO party documents are also silent on quotas for women in the party structures.

Some political parties also specify objectives on gender equality in their party strategy documents. In Kenya, for instance, the Safina party's strategy document, contains a specific objective on improving gender equality within the party, and the attainment of one-third representation for women in the party leadership. The party specifies that it intends to achieve this by reserving seats for women in the party structure, and by developing a gender programme to ensure that both men and women understand and support mainstreaming of women and men's equality at all party levels. In contrast, political parties in Ethiopia express specific commitments on gender equality in their strategy documents but not in their party constitutions.

The analysis also reveals that political parties in their commitments to gender equality place emphasis on different aspects for promoting and achieving gender equality, such as the elimination of all forms of discrimination, the right to education and training, women's employment and economic empowerment and women's representation and participation.

The interconnection between a party's constitution and its strategy documents is usually important. Therefore, it would be strategic if the gender equality commitments in the political parties' strategy documents could also be embodied in the fundamental principles in political parties' constitutions. The following three sections compare examples of commitments on gender equality and promoting women's political participation in Sierra Leonean, Kenyan and Tanzanian political parties' constitutions and manifestos, respectively, and in Ethiopian political parties' strategy documents.

## **2.1. Comparing political party constitutions and manifestos in Kenya**

### ***Orange Democratic Movement***

The Orange Democratic Movement (ODM) Constitution includes among its objectives pursuing and promoting the full participation of women in the management of public affairs and national development through affirmative action and mainstreaming their participation in party activities and structures

at all levels, promoting respect for CEDAW and promoting gender equality and equity (Articles 4.15 and 4.16).

The ODM Manifesto defines the empowerment of women through access to education, changing oppressive practices and laws, advocating for elimination of all forms of discrimination against girls and women, ratification of conventions on women's rights, working progressively to realize gender parity in all public bodies and taking affirmative action to ensure a minimum of 30 per cent representation of women in parliament, local government, the foreign service and all other areas of governance and decision making.

### ***Party of National Unity***

The Party of National Unity (PNU) Constitution aims to pursue and promote women's rights and to ensure that, among other things, women are fully involved in the affairs of the party (Articles 2b and 2c). The Constitution also states that PNU shall ensure, as far as possible, that one-third of the membership of its bodies is comprised of women.

The PNU Manifesto states that it is committed to ensuring that all Kenyans, including women, are fully involved in the management of party affairs and ensuring that women obtain more than 30 per cent representation in all public appointments and elective positions. The party also commits to ensuring that women constitute at least 30 per cent of all newly recruited officers in the public service, top management positions in institutions of higher learning and development and management committees in public institutions. The party also commits to working with other stakeholders to address gender disparities.

### ***Democratic Party of Kenya***

The Democratic Party of Kenya (DP) Constitution aims to support and promote the abolition of all forms of chauvinism and sexism, to advocate and promote respect for CEDAW and ensure that all forms of discrimination are punishable by law, and to pursue and promote the full participation of women in the management of public affairs and national development (Articles 2o, 2p and 2u). It also includes a commitment to ensure that at least one-third of the official positions of branch offices are held by women. In addition, the party's code of conduct states that a leader is required to subscribe to the belief in equality of all persons irrespective of sex (among other attributes). Failure to do so disentitles them from continuing to be leaders and constitutes dishonourable conduct (Appendix 1b).



The DP Manifesto states its commitment to work for gender equality in all areas of public life and ensure equal opportunity in accessing productive resources such as land, housing, credit, education and employment (Article 2.12). The party also undertakes to empower women by creating special seats in parliament and local authorities; ensuring that 50 per cent of the government cabinet positions are held by women and that 50 per cent of all government-owned organizations are headed by women; making productive resources including land equally available to both men and women; translating from strategies to implementation of affirmative action; involving women in good governance, fighting corruption, crime reduction and all community development affairs; mainstreaming policies in government ministries tailored for women and gender balance; outlawing early marriages for school-aged girls and setting up an advisory board to implement this policy; and providing free sanitary towels to school-aged girls.

### ***Safina***

The Safina Constitution states that one of its objectives is to end all forms of discrimination against women and to promote their acceptance as equal partners with men at all levels of decision making (Article 2.1). Of particular note is the Constitution's gender-sensitive language, which refers to him or her (or he or she) when describing the various national party positions.

Safina's Manifesto commits it to a social democracy strategy that will adopt a gender, and class-based approach, to development in all spheres of life. Along with the commitment to a new Kenya that works for the equality of women and men and benefit of all, the party also stipulates the promotion and safeguarding of the emancipation of women and gender equality.

### ***National Rainbow Coalition***

The National Rainbow Coalition (NARC) Constitution includes in the party's mission and vision the aim to promote greater women's participation in national politics and to achieve women's representation in one-third of elective posts through civic education. The party's gender policy states that a minimum of one-third of all nominated persons should be of each gender.

The NARC Manifesto states that it endeavours to ensure adherence to all international conventions on women; establish institutional frameworks for mainstreaming gender in all sectors of society; facilitate the adoption of the new Kenyan Constitution and make the provisions on women's empowerment a reality; enforce a policy of equal opportunities for women and men; and develop affirmative action to address any situation where women have been marginalized.

## 2.2. Comparing political party constitutions and manifestos in Tanzania

### *Chama cha Demokrasia na Maendeleo*

The Chama cha Demokrasia na Maendeleo (CHADEMA) Constitution affirms the party's commitment to the attainment of equality for all regardless of gender. Specifically, the Constitution states that the political objective of the party is to, among other things, 'promote, protect, educate and advance human rights in accordance to the Universal Declaration of Human Rights and all international agreements that protect those rights and to abolish all forms of oppression and discrimination on the basis of colour, age, gender, or ideology' (Chapter 4). It further states that CHADEMA will ensure that the rights of women, children and the disabled are protected and promoted.

The CHADEMA Manifesto (2010) states that in order to achieve gender equality and women's empowerment the party intends to develop comprehensive programmes aimed at improving women's welfare in all spheres. It also proposes to institute constitutional amendments to abolish all discriminatory laws that impede women's welfare including the right to inherit property. The Manifesto also provides for the establishment of the Women's Council of Tanzania as an independent body charged with responsibility for promoting women's and girls' rights throughout the country.

### *Chama Cha Mapinduzi*

The Chama Cha Mapinduzi (CCM) Constitution states that 'Chama Cha Mapinduzi believes that all human beings are equal, every person is entitled to respect and recognition of his or her human dignity' (Articles 4.1 and 4.2). The Constitution affirms the general principles of human dignity and equality with no specific mention of gender-based representation in political leadership and processes.

CCM's 2005 and 2010 manifestos include the objective of promoting gender equality and women's political participation at various decision-making levels. The 2005 Manifesto states that the party will continue with its efforts to fight discriminatory tradition, customs and laws against women by amending existing laws that violate women's rights, including inheritance laws (Section 108a). It also states that CCM will strive to implement the provisions of national, regional and international conventions on women's rights ratified by the United Republic of Tanzania. In the 2010 Manifesto the party sets out to attain 50 per cent women's representation in all elective bodies by 2015 (Section 204).



### ***Civic United Front***

The Civic United Front (CUF) Constitution states that the party aims to protect and promote the rights of women, the elderly, the disabled and children by removing all discriminatory practices and attitudes (Article 6.12).

CUF's 2010 Manifesto stated that, if elected to government, it would reform all prohibitive laws that impinge on the rights of citizens in all spheres, enact laws that provide severe punishment for any person found guilty of using their office to harass or discriminate anyone based on gender, and adopt affirmative action measures for women to enable them to participate in decision-making bodies in political, managerial, administrative and other leadership positions.

### ***National Convention for Construction and Reform–Mageuzi***

The National Convention for Construction and Reform–Mageuzi (NCCR–Mageuzi) Constitution includes a specific provision on gender equality according to which the party shall ensure gender equality between women and men in all spheres of life (Article 13). It also states that marginalized groups shall be supported through affirmative action measures in order to increase their welfare and build a society free of discrimination based on race, tribe, religion or gender (Section 4). The Constitution also stipulates that every person is entitled to recognition and respect for his or her rights in political economic, legal and social spheres (Article 7.3). The right of all party members to elect and be elected to all leadership positions is also provided for (Article 10.1).

The NCCR–Mageuzi 2010 Election Manifesto aims to promote 50 per cent women's representation in all elective bodies as well as in administrative posts in order to bring about gender equality, and ratify and put into effect all regional and international conventions on human rights and gender equality in order to promote equal opportunity for men and women and enhance women's empowerment. In respect to gender equality in public leadership and decision-making positions, the party states that if it is elected into government, a woman will hold one of the top government positions (e.g. President, Vice President, Prime Minister or Speaker of the National Assembly).

## 2.3. Political party manifestos in Sierra Leone

### ***All People's Congress***

The All People's Congress (APC) 2007 Manifesto includes a section on empowering women, with the objective of strengthening women's groups, supporting women's and girls' education and empowering and working with appropriate authorities to implement laws and policies to eliminate all forms of violence and discrimination against women (Section 9). The APC's gender policy aims to increase the participation of women within the party's different executive structures, thus increasing the representation of women in elected bodies (e.g. parliament and councils).

### ***People's Movement for Democratic Change***

The People's Movement for Democratic Change (PMDC) Manifesto includes a section on gender affairs, acknowledging that women make up the majority of the population and expressing concern about women's marginalization. The party commits itself to achieving gender parity by adopting a gender mainstreaming approach and reforming discriminatory laws as well as granting women equal opportunities in governance. The PMDC's gender policy aims to ensure women's active participation and representation within party structures at all levels, and to be inclusive in all decision-making processes of the party.

### ***Sierra Leone People's Party***

The Sierra Leone People's Party (SLPP) Manifesto for 2007–12 includes a section on gender equality and empowerment, which states that its objective is to work towards gender equality, equity and empowerment as well as the promotion and protection of the rights of women, through gender mainstreaming, establishing a legal framework to address gender-based violence, increasing participation of women in decision making, free girl child education and constitutional amendments to provide affirmative action for women in the Legislature, Council, Executive and other areas. The SLPP also has a gender policy which aims to put in place concrete policies for increasing the participation of women in the administration of the party at all levels, and enhancing their representation in the legislature and local councils.

### ***National Democratic Alliance***

The National Democratic Alliance (NDA) Manifesto aims to give women's education special attention by extending free education to every part of



the country, introducing free primary and secondary education for girls nationwide, and encouraging girls with special problems to continue their schooling under a special educational programme. The NDA also has a gender policy which aims to promote gender-sensitive practices within and outside the party in order to significantly reduce gender imbalance in all political processes, in line with the International Covenant on Civil and Political Rights and the NDA party Constitution.

## **2.4. Political parties' strategy documents in Ethiopia**

### ***Ethiopian People's Revolutionary Democratic Front***

The Ethiopian People's Revolutionary Democratic Front (EPRDF) 2007 strategy programme includes the objective of promoting and achieving gender equality and women's empowerment. It specifies that in order to realize the social objective of bringing about rapid social and economic development, there is a need to 'stand unflinchingly for the rights of workers and equality of women'. In doing so, the party commits to 'struggle for the equal participation of women in political, economic and social affairs while enjoying equally the benefits of economic growth and encouraging the formation of women's association and consolidating them to foster the struggle for equality of women and boost democratic participation in their associations'.

### ***Ethiopia's Democratic Party***

Ethiopia's Democratic Party (EDP) party programme document includes an objective to promote and achieve gender equality and women's empowerment. The programme recognizes the need to establish a legal system that ensures the equality of women and aims to advocate for the inclusion of women in the legislative body and other ministerial and decision-making positions. It also acknowledges that a representative number of women can be part of the legislative body when and if political parties present women candidates at elections.

### ***All Ethiopia Unity Party***

The All Ethiopia Unity Party (AEUP) programme document states an objective to promote and achieve gender equality and women's empowerment (Article 5.4). The party commits to ensuring that women's participation in politics, within the party and at the national level, reaches a minimum of 30 per cent. The document also recognizes that there should be no discrimination on the basis of gender, stating that 'women will be given an equal role in society without any gender based discrimination' (Article 5.4.2).

### ***Unity for Democracy and Justice Party***

The Unity for Democracy and Justice Party (UDJP) programme document stipulates that one of the principles of the party is to ensure that the rights of women, children, the elderly, physically challenged and other sections of society that face discrimination are respected (Article 1.1.12). The document also stipulates that the party will strive to change the entrenched perception of women as inferior and the erroneous relationship between the sexes (Article 3.4.71). It is further stipulated that ‘the required support will be provided to enhance the participation of women in politics and their role in decision making’ (Article 3.4.72). In the area of social affairs, the party programme also defines the objective to enhance women’s participation in all societal affairs and to ensure that women have real decision-making power, as opposed to using women as political instruments (Article 5.7).

### ***Coalition for Unity and Democracy Party***

The Coalition for Unity and Democracy Party (CUDP) party programme aims to ensure that the rights of women, children, the elderly, physically challenged and other groups in society that face discrimination are respected and that they receive the required care. It stipulates that the party will ensure gender equality by changing the entrenched erroneous relationship between the sexes (Article 3.1.5). In addition, it is stated that the party will ensure that women’s political participation is enhanced and that the required support will be provided to enhance the role of women in decision making (Articles 3.1.5.b and 3.1.5.c).

### ***Oromo Federalist Democratic Movement***

The Oromo Federalist Democratic Movement (OFDM) party programme states that women will have the same rights to equal opportunity as men. The programme also stipulates that the OFDM does not support women carrying arms in war (Section 2.13).

### ***Ethiopian Social Democratic Party***

The Ethiopian Social Democratic Party (ESDP) strategy programme plan states that the freedoms and rights of the individual, family, community and society will be respected irrespective of racial, gender, religious, political, regional or any other considerations. The party also provides that the rights of children, young people and women will be protected (Part 3, Section 3.5.5).





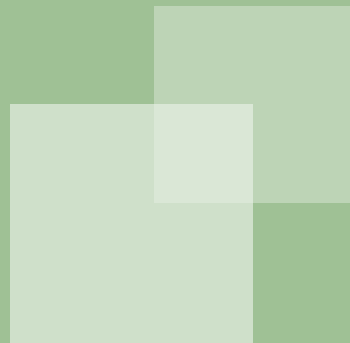
***Oromo People's Congress***

The Oromo People's Congress (OPC) programme stipulates that Oromo women shall be equal with men before the law or in work, under the section on democratic and human rights (Part 2, Section 3.5).



# **Chapter 3**

## **Legislated quotas and political party measures**



## Chapter 3

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# Legislated quotas and political party measures

In analysing party measures for promoting women's political participation and representation, two key benchmarks are of increasing relevance: the existence of national legislation mandating a gender quota for elections to public bodies (including national legislatures and local municipalities) and national legislation pertaining to political parties mandating a certain gender-based target in internal party bodies and leadership positions. Equally important is the electoral system and the provision of effective sanctions for non-compliance with national laws, which are imperative for the successful and meaningful implementation of such legal targets.

### 3.1. Legislated quotas

A total of 20 of the 33 countries included in this analysis have legislated quotas, either at the national legislature or local council level (see table 2). For more information on legislated quotas around the world see International IDEA's *Atlas of Gender Quotas* (International IDEA 2013).

**Table 2. Overview of legislated quotas at the national and sub-national levels**

Country	Legislated quotas for lower house	Percentage of women in lower house	Ranking order or placement	Sanctions for non-compliance	Legislated quotas for upper house
Botswana (U)	No (P/M)*	8	—	—	—
Burundi (B)	RS 30% (PR)	30	Every 4 <sup>th</sup>	Co-optation***	RS 30% (Indir. Elect**)
Cameroon (B)	No (P/M)	31	—	—	No
Cape Verde (U)	LCQ 50% (PR)	21	None	Financial sanctions	—
Chad (U)	No (PM)	15	—	—	—
Congo-Brazzaville (B)	LCQ 15% (P/M)	7	None	None	No (Indir.Elect)
DRC (B)	LCQ 50% (Mixed)	9	None	None	LCQ 50% (Indir.Elect)
Ethiopia (B)	No (P/M)	28	—	—	No (Indir.Elect)
Gambia (U)	No (P/M)	8	—	—	—
Ghana (U)	No (P/M)	11	—	—	—
Kenya (B)	LCQ & RS 30% (P/M)	19	N/A (RS) None (LCQ)	N/A (RS) None (LCQ)	RS (P/M)
Lesotho (B)	LCQ 50% (Mixed)	27	Alternation	—	No (appointed)
Liberia (B)	No (P/M)	11	—	—	No (P/M)
Madagascar (B)	No (P/M)	17	—	—	No (Appointed)
Mali (U)	No (P/M)	10	—	—	—
Malawi (U)	No (P/M)	22	—	—	—
Mauritius (U)	No (P/M)	19	—	—	—
Morocco (B)	RS 15% (PR)	17	N/A	Rejection	No (Indir. Elec)
Mozambique (U)	No (PR)	39	—	—	—
Namibia (B)	No (PR)	24	—	—	No (Indir.Elect)
Nigeria (B)	No (P/M)	7	—	—	No (P/M)
Rwanda (B)	LCQ 30% & RS 30% (PR)	64	N/A (RS) None (LCQ)	N/A (RS) None (LCQ)	RS 30% (Indir. Elec)
Senegal (U)	LCQ 50% (Mixed)	43	Alternation	Rejection	—
Seychelles (U)	No (Mixed)	44	—	—	—
Sierra Leone (U)	No (P/M)	12	—	—	—
South Africa (B)	No (PR)	42	—	No	(Indir. Elec)
South Sudan (B)	RS 25% (Transitional)	27	N/A	N/A	RS 25% (appointed)
Sudan (B)	RS 25% (Mixed)	25	N/A	N/A	No (Indir. Elec)
Swaziland (B)	RS 30% (P/M)	6	N/A	N/A	RS 50% (Indir. Elec)
Tanzania (U)	RS 30% (P/M)	36	N/A	N/A	—
Togo (U)	LCQ 50% (PR)	15	None	None	—
Uganda (U)	RS 30% (P/M)	35	N/A	N/A	—
Zambia (U)	No (P/M)	11	—	—	—
Zimbabwe (B)	RS 22% (P/M)	31	N/A	N/A	LCQ 50% (PR)

U=unicameral parliament; B=bicameral parliament; RS=reserved seats; LCQ=legislated candidate quota; DRC=Democratic Republic of the Congo; N/A=not applicable.

<sup>a</sup> Legislated measures.

<sup>b</sup> Alternation for list proportional representation seats.

<sup>c</sup> None for list proportional representation seats.

<sup>d</sup> Alternation encouraged but not mandatory.

\*Electoral System Families are indicated in brackets next to the Quota Types in Lower Houses and Upper Houses – P/M – Plurality/Majority System; PR- Proportional Representation System, and Mixed System. In the case of South Sudan, Transitional

Percentage of women in upper house	Ranking order or placement	Sanctions for non-compliance	Legislated sub-national quotas	Ranking order or placement	Sanctions for non-compliance
—	—	—	No	—	—
46	None	Co-optation	Reserved 30%	None	Co-optation
20	—	—	No	—	—
—	—	—	LCQ 50%	None	Financial
—	—	—	No	—	—
14	—	—	LCQ 20%	None	None
5	None	None	LCQ 50%	None	None
16	—	—	No	—	—
—	—	—	No	—	—
—	—	—	No	—	—
26	N/A (RS)	N/A (RS)	RS	N/A (RS)	N/A (RS)
27	—	—	RS 30%	N/A	N/A
13	—	—	No	—	—
12	—	—	No	—	—
—	—	—	No	—	—
—	—	—	No	—	—
—	—	—	LCQ	Every 3 <sup>rd</sup>	—
2	—	—	RS 1/3 <sup>rd</sup> women	N/A	N/A
—	—	—	No	—	—
27	—	—	LCQ	—	—
6	—	—	No	—	—
38	N/A	N/A	LCQ 30% & RS 50%	N/A (RS)	None (LCQ)
—	—	—	LCQ 50%	None	None
—	—	—	No	—	—
—	—	—	RS	N/A	N/A
32	—	—	LCQs	Alternation <sup>d</sup>	—
10	N/A	N/A	RS 25%	N/A	N/A
18	—	—	No	—	—
33	N/A	N/A	—	—	—
—	—	—	RS 33%	N/A	N/A
—	—	—	No	—	—
—	—	—	RS 30%	N/A	N/A
—	—	—	No	—	—
48	Alternation	N/A	LCQ 50%	Alternation	N/A

indicates that no electoral system has been formalized by legislation at this stage.

\*\* A number of upper houses across the world are indirectly elected – elections where voters do not vote for candidates directly but vote through ‘electors’, who then cast their votes to elect representatives.

\*\*\* Co-optation – the term refers to the sanction available to the EMB to impose on the winning parties in case the election results do not meet the required gender composition of the parliament. In Uganda, in case the quota requirements are not met, the Election Commission in consultation with the parties concerned, adds more members of the candidate lists that have obtained at least 5% of the votes cast, until the quota requirements are met.

### 3.2. Political party measures

The motivation and commitment of political parties to adopting positive action measures to promote women's political participation and representation is a complex issue which is influenced by a combination of factors, including the political system, the type of electoral system, legal frameworks in relation to electoral and political party laws which mandate increased participation of women in political processes, party ideologies, and institutional and socio-economic factors (International IDEA 2012).

The analysis revealed that 27 per cent of parties have commitments on gender equality in their party constitutions while 58 per cent have expressions of commitments to gender equality in either their party manifestos (or in both the constitution and the manifesto). It is worth reiterating that there is an important difference between stipulating gender equality principles in a political party constitution rather than in a political party manifesto. The preference and tendency for political parties to make gender equality commitments in manifestos and not in their party constitutions raises concerns about the political commitment and will to translate the commitments into reality. This is in view of the fact that party manifestos are mostly developed for election campaigning purposes and tend to be perceived as 'rhetoric' that does not get prioritized after the elections.

Only 45 (21 per cent) of political parties have specified actual targets for remedying women's under-representation in internal decision-making structures and leadership positions as well as positions of power and decision making at all levels. Out of the 45 parties, only 12 parties from Burundi, Morocco, Uganda and Rwanda have measures that are in line with or go beyond the legislated measures. For example two of these political parties in Morocco have quotas that are above the 15 per cent quota at the national level and the 12 per cent quota at the sub-national level that is set in electoral law and one party in Uganda has set its quota at 40 per cent, which is above the legislated quota of one-third.

Without tailoring the special measures to fit these critical elements of the electoral processes, these measures remain mere declarations pointing to some good intentions by political parties, which lack genuine implementation mechanisms and meaningful ways to tackle women's under-representation in leadership and decision-making structures. In general, these relate to setting numerical targets (quotas) for women's representation in internal leadership positions. The low level of institutionalized gender-responsive measures on equal access to leadership positions by both women and men within political parties leads to the persistent under-representation of women in these positions.



The most commonly practiced measures include the establishment of quotas for positions within party structures as well as on candidate lists for elected public offices. Other practices focus on the allocation of resources within parties to provide training for women party members on how to lead effective electoral campaigns; providing financial incentives to women party members through waiving candidate registration fees and establishing intra-party structures for supporting women's empowerment and gender equality in political parties' systems and practices.

Positive action measures which aim to increase the number of women in senior party leadership positions and on candidate lists for elections are usually considered meaningful and effective when they include a high numerical target which is specific, measurable and accompanied by implementation mechanisms in order to produce the desired result. The latter is of course inextricably linked to the nature of the process of candidate identification, nomination and selection for electoral lists. These in turn depend on the party's electoral history, its particular strengths and weaknesses, their level of institutionalization and the level of centralization or decentralization in decision-making processes, as well as the type of electoral system used in various electoral processes (Sacchet 2005; Norris 2000).

A total of 182 (or 85 per cent) of the political parties analysed have produced written documents on the rules and procedures for election to party leadership and decision-making positions. However, gender is not adequately integrated into these rules and regulations. Most of the rules are written using masculine generic language (e.g. 'he/his', 'chairman' or 'sons of the country') when referring to leadership positions such as party President, Chairperson or Vice Chairperson, Secretary General and Treasurer, therefore explicitly equating access to these leadership positions with maleness. In contrast, the use of 'she' only occurs in reference to the leadership of the women's wings in political parties.

In addition to the masculine language, the masculine symbols and logos which are used by some political parties were also highlighted in the analysis. Notable examples include the South West Africa People's Organization (SWAPO) party logo which depicts a man with a clenched fist (commonly known in Afrikaans as a *maanetjie* or 'small man') despite the fact that the party has declared its commitment to gender equality and gender parity. The National Unity Democratic Organisation (NUDO) explicitly states in its constitution that the party's logo shall be 'a strong man and broken chains in both hands'. Similarly, the South West Africa National Union (SWANU) election manifesto and party documents depict a male torchbearer, while the Republican Party of Namibia (RP) Election Manifesto portrays a man and a hand giving the 'thumbs-up' sign.

The influence of women's presence within parties, the level of institutionalization of political parties and the degree of internal party democracy are all known to contribute to the way parties deal with women's political participation and their ability to access leadership positions within parties (Matland 2006; Norris 2000). However, political parties may choose different measures, depending on the nature of the challenges identified as key factors, or in line with what the parties may consider to be the most effective ways of addressing the low participation and representation of women.

Legislated measures at the national level, as well as measures by political parties, are introduced in response to calls for positive action measures (referred to in CEDAW as 'temporary special measures' or else as 'affirmative action measures'). Such measures are undertaken in order to fast-track women's political participation and representation in positions of power and decision making at all levels. In order to address international and national debates on what should be understood under the positive or temporary special measures in the context of the advancement of the status of women, the UN Committee on the Elimination of Discrimination Against Women issued a General Recommendation stating that:

it is not enough to guarantee women treatment that is identical to that of men. Rather, biological as well as socially and culturally constructed differences between women and men must be taken into account. . . . Under certain circumstances, non-identical treatment of women and men will be required in order to address such differences (2004, Rec. 25).

The trend towards the adoption of positive measures underscores the role of political parties as key institutions through which citizens can enter political life and pursue opportunities for political leadership. Consequently, political parties have a critical role in providing meaningful and effective opportunities for women to access leadership and decision-making positions within political parties and nominations to party lists for public offices. The ways in which quotas are applied by political parties have an impact on whether the presence of women is 'token' or instead an effective and substantive form of participation and representation.





### **3.3. Political parties with provisions aligned to legislated quotas**

#### ***Uganda***

The Constitution of Uganda, the Parliamentary Elections Act of 2005, and the Local Governments Act of 1997 require 30 per cent reserved seats for women at national and sub-national levels of decision making. The Constitution of the National Resistance Movement (NRM) has established a quota which is above the legal requirement: 40 per cent minimum for women in the leadership of party structures and for election into public decision-making positions. It goes on to provide that the Electoral Commission should be notified of any party body that fails to meet the quota. The NRM quota exceeds the legislated quota, but there are no provisions to show either how the 40 per cent target will be achieved or any information on what the Electoral Commission should do with the notification.

The Forum for Democratic Change (FDC) stipulates a quota that is aligned with the national constitution and electoral laws. The FDC Constitution states that the party shall implement a programme of affirmative action, including the provision of a quota of at least one-third of all leadership positions and elective decision-making positions in order to ensure that women are adequately represented in these structures and in public decision making (Article 7). Although the Constitution states that the measures for achieving the minimum representation of women in all decision-making structures shall be detailed in all party guidelines from time to time, as of the time of writing no party guidelines had been issued to this effect.

#### ***Morocco***

Morocco's electoral law stipulates a quota of 60 reserved seats for women of 395 seats in parliament (15 per cent) and a 12 per cent quota at the sub-national level. The Socialist Union of Popular Forces (USFP) Constitution provides that women should constitute at least 20 per cent of the members of all national and local decision-making bodies of the party and for election into public decision making positions, except in provinces where there is a low female membership of local party branches. The party rules for selecting leaders of the party state that it is mandatory to meet this benchmark through the voting process set out in the rules.

The Constitution of the Party of Progress and Socialism (PPS) states that elected leadership bodies at the national, regional, provincial and local levels must consider the principle of gender (Section 5.6). In the composition of the

party's delegations to its National Congress, the delegates from the various party bodies must strive to have at least 20 per cent women's representation (Article 5.7). Both parties have therefore set quotas that are higher than what the legislation requires.

### **3.4. Political parties without measures that are aligned with legislated quotas**

Not all political party documents comply with legislations on quotas, even in cases where countries have laws that require political parties to implement quotas. The following examples from Burundi, Senegal, Uganda and Tanzania are particularly illustrative of this point.

#### ***Burundi***

The 2005 Constitution of Burundi and the 2009 Electoral Code stipulate reserved seats at 30 per cent for elected public decision making positions at all levels. Yet, the examples of the following three political parties in Burundi show that the parties do not have measures that are aligned with the constitution and legislation to ensure the implementation of the 30 per cent quota within their own party leadership structures and publicly elected decision making positions.

The Union for National Progress (UPRONA) Constitution does not contain provisions on equal opportunities for women and men to access leadership and decision-making positions at all levels. Instead, it provides that the party leaders at the national level may, in addition to the elected members of the Central Committee, add up to five per cent of elected members to ensure the representation of youth, ethnic and gender groups. This falls short of ensuring equal representation of both sexes on the Central Committee, which is the supreme decision-making body of the party. The Constitution provides for the election of the decision-making bodies at the local, municipal, provincial and national levels. At each of these levels, the party is led by a committee of elected members. Concerning women's access to these committees, the Constitution states that the composition of each committee must reflect the representation of women's leadership of the party (Section 15). The right of any party member to elect and be elected to these bodies is also recognized (Article 10).

The Front for Democracy in Burundi (SAHWANYA-FRODEBU) Constitution does not mention measures to ensure the equal access of men and women to leadership and decision-making positions within the party leadership and elected positions of decision making. However, it does



stipulate that every party member has the right to elect and be elected to all levels in accordance with the rules of procedure and the protocol governing the election of executives of the party (Article 30).

The Constitution of the Movement for Solidarity and Democracy (MSD) does not contain explicit provisions on equal opportunities for men and women to access leadership and decision-making positions within the party leadership as well as elected positions of power and decision making. It contains a general provision which states that any member has the right to vote and be elected to all levels of decision-making organs of the party. This provision suggests that men and women party members have equal opportunities to access leadership and decision-making positions. However, the MSD Constitution is silent on mechanisms to ensure that the provision is implemented.

### ***Senegal***

The amendments to the electoral law in Senegal which were enacted in June 2010 mandate parity for all candidate lists for public decision making positions. Yet despite the progressive legislation which creates an enabling environment for political parties to ensure gender parity in decision-making positions, parties' constitutions are not yet aligned with the electoral law.

Neither the Democratic Party (PDS) Constitution nor its rules and regulations on international elections contain explicit provisions to ensure the equal access of men and women to leadership and decision-making positions within the party and public decision making positions. The absence of provisions on the equal access to leadership and decision-making positions for women and men is also observed in the constitutions and the rules and regulations of the Alliance of Progressive Forces (AFP) and the Front for Socialism and Democracy (FSD/BJ).

### ***Uganda***

As outlined above, the Ugandan legal framework has established a 30 per cent reserved seats for women at national and sub-national levels of decision making. Yet, none of the Democratic Party DP's policy documents incorporate provisions to ensure that women and men have equal opportunities to access either leadership and decision-making positions within the party or public positions. While the party acknowledges the low representation of women at all internal levels of leadership and decision making, the position outlined in its Strategic Plan for 2006–11 is that the issue of women's equal participation should be addressed through a constitutional and administrative requirement that incorporates youth and women's wings in the main party structures.

Although the DP states that the implementation of affirmative action should be undertaken, its 2010 Guidelines for Party Primary Elections do not specify gender as a criterion for identification, nomination and selection of candidates for internal leadership and election to public decision-making positions. The guidelines only include women leaders and their deputies as conference delegates at the parish, sub-county, constituency and district levels.

### **Tanzania**

The Constitution of Tanzania stipulates a 30 per cent reserved seats quota for women in elected decision making positions. It is therefore expected that political parties in Tanzania will comply with the constitutional quota by starting to put it into practice within their party leadership and decision making positions.

Even though the CCM Constitution states a commitment to work towards achieving the equal representation of women and men (50-50) in all elective public bodies by 2015, it sets a lower target for women's representation in the party's internal leadership and decision making positions. For example, not less than 4 of the additional 14 members of the Central Committee of the National Executive Committee (that is, 28 per cent) should be women (Article 109.1). Only 10 of the 34 members of the CCM's Central Committee are women, while 71 (or 18 per cent) of the 379 members of the National Executive Committee are women, despite the party's commitment to gender parity in leadership and decision-making positions. In the CCM's 2010 Nomination Regulations, gender is not specified as a criterion for candidate nomination for election to leadership positions. The regulations specify general requirements—for example, a CCM member must believe in the party's policies, be trustworthy and committed to bringing about development.

While the CHADEMA Constitution specifies a general commitment to the attainment of equality for all regardless of gender, it does not specify the measures for the implementation of this commitment. At the same time, the Constitution provides that six members of the Central Committee of the party shall be appointed by the chairperson, and that two of these must be women (Chapter 7). Women's representation in key decision-making bodies is less than that of men—currently only seven of the 33 members of CHADEMA's Central Committee are women.

The CUF Constitution does not contain provisions on measures for equal access to leadership and decision-making positions. However, in the party's 2007 Election Regulations, women's representation on the National Convention is set at 10 per cent of all members from mainland Tanzania and



10 per cent of all members from Zanzibar. Only women are selected by the National Convention to become members of the General Council.

NCCR-Mageuzi has no specific provisions on measures to promote women's equal access to leadership and decision-making positions within the party. In the party's 2002 Elections Regulations, gender is not a criterion for the identification, selection and nomination of candidates to leadership and decision-making positions. According to the regulations, in order to apply for election to national party leadership positions, a person qualifies if he or she is a party member, has leadership qualifications and can read and write.

### **3.5. Political parties that have adopted voluntary quotas**

#### ***Botswana***

Botswana has no legislated quotas. The constitutions of the Botswana Movement for Democracy (BMD), Botswana Congress Party (BCP) and Botswana National Front (BNF) contain provisions for a 30 per cent quota for women's representation in their central committees, as well as in their regional and local structures. While the parties' policy documents do not specify how the quotas will be implemented, it is worth noting that in the July 2010 elections for the BCP central committee, 30 per cent of the candidates elected were women.

#### ***Nigeria***

Nigeria has no legislated quotas. Only two of the eight major political parties analysed have outlined measures that aim to address the historical under-representation of and discrimination against women in the political sphere, although even these measures are viewed as weak and insufficient. The Action Congress of Nigeria (ACN) Constitution (2009) stipulates that the Board of Trustees shall consist of one member from each state of the federation in addition to two nominees from each of the six geopolitical zones, provided that one of the two nominees from each geopolitical zone is a woman. The Constitution of the People's Democratic Party (PDP) provides that in the process of nominating candidates for party primary elections at the ward level, one in every three elected candidates must be a woman. The candidates will themselves be elected by direct primaries in which all card-carrying party members at ward level shall participate.

### ***Seychelles***

The Seychelles has no legislated quotas. Of the two political parties analysed in the Seychelles, the Seychelles National Party (SNP) has a gender policy on advancing equal gender participation in politics, which was adopted by the party's Executive Committee in 2009. The SNP's gender policy sets a 33 per cent quota for women's representation in the Executive Committee, as well as at the district leadership level and on the National Assembly candidates list. The policy also includes a commitment to promoting women's participation in the party's activities, for example through representative presentations, interviews and exposure in the media.

### ***South Africa***

South Africa has legislated quotas at the sub-national level but not at the national level. Since 1997 the African National Congress (ANC) Constitution has stipulated a minimum 33 per cent quota for women's representation in all leadership and decision-making positions of the party (Rule 14.1). In 2007, at the 52<sup>nd</sup> ANC National Congress, the Constitution was amended to increase the quota to 50 per cent. Today, 50 per cent of the elected members of the National Executive Committee are women. However, in terms of the top positions in the party, the gender parity provision is not complied with—only two of the top six positions in the party (the Chairperson and the Deputy Secretary General positions) are occupied by women. The Congress of the People (COPE) Constitution (2008) mandates that the representation of women in all party leadership structures should not be less than 50 per cent of the members (Article 22.7). Currently, one of the two deputy presidents of COPE is a woman.





# **Chapter 4**

## **The status of women's structures within parties**





## Chapter 4

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# The status of women's structures within parties

In each of the 214 political parties that were analysed, the party membership is the basis of the formations of party structures. All the political parties' constitutions state that party membership is open to both women and men, and that every member of the party has the right to elect and be elected to any leadership position.

Political parties' constitutions are generally reinforced by policies, rules and regulations which govern the functioning of party structures and define the hierarchy of power and decision-making within the party. Generally, party structures parallel the geographic structures of the region in which they operate, with the broadest category of people at the grassroots level and the most powerful positions at the top.

The analysis shows that across all political parties the most common highest decision-making structure is the National Convention (or General Congress) which meets annually and sets the direction of the political party. Among the key functions of the National Convention are the determination and articulation of the principles, policies and programmes of the party; the election of key members to leadership positions (e.g. the Chairperson, Vice Chairperson, Secretary General, National Treasurer); the nomination of the presidential candidate to stand for the party in national elections; and the assignment of duties to the National Executive Committee.

The National Executive Committee (also referred to in some cases as the Central Committee) is mostly responsible for directing the daily operations of political parties. It is generally the responsibility of the National Executive Committee to direct the implementation of party policies and programmes for

action, the management of budgets, amendments to the party constitution, and the promulgation of rules and regulations in line with the decisions of the National Convention.

Another key structure is the women's wing (often referred to in African political parties as a women's league, women's council or women's commission), which in many political parties is responsible for promoting gender equality and women's empowerment within and beyond the political parties. A total of 142 (or 66 per cent) of the 214 parties covered in this analysis have defined a provision for the establishment and existence of a structure specifically for women within the party. However, placing responsibility for gender equality and women's empowerment solely under the women's wing can have the inadvertent consequence of removing gender issues from the mainstream priorities of the party.

Although 66 per cent of the political parties have women's wings, their effectiveness and role in the management and decision-making processes is generally varied and questionable. This has to do with the fact that even if the women's wing is represented on the National Executive Committee, the women's representative may be marginalized by the men in the majority. A minimum of 30 per cent is often considered the required critical mass for any group to influence decision making within political organizations.

The leader of the women's wing is included in the National Executive Committees of only 15 per cent of the political parties. This act of inclusion is potentially a way of ensuring that a women's 'voice' is represented in key decision-making structures of the political parties. In contrast, women's wings participate in the National Convention and have a permanent seat at this level in all of the 142 political parties that have women's wings. However, the frequency of National Convention meetings ranges from once a year to every five years, and in between these meetings, the National Executive Committees generally oversee a Secretariat led by the Secretary General who is responsible for the day-to-day management and operations of the party.

The lessons from the political parties in Rwanda illustrate efforts to go beyond tokenism and give women a real voice in party decision-making structures. Rwanda has enacted legislation which requires the composition of leadership structures at all levels of political parties to include a minimum of 30 per cent women, instead of limiting women's representation to the leader of the women's wing. This is good practice and a step towards fostering gender equality in intra-party leadership.



The analysis shows that women's wings are usually assigned social and welfare affairs responsibilities. For instance, in the Gambia and Sudan women's wings are assigned the roles of conducting research on marriage and family life, managing food production and processing, and conducting functional literacy programmes for women. It can also be argued that women's wings reinforce the marginalization of women's strategic interests as these tend not to be addressed in political parties' main agendas but instead restricted to 'women's issues or affairs'.

The analysis shows that women's membership of political parties is not necessarily matched by their participation and representation in the leadership positions and structures of the parties. In addition, even where women's representation in party leadership has achieved or exceeded the critical 30 per cent level, women usually hold deputy positions (e.g. Deputy Chairperson, Deputy Secretary General or Treasurer).

The analysis also establishes that women's representation in party leadership structures has not reached the levels stated in parties' constitutions or other relevant policy documents. For example, in the case of the Botswana Movement for Democracy (BMD), despite a relatively progressive constitution and policy documents that promote the representation of women at all structural levels, women constitute less than 30 per cent of the members of its central committee. In contrast, the Botswana Congress Party (BCP), which does not have measures to ensure the minimum 30 per cent representation of women, achieved this level of women's participation in the July 2010 elections to its central committee.

## **Examples of political party women's leagues**

### ***Ethiopia***

The All Ethiopia Unity Party (AEUP) organizational structure is composed of the General Assembly and different committees established under the Executive Committee. The party's Statute of Regulations provides that the Head of the Women's Affairs Committee will be part of the Executive Committee of the Council (Article 12.1.11).

The General Congress and the Council of the Ethiopian People's Revolutionary Democratic Front (EPRDF) are the highest leadership structures of the party, with the Council made up of 180 members of which 20 are women. The duties and responsibilities of the Women's League are defined in the party Constitution, which states that the Women's League will be represented in

the General Congress, the Council and the Executive Committee (Article 27.2.b). However, the Women's League representative is not specified as one of the required leaders of these bodies.

The Coalition for Unity and Democracy Party (CUDP) structure includes several committees, one of which is the Women's Affairs Committee. The head of this committee is a member of the Upper Executive Committee.

### ***Liberia***

The Congress for Democratic Change (CDC) Constitution outlines the party structure, which includes the National Congress as the supreme governing body which elects the National Executive Committee. The Chairperson and the Secretary of the Women's League are members of the National Executive Committee.

The Citizen's Unification Party (CUP) structure makes the National Convention as the highest authority and supreme governing body which selects members of Central and Executive committees. The National Central Committee, which is composed of 10 members, includes the National Women's Coordinator.

The Liberty Party (LP) structures includes the National Convention and the Executive Council. The membership of the Executive Council includes at least 24 members, one of whom is the Chairperson of the LP Women's Wing.

The Majority Party of Liberia (MAPOL) structure includes the National Convention and the National Executive Committee. The Women's Wing is headed by the National Chairperson who is a member of the National Executive Committee.

The National Executive Committee of the National Patriotic Party (NPP) consists of 25 members, including the Chairperson of the National Patriotic Women's Caucus. The Discipline, Ethics and Elections committees also include a representative from the National Patriotic Women's Caucus.

In the Original Congress Party of Liberia (OCPOL), the Chairperson of the Women's Council is a member National Executive Committee. The Women's Council also has a seat on the National Convention and has representation on any ad hoc committees when they are established.

In the People's Progressive Party (PPP) the Women's Wing, headed by the National Chairperson, has representation at the National Convention, on



the National Executive Committee and in Standing Committees such as the Conventions and Elections committees.

### **Rwanda**

The Rwandan Patriotic Front-Inkotanyi (RPF-Inkotanyi) structure includes a General Assembly, a Political Bureau, the National Executive Committee, Executive Committees at provincial and village levels, the Women's Council and a Youth Council. The party Constitution stipulates at least 30 per cent women's representation in all party structures. The Chairperson of the Women's Council has a seat on the Political Bureau and the National Executive Committee.

The Centrist Democratic Party (Parti Démocratique Centrist, PDC) structure consists of the National Congress, the Political Bureau, the National Executive Committee and Permanent Commissions such as the Gender Commission. The party's Constitution stipulates a minimum 30 per cent women's representation in all decision-making structures of the party. The Chairperson of the Gender Commission advises the Political Bureau and the National Executive Committee on gender equality.

### **Uganda**

According to the NRM Constitution, the National Conference is the supreme body of the party and is headed by the National Chairperson, with the position of the second National Vice Chairperson preserved for a female member (Article 11.2.c). The National Conference also includes members of the National Executive Committees of all special bodies of the party. One of the special bodies is a Women's League whose structures are similar to those of the mainstream party, with appropriate modifications (Article 10.c.ii). In the Central Executive Committee, which has the main functions of providing and exercising political leadership in the country and making policy recommendations to the National Executive Committee, there are two guaranteed positions for women. This creates an opportunity for communicating issues that come out of the Women's League to the Central Executive Committee. The National Executive Committee members of the Women's League form part of each party body at the district, municipality, sub-county, parish and branch levels, and the chairpersons of the Women's League form part of the committees at each level.

## **Togo**

The Rally of the Togolese People (RPT) structure consists of the Congress, the National Convention, the Political Bureau, the Central Committee, the General Secretariat, ad hoc Committees and three specialized agencies on the National Union of Women of Togo (UNFT), the Council of the Wise and the Youth Council.

The Union of Forces for Change (UFC) structures include the National Congress, the National Council, the Standing Committees (including on women's affairs, and the protection of mothers and children) and the Bureau of the Director.

The Committee Action for Renewal (CAR) structure is made up of the Congress, the National Council, the National Bureau, the Senate Council, the National Standing Committees and the National Coordination of Women. The National Coordination of Women has a seat on the various party bodies including section, area, district assembly and regional councils.

The Pan-African Democratic Convention, Togolese Branch (CDPA) structures include the National Congress, the National Council and the Women's Council. The representative of the Women's Council is a delegate of the CDPA National Congress, the supreme decision-making body of the party.

## **Senegal**

The structure of the Socialist Party (PS) includes the Congress, the National Council, the Central Committee which comprises 14 sub-committees (one of which is the Committee of Solidarity, Women and the Family), the Advisory Council of the Wise and the National Movement of Socialist Women.

The Senegalese Democratic Party (PDS) structure includes the General Congress, the National Convention, the Political Bureau, the Steering Committee, the National Secretariat, the National Committee and the Senegalese Women's Federation, which has a representative who sits on the National Committee.

## **Gambia**

The Alliance for Patriotic Reorientation and Construction (APRC) structures include the National Congress, the National Executive Committee, the National Bureau, the Council of Elders and the Women's Wing. The party



Constitution states that the women's wing shall be established at the level of each constituency and shall be composed of women in each constituency irrespective of age, creed, tribe, religion, profession and social standing (Article 33).

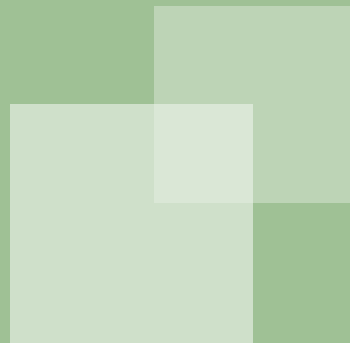
The Constitution of the United Democratic Party (UDP) establishes the party structure comprising of the National Assembly, the Central Committee, the Secretariat, the National Assembly Committee, the Regional Committees, the Constituency Executive Committee, the Branch Executive Committee, the Women's Wing and the Youth Wing.

The Constitution of the Peoples' Democratic Organization for Independence and Socialism (PDOIS) defines the party structure made up of the General Assembly, the Central Committee, the National Assembly Committee, the Political Bureau, the Organizing Bureau, the Information Bureau, the Bureau on Women and Child Affairs, the Bureau on International Affairs, the Youth Bureau, the Secretariat, the Committee on Finance and the Party Branches.



# **Chapter 5**

## **International and regional instruments**





## Chapter 5

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# International and regional instruments

Recognizing the interconnection of gender equality laws or constitutional guarantees and international instruments on gender equality, the analysis also reviewed each of the 33 countries' commitments (or lack thereof) to regional and international conventions and instruments on gender equality and women's empowerment. The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW 1979) and the African Protocol are comprehensive frameworks which are mutually reinforcing and premised on the elimination of all forms of discrimination against women, and which set the agenda for national actions to end such discrimination and achieve substantive equality for both men and women. The commitments of the 33 countries to international instruments are summarized in Table 3.

### **5.1. The United Nations Convention on the Elimination of All Forms of Discrimination against Women**

All of the countries included in this analysis except South Sudan and Sudan have ratified or acceded to CEDAW 1979. Morocco has reservations to CEDAW in terms of the provisions in Article 16—particularly those relating to the equality of men and women—in respect of rights and responsibilities on entry into and at dissolution of marriage, as equality of this kind is considered incompatible with the Islamic Shariah.

To be in compliance with CEDAW, state parties are obliged to condemn and eliminate discrimination against women. Specifically, states parties are required:

- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
- (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
- (g) To repeal all national penal provisions which constitute discrimination against women. (CEDAW 1979)

Over the years, the CEDAW Committee has provided recommendations on the implementation of the Convention in response to the different countries' reports on CEDAW. In general it is evident from the Committee's recommendations that none of the countries that ratified CEDAW has so far fully incorporated these standards.

The general non-compliance issues raised by the Committee are applicable to the 31 countries that are state parties to CEDAW and are covered in this analysis. Some of the countries have taken the first steps to stipulate constitutional and legal provisions on equality, anti-discrimination and affirmative action measures, in order to redress historic and legal discrimination against women.

It is not just about achieving formal equal rights for women and men. The effective implementation of CEDAW also requires uncovering gender biases that are entrenched in societies and affect the way men and women exercise and enjoy their rights in all spheres of life. In view of the countries' obligations in both CEDAW and the African Protocol, challenges remain with regards to the holistic implementation of the articulated norms and standards.



## 5.2. The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

Besides Morocco, the other 32 countries studied in this analysis have acceded to the Protocol of the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003), and the Solemn Declaration of the African Union on Gender Equality in Africa (2004). As signatories to the Protocol, countries commit to eliminate all forms of discrimination against women including practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for women and men.

The countries have an obligation to combat all forms of discrimination against women through appropriate legislative, institutional and other measures. Countries can:

- include in their national constitutions and other legislative instruments, if not already done, the principle of equality between women and men and ensure its effective application;
- enact and effectively implement appropriate legislative or regulatory measures, including those prohibiting and curbing all forms of discrimination particularly those harmful practices which endanger the health and general well-being of women;
- integrate a gender perspective in their policy decisions, legislation, development plans, programmes and activities and in all other spheres of life;
- take corrective and positive action in those areas where discrimination against women in law and in fact continues to exist; and
- support the local, national, regional and continental initiatives directed at eradicating all forms of discrimination against women.

The Protocol legitimizes the struggle for gender equality and the promotion and protection of women's human rights as an African struggle. However, past experience and the recommendations contained in African countries' reports on CEDAW show that, the real challenge is in moving from ratification to robust domestication and implementation, and the realization of substantive rights and equality.

The existence of dual legal systems—customary and religious law on the one hand and statutory law on the other—often means that women's rights are compromised due to customary and religious interpretations and application of the laws in most African countries. While the Protocol seeks to challenge

discriminatory cultural practice in all spheres of life, it is undermined by the duality of legal systems, the varied patriarchal interpretations of culture, tradition and religion and the gender stereotypes in the private and public domains, which allow discrimination against African women to prevail and persist.

In addition, apart from Botswana and Mauritius, the member states of the Southern African Development Community (SADC) have reinforced their commitments on gender equality in the SADC Protocol on Gender and Development (2008).

**Table 3. Countries' commitments to international and regional instruments\***

Country	CEDAW	African Protocol	SADC Protocol <sup>a</sup>
Botswana	Yes	Yes	No
Burundi	Yes	Yes	Not applicable
Cameroon	Yes	Yes	Not applicable
Cape Verde	Yes	Yes	Not applicable
Chad	Yes	Yes	Not applicable
Congo-Brazzaville	Yes	Yes	Not applicable
Congo (DRC)	Yes	Yes	Yes
Ethiopia	Yes	Yes	Not applicable
Gambia	Yes	Yes	Not applicable
Ghana	Yes	Yes	Not applicable
Kenya	Yes	Yes	Not applicable
Lesotho	Yes	Yes	Not applicable
Liberia	Yes	Yes	Not applicable
Madagascar	Yes	Yes	Yes
Malawi	Yes	Yes	Yes
Mali	Yes	Yes	Not applicable
Mauritius	Yes	Yes	No
Morocco	Yes <sup>b</sup>	Not applicable	Not applicable
Mozambique	Yes	Yes	Yes
Namibia	Yes	Yes	Yes
Nigeria	Yes	Yes	Not applicable
Rwanda	Yes	Yes	Not applicable
Senegal	Yes	Yes	Not applicable
Seychelles	Yes	Yes	Not applicable
Sierra Leone	Yes	Yes	Not applicable
South Sudan/Sudan	No	Yes	Not applicable
South Africa	Yes	Yes	Yes

Country	CEDAW	African Protocol	SADC Protocol <sup>a</sup>
Swaziland	Yes	Yes	Yes
Tanzania	Yes	Yes	Yes
Togo	Yes	Yes	Not applicable
Uganda	Yes	Yes	Not applicable
Zambia	Yes	Yes	Yes
Zimbabwe	Yes	Yes	Yes

\*Includes accession, ratification and/or signature

CEDAW=United Nations Convention on the Elimination of All Forms of Discrimination against Women (1979); African Protocol=Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (2003); SADC Protocol=Southern African Development Community (SADC) Protocol on Gender and Development (2008).

<sup>a</sup> Applies only to SADC member states.

<sup>b</sup> Accepted with reservations.

### 5.3. Comparing commitments of political parties in Latin America

Although the focus of this publication is on Africa, experiences from Latin America present some similarities in terms of the general trends towards increasing women's participation and representation in politics and decision making positions, as well as political parties' commitments on gender equality and the existence of women's structures in political parties. The analysis in this report builds on a similar study on political parties in Latin America (International IDEA and IDB 2011). The study involved 94 political parties in 18 Latin American countries—Argentina, Brazil, Bolivia, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, El Salvador, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Uruguay and Venezuela—and focused on explicit commitments on gender equality in political parties' policy documents. It also examined the translation of these commitments in terms of the percentages of women in political parties' leadership, as well as the number of women on parties' candidate lists and in parliaments. The analysis also covered the key areas of gender equality statements in party instruments, formal rules, selection processes, quotas, and organizational units.

The election of four women presidents in Latin America in recent years has increased the momentum for women's participation on an equal basis with men in positions of power and decision making at all levels. The region has also made significant progress in the adoption of gender quotas for candidate selection to legislative bodies, with 15 countries having introduced

such quotas and three countries—Costa Rica, Ecuador and Bolivia—even committed to gender parity. Furthermore, eight countries in the region have quotas regulating internal party leadership, although six of those do not have sanctions in place. While significant progress has been made in some countries in terms of women’s elected representation, the figures vary widely by country and type of office. As in Africa, the evidence from Latin America reveals that, the bottleneck blocking the election of more women to public offices appears to lie within political parties, where the models of participation are predominately male and disinclined to promote women’s leadership.

### ***Gender equality in party instruments***

Similar to the findings from the analysis of political parties in Africa, provisions on gender equality principles and commitments are also specified in the policy documents of Latin American parties. As elsewhere in the world, women’s demands for the inclusion of gender equality principles in party rules, procedures and documents in Latin America have been attained over years of advocacy. In recent years, a significant number of political parties have included gender equality provisions in their manifestos and programmes. While the inclusion of gender equality principles is a positive indicator in terms of the political empowerment of women, the interconnection between the gender equality rhetoric in party instruments and the representation of women in the top leadership structures of political parties such as National Executive Committees also required investigation. The analysis revealed that few women hold senior positions in the organizational structures of political parties. For example, on average women occupy less than 20 per cent of the positions of Presidents and Secretaries General of political parties and National Executive Committees. The inclusion of gender equality principles in party documents is also influenced by the existence of national legislation requiring political parties to have positive action measures. For example, in Costa Rica, all the political parties included in the analysis specified equality or gender equity because the 2009 election law required parties to include quota mechanisms and also stipulated the allocation of public financing for training and support programmes for women.

### ***Formal rules and selection processes***

The findings from the African political parties show that the majority (85 per cent) of political parties have rules and regulations that guide the candidate’ selection processes for internal leadership positions and public decision making positions. In Latin America, that figure is 90 per cent. The analysis of the candidate selection process is interrelated with the existence of national legislation on gender quotas for candidate selection. The findings



illustrate that the existence of legislated gender quotas for candidate selection does have an impact on the representation of women in political parties' decision-making bodies and the proportion of women candidates fielded by parties for elections to both lower and upper houses. However, compliance with the quota is not always attained, especially when sanctions for non-compliance and mechanisms for monitoring compliance with the quota are not established. For example, in Bolivia the 2010 Electoral Law establishes the principle of parity in party structures but does not explicitly provide for sanctions for non-compliance with the quota for party leadership positions.

### ***Women's units in political parties***

Another similarity between the findings in Africa and Latin America is the establishment and existence of structures for women in political parties, where 142 out of 214 analysed political parties in Africa have provisions that establish women's wings. Many political parties in Latin America have had institutionalized structures for women since their foundation. Although the figure is higher in Latin America (at least 80 of the 94 political parties included in the analysis stated that they have a women's wing), these structures do not generally participate in or influence party decisions, and their role is often limited to symbolic functions. Less than half of the women's wings in the political parties analysed have direct representation on the party's executive bodies and few participate in the development of candidates lists.

The overall picture portrayed by the analysis in Latin America is that there is a lack of political will from political parties to transcend the gender equality rhetoric and work for substantive equality within political parties and politics in general. In order to fully comprehend the persistent gender discrimination, it is critical to unearth the multiple influences that shape politics and political parties across the different regions of the world. Even when women are active members of political parties, their participation is not acknowledged through their inclusion and representation in positions of power and decision making within political parties, and in public life in general.



# **Conclusions and recommendations**





## Conclusions and recommendations

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Since the adoption of the Beijing Declaration and Platform of Action in 1995, there has been a positive trend in terms of analysing political parties' roles and performance in promoting gender equality and women's political empowerment. The momentum gained has increased the attention paid to the critical need for measures to ensure women's access to and full participation in positions of power and decision making.

With the recognition that political parties are the 'real gatekeepers' for both men's and women's access to positions of power and decision making, their role has become an area of focus in redressing gender inequalities in politics. As access to political power, leadership and decision making typically begins at the political party level, the creation of enabling environments for the meaningful participation and representation of both men and women in political parties is essential. To a certain extent, political parties possess awareness on gender issues, as shown by some of the provisions in parties' policy documents. The challenge is to move beyond this awareness and mobilize pragmatic actions that institutionalize gender equality in politics.

There is no single strategy to redress gender inequalities in general and the unequal participation and representation of women in politics and decision making in particular. Content analysis of political parties' foundational documents illustrates that much work needs to be done in order to transform the status and conditions of women and men in general—and, consequently, in politics—by creating conducive environments and systematically implementing gender-responsive initiatives. This requires sustainable strategies and actions that go beyond formal equal rights in order to 'uncover gender inequalities' that are deeply entrenched in society. Political parties and governments are key actors in the proposed recommendations in this section.

The analysis shows that political parties' constitutions and manifestos and strategy documents contain varying expressions of commitments to promote gender equality and women's political participation and representation. These commitments are found in 27 per cent of the political parties' constitutions and 58 per cent of the political parties' manifestos. Out of the 214 political parties, the remaining 90 (42 per cent) parties' documents make no mention of principles or commitments on gender equality either in the party constitution or the manifesto. Some political parties have articulated explicit commitments, while others' commitments are more general and broad.

As evidenced by the above figures, commitments on gender equality tend to be more prominent in the political parties' elections campaign manifestos than in their party constitutions. In general, the strategy by political parties to include some statements on gender equality and women's empowerment issues in their election manifestos demonstrates an 'electioneering rhetoric' around gender equality. The general trend among political parties is to mention gender among the list of election campaign promises without defining gender as a priority objective in party constitutions, which inform political parties' internal processes and practices. The relationship between commitments on gender equality expressed in campaign manifestos and the probability of attracting the support of the electorate was not assessed in this analysis but remains an area for future analysis.

Although the political parties' policy documents contain general texts on commitments to gender equality, they do not necessarily outline corresponding measures for ensuring the transformation of the commitments into effective actions and outcomes. Only 45 (or 21 per cent) of the 214 political parties have specified actual targets for remedying women's under-representation in parties' internal decision-making structures and leadership positions. Of these 45, only 12 political parties have measures that are in line with the legislated measures. Burundi and Rwanda have the highest number of political parties that specify measures on women's participation and representation. These measures relate to setting numerical targets (quotas) for women's representation in internal leadership positions.

The way in which quotas are applied by political parties makes a difference to whether the presence of women is 'token' or amounts to an effective and substantive form of participation and representation. However, even in countries with legislated quotas not all political parties are in compliance with the law. A party's decision to comply fully with the legislation is definitely influenced by several factors, among which are the measures for enforcement and the penalties or costs for non-compliance.



Despite the lack of effective implementation and enforcement mechanisms, it is worth noting that parties which include texts on gender in their policy documents show at least some awareness of gender issues. While political parties' acknowledgement of gender inequalities is a key first step, they must still face up to the challenge of designing robust measures that eliminate practices and processes that undermine women's political participation and representation in political leadership and decision making. Political commitment is not enough—the test of a party's commitment is in its translation into strategies and programmes of action.

Party membership is open to 'all citizens' regardless of sex, tribe, religion or gender. In this respect, political parties' texts on party membership are gender-sensitive. In addition, the political parties' policy documents contain generic provisions which state that every party member has the right to elect and be elected to any leadership and decision-making position, and shall be entitled to enjoy the right to participate in all political parties' activities. However, in practice none of the 214 political parties analysed has attained equal representation and participation for women and men in top leadership positions. The ANC of South Africa is one of the few political parties that is close to achieving parity, with two of the top six positions, the Chairperson and Deputy Secretary General of the party—held by women. Furthermore, the party has achieved equal representation on its National Executive Committee.

The use of the masculine generic (e.g. 'he/his', 'chairman', 'sons of the country', 'menfolk' or 'countrymen') is widespread in political parties' constitutions, particularly in reference to leadership positions such as the party President, Chairperson or Vice Chairperson, Secretary General or Treasurer. This equates access to these leadership positions with maleness, whereas 'she' is only used in reference to the leadership of women's wings, or else the political party coordinator. In addition, masculine language is accompanied by the use of masculine party symbols and logos.

The most common highest decision-making structure of all the political parties is the National Convention, which meets annually and sets the direction of the political party. The National Executive Committee is the structure primarily responsible for directing the operations of political parties. It is generally the responsibility of the National Executive Committees to initiate the policy, programmes for action and manage budgeting and financial issues in line with the decisions of the National Convention. The women's wing is a structure which is supposed to be key in promoting the achievement of gender equality and women's empowerment in political parties and

politics in general. Women's wings are also assigned social and welfare affairs responsibilities. For example, political parties in the Gambia and Sudan specify women's wings' responsibilities for marriage and family life, food production and processing, and functional literacy programmes. However, placing responsibility for gender equality and women's empowerment solely under the women's wing can move gender issues away from the mainstream priorities of the political parties.

Only 15 per cent of the political parties studied guarantee the inclusion of the leader of the women's wing in their National Executive Committees. The representation of women at this level is generally low and raises questions about the effectiveness and role of the women's wing in the management and decision-making processes. However, it must also be stated that 142 women's wings established by political parties all participate in the National Convention and have a permanent seat at this level.

The national constitutions of the 33 countries all contain provisions on the fundamental rights and freedoms of women and men in the political, economic and social spheres, as well as on equality and non-discrimination on the basis of sex or gender. In addition, they all capture discrimination based on biological differences between women and men (sex) as well as discrimination based on the roles and expectations imposed on women and men (gender). However, most national constitutions do not have provisions that are explicit on gender equality and equality of sexes. Rwanda and Malawi are examples of countries with constitutional provisions that are specific on gender equality, while other countries have guarantees for equality for all and anti-discrimination on the grounds of gender and sex.

Although national constitutions contain provisions on equality and prohibition of discrimination, customs and traditions are exempted from the anti-discrimination clauses in some of the constitutions, for example in Lesotho. In this regard the constitution of Swaziland provides a good example by stipulating that a woman shall not be compelled to undergo or uphold any custom to which she is opposed to in conscience. In some instances there are persistent contradictions between constitutional provisions and provisions in laws on elections and political parties, such as the election law proposed by the Independent National Electoral Commission in the DRC. In addition, the essential link and reinforcement between political parties' constitutions and national constitutions is generally weak and in some instances absent.

CEDAW and the African Protocol are comprehensive frameworks which are mutually reinforcing and premised on the elimination of all forms of



discrimination against women and achieving substantive equality for both men and women. These instruments also set out the actions to be implemented at the national level. CEDAW has been ratified by all of the countries included in this analysis except South Sudan and Sudan. The other countries have also acceded to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the Solemn Declaration of the African Union on Gender Equality in Africa. In addition, as signatories to the SADC Protocol on Gender and Development, all the SADC member states except Botswana and Mauritius have reinforced their commitment to gender equality.

As the scope of analysis was limited to the content of political parties' documents, the recommendations below emphasize multi-dimensional and mutually reinforcing strategies driven from within political parties as well as by government actors.

## Recommendations for political parties

1. *Review and reform all founding and policy documents.* This includes political parties' constitutions, manifestos, party rules and procedures and strategy documents, which should incorporate national and international norms and obligations on gender equality. The clear articulation of norms and standards on gender equality in the governing documents of political parties creates an enabling environment and culture to promote gender equality within parties.
2. *Implement sustained and systematic gender-awareness training and capacity development that targets both men and women at all the levels and structures of the political party.* It is critical that political parties go beyond awareness on gender and institutionalize gender-responsive interventions, policies and procedures. In other words, training or capacity development on its own without the reinforcement of gendered policies and procedures to govern the daily work of political parties will not change their practice and culture. Training can help strengthen the articulation of gender issues as strategic issues for women and men within political parties.
3. *Institutionalize gender policies to guide the translation of awareness and commitments on gender into concrete practice in the daily functioning of political parties.* The institutionalization of the party's gender policy should be directed by the head of the political party secretariat (usually the Secretary General), who will be accountable for the policy's implementation and report to the National Executive Committee and National Convention (where the women's wing should also be represented). The internal set-

up for the implementation of the gender policy will influence the extent to which the integration of gender in mainstream political agendas will be addressed seriously. Another way to enhance institutionalization and accountability on gender is to have an official responsible for gender at all political party levels and structures to create internal links on the responsibility for gender mainstreaming.

4. *Consider adopting and implementing positive action measures such as quotas to translate the commitments on gender equality.* The quotas must be reinforced by gender-responsive and clear rules and procedures for internal democracy and processes on the identification, nomination and selection of candidates for positions of power and decision making within the parties and public elected positions at all levels. This entails that political parties should emphasize the application of quotas by starting from inside the parties when conducting primary elections. Political parties should also set women's representation in the decision-making bodies of political parties such as the National Executive Committee and directorates for elections at not less than 30 per cent. Other mechanisms that political parties can adopt include the reduction or waiving of candidate fees for women aspirants, in order to encourage more women to present themselves as candidates for public positions. Political parties can also waive the conduct of primary elections in constituencies which are held by women in order to retain and increase women's participation and representation in leadership and decision-making positions.
5. *Strengthen and redefine the positioning and role of the women's wings within the political parties in influencing strategic political decisions, including the allocation of financial resources.* The functioning of women's wings as conduits for women to mobilize as women might lead to the articulation of not only women's practical needs but women's strategic interests and 'voice' through heightened demands for accountability on gender equality. Developing transformative leadership skills among women in political parties will help prepare women to present themselves as candidates for leadership positions. The women-specific strategies should be reinforced by initiatives that systematically engage men and boys in women's empowerment and gender equality promotion—thus making men equally responsible for the achievement of women's empowerment—and by engaging the media to provide balanced coverage of women and men and equality issues. Women's wings should also form alliances with civil society actors as well as with women across political party lines in order to collaborate on matters of strategic and mutual interest. Such alliances exist in Liberia (e.g. the Coalition of Political Parties' Women) and in Sierra Leone (e.g. the All Political Parties' Women Association).

6. *Designate both women and men as spokespersons for communicating political parties' positions in the public media.* The media has a significant role in promoting gender equality in general and women's leadership in particular. The media can make society aware of women's contributions and positively report on the work of women political leaders. The media can also fulfil a 'watchdog' role with regard to the implementation of measures on gender equality by governments.
7. *Gather and compile gender disaggregated data on party membership, participation, representation and influence on party decision making and programmes.* Political parties depend on the membership of both women and men and it is therefore essential to track the levels of engagement, voice and influence of both women and men in the core programmes and structures of political parties at all levels. The gender disaggregated data generated could be useful in informing policy and strategy formulation by political parties in response to the needs and strategic interests of their supporters and the electorate.

## Recommendations for governments

1. *Review constitutional and legislative frameworks.* This will help to ensure that the international norms and standards on non-discrimination and gender equality are domesticated and integrated into national constitutions and laws. Focus should be placed on aligning the national legislative framework with the commitments in international instruments and frameworks that countries have ratified or adopted, in order to translate these principles into reality.
2. *Reform electoral systems and enact positive action measures to guarantee women's equal access to and participation in positions of power and decision making at all levels.* The legislated measures should be holistic in order to have an impact on the conduct of political and electoral processes from a gender perspective. Enforcement of the positive action measures should occur at all decision-making levels, including within the political parties. In order to be effective these measures should be reinforced by effective incentives and sanctions in cases of non-compliance.
3. *Strengthen the implementation of laws, policies and programmes on eliminating gender-based discrimination and the prevention of and prosecution against all forms of gender-based violence, including violence in political and electoral processes.* It is critical to sustain comprehensive and coordinated strategies, so as to foster changes in attitudes, beliefs and behaviours that perpetuate gender inequalities. This can be achieved through awareness raising and the continuous promotion of women's empowerment.

4. *Establish well-resourced monitoring mechanisms such as Gender Equality Commissions that have the mandate to demand accountability on gender mainstreaming from all sectors.* For instance in relation to electoral processes, electoral management bodies should have the mandate to enforce legislated candidate quotas. They should also undertake gender audits, both during electoral processes and after elections, in order to strengthen the effective execution of their mandate.
5. *Promote gender awareness among both men and women.* As it is not only men who are always unconvinced on gender equality and women's capacity to participate in public life, the positive action measures that are put in place have to be reinforced by public awareness campaigns on gender equality and women's rights to participate and represent themselves alongside men in influencing and shaping national and international decisions that have an impact on their lives.

## **Recommendations for regional institutions**

1. *Undertake initiatives to promote cross-national experience sharing in order to promote institutional strengthening among political parties in Africa.* The African Union and other sub-regional institutions are best suited to support political party strengthening, including the tracking of political parties' compliance with national, regional and global instruments.
2. *Create a continental political party forum.* Such a forum could go a long way towards enhancing the capacity of political parties to become effective agents of democratic governance, including the promotion of gender equality and women's empowerment.
3. *Foster South–South cooperation between political parties.* Cooperation between political parties in the Global South would be one way of ensuring cross-fertilization, for the benefit of democracy and good governance.



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## Annex A

### **List of political parties included in this analysis**

#### ***Botswana***

Botswana Congress Party (BCP)  
Botswana Democratic Party (BDP)  
Botswana Movement for Democracy (BMD)  
Botswana National Front (BNF)

#### ***Burundi***

Democratic Alliance for Renewal (ADR-ABANYAMWETE)  
Front for Democracy in Burundi (FRODEBU-SAHWANYA)  
Movement for Solidarity and Democracy (MSD)  
National Council for the Defense of Democracy–Forces for Defense of Democracy (CNDD/FDD),  
Party for National Liberation Forces (FNL)  
Union for National Progress (UPRONA)

#### ***Cameroon***

Cameroon People's Democratic Movement (CPDM)  
Democratic Union of Cameroon (UDC)  
Social Democratic Front (SDF)  
Union for Democracy and Progress (UNDP)

#### ***Cape Verde***

African Party for the Independence of Cape Verde (PAICV)  
Independent and Democratic Cape Verde Party (UCID)  
Labor and Solidarity Party (PTS)  
Movement for Democracy (MpD)





**Chad**

National Alliance for Democracy and Development (AND)  
National Rally for Development and Progress (Viva-RNDP)  
National Union for Democracy and Renewal (UNDR)  
Party for Unity and Reconstruction (PUR)  
Patriotic Movement of Salutation (MPS)  
Rally for Democracy and Progress (RDP)  
Rally of Chadian National (RNDT/The Awakening)  
Union for Democratic Renewal (URD)

**Congo-Brazzaville (Republic of the Congo)**

Congolese Labor Party (PCT)  
Congolese Movement for Democracy and Integral Development (MCDDI)  
Pan-African Union for Social Democracy (UPADS)  
Party for Unity and the Republic (PUR)  
Rally for Democracy and Development (RDD)  
Rally for Democracy and Social Progress (RDPS)  
Union for Democratic Renewal (UDR)

**Democratic Republic of the Congo (DRC)**

Congo Liberation Movement (MLC)  
League of Congolese Democrats (LIDEC)  
People's Party for Reconstruction and Democracy (PPRD)  
Social Movement for Renewal (MSR)  
Unified 'Lumumbist' Party (PALU)  
Union for Democracy and Social Progress (UDPS)  
Union for the Congolese Nation (UNC)

**Ethiopia**

All Ethiopia Unity Party (AEUP)  
Coalition for Unity and Democracy Party (CUDP)  
Ethiopia's Democratic Party (EDP)  
Ethiopia's Federal Democratic Unity Forum (EFDUF)  
Ethiopian People's Revolutionary Democratic Front (EPRDF)  
Ethiopian Social Democratic Party (ESDP)  
Oromo Federalist Democratic Movement (OFDM)

Oromo People's Congress (OPC)  
Unity for Democracy and Justice Party (UDJP)

**Gambia**

Alliance for Patriotic Reorientation and Construction (APRC)  
Peoples Democratic Organization for Independence and Socialism (PDOIS)  
United Democratic Party (UDP)

**Ghana**

Convention People's Party (CPP)  
National Democratic Congress (NDC)  
New Patriotic Party (NPP)

**Kenya**

Democratic Party of Kenya (DP)  
National Rainbow Coalition (NARC)  
National Rainbow Coalition-Kenya (NARC-KENYA)  
Orange Democratic Movement (ODM)  
Party of National Unity (PNU)  
Safina  
Social Democratic Party of Kenya (SDP)

**Lesotho**

All Basotho Convention (ABC)  
Basotho National Party (BNP)  
Basutoland African Congress (BAC)  
Basutoland Congress Party (BCP)  
Kopanang Basotho Party (KBP)  
Lesotho Congress for Democracy (LCD)  
Lesotho People's Congress (LPC)  
Lesotho Workers' Party (LWP)  
Marematlou Freedom Party (MFP)  
National Independent Party (NIP)

**Liberia**

Alliance for Peace and Democracy  
Congress for Democratic Change



Citizen's Unification Party  
Liberty Party  
Majority Party of Liberia  
Movement for Progressive Change  
National Patriotic Party  
Original Congress Party of Liberia  
People's Progressive Party  
Unity Party

**Malawi**

Democratic Progressive Party (DPP)  
Malawi Congress Party (MCP)  
United Democratic Front and Alliance for Democratic Change (AFORD)

**Mali**

Bloc for Renaissance, African Integration and Cooperation (BARICA)  
Citizen Strength and Democracy (CDS)  
Convergence for the Development of Mali (CODEM)  
Ecologist Party of Mali (PE Mali)  
Environment and Sustainable Development (REDD)  
Malian Rally for Labor (RAMAT)  
Movement for Independence Renaissance and African Integration (MIRIA)  
Movement of Populations Free United and in Solidarity/RAMATA (MPLUS/  
RAMATA)  
National Congress of Democratic Initiative (CNID FASO YIRWATON)  
Party for Democracy and Development (PDD)  
Party for Education, Culture, Health and Agriculture in Mali (PECSAM)  
Party for the Development and the Social (PDS)  
Patriotic Movement for Renewal (MPR)  
Rally for Education  
Rally of Republicans (RDR)  
Union of Patriots for the Republic (URP)  
Union for the Republic and Democracy (URD)  
Union of Democratic (UFD)

***Mauritius***

Front Solidarité Mauricien (FSM)  
Labor Party (LP)  
Mouvement Militant Mauricien (MMM)  
Mouvement Socialiste Militant (MSM)  
Parti Mauricien Social Démocrate (PMSD)

***Morocco***

Constitutional Union  
Independence Party  
National Union of Independents  
Party of Authenticity and Modernity  
Party of Justice and Development  
Party of Progress and Socialism  
Popular Movement  
Socialist Union of Popular Forces

***Mozambique***

Liberation Front of Mozambique (FRELIMO)  
Mozambican Democratic Movement (MDM)  
Mozambique National Resistance (RENAMO)

***Namibia***

All People's Party (APP)  
Congress of Democrats (COD)  
Democratic Turn hall Alliance (DTA)  
National Unity Democratic Organization (NUDO)  
Rally for Democracy and Progress (RDP)  
Republican Party of Namibia (RP)  
South West Africa People Organization (SWAPO Party)  
South West Africa National Union (SWANU OF NAMIBIA)  
United Democratic Front (UDF)

***Nigeria***

ACCORD (AA)  
Action Congress of Nigeria (ACN)  
All Nigerian People's Party (ANPP)



All Progressive Grand Alliance (APGA)  
Congress for Progressive Change (CPC)  
Democratic Peoples Party (DPP)  
Labor Party (LP)  
Peoples Democratic Party (PDP)

**Rwanda**

Centrist Democratic Party (Parti Démocratique Centrist-PDC)  
Democratic Union of the Rwandan People (Union Démocratique du Peuple Rwandais-UDPR)  
Ideal Democratic Party (Parti Démocratique Ideal-PDI)  
Liberal Party (Parti Libéral-PL)  
Party for Progress and Concord (Parti pour le Progrès et la Concorde-PPC)  
Rwandan Patriotic Front-Inkotanyi (RPF-Inkotanyi)  
Rwandan Socialist Party (Parti Socialiste Rwandais-PSR)  
Social Democratic Party (Parti Social Démocrate-PSD)  
Social Party Imberakuri (Parti Social Imberakuri-PS Imberakuri)

**Senegal**

Alliance of Progress Forces (AFP)  
Front for Socialism Benno Jubel (FSD/BJ)  
Senegalese Democratic Party (PDS)  
Socialist Party

**Seychelles**

Parti Lepep  
Seychelles National Party (SNP)

**Sierra Leone**

All Peoples Congress (APC)  
National Democratic Alliance (NDA)  
Peoples' Movement for Democratic Change (PMDC)  
Sierra Leone Peoples' Party (SLPP)

**South Africa**

African National Congress  
Congress of the People

Democratic Alliance  
Inkatha Freedom Party

***Sudan and South Sudan***

National Congress Party (NCP)  
National Umma Party (NUP)  
Popular Congress Party (PCP)  
South Sudan Democratic Forum (SSDF)  
Sudan Peoples' Liberation Movement (SPLM)  
Sudanese Communist party (SCP)  
United Sudan African Party (USAP)

***Swaziland***

African Union Democratic Party  
Umkhonto wesizwe (AUDP)  
Inhlava  
Ngwane National Liberatory Congress (NNLC)  
People's Democratic Movement (PUDEMO)  
Sive Siyinqaba (Sibahle Sinje, SS)

***Tanzania***

Chama cha Mapinduzi (Revolutionary Party, CCM)  
Chama cha Demokrasia na Maendeleo (Party for Democracy and Development, CHADEMA)  
Civic United Front (CUF)  
National Convention for Construction and Reform (NCCR-Mageuzi)  
Tanzania Labour Party (TLP)

***Togo***

Committee Action for Renewal (CAR)  
Organization to Build a Solidarity Togo in Unity (OBUTS)  
Pan-African Democratic Convention, Togolese Branch (CDPA)  
Rally of the Togolese People (RPT)  
Union of Forces for Change (UFC)

***Uganda***

Democratic Party (DP)  
Forum for Democratic Change(FDC)



National Resistance Movement (NRM)

Uganda People's Congress (UPC)

**Zambia**

Movement for Multi-party Democracy (MMD)

Patriotic Front (PF)

United Party for National Development (UPND)

United National Independence Party (UNIP)

National Restoration Party (NAREP)

**Zimbabwe**

Movement for Democratic Change (MDC)

Movement for Democratic Change–Tsvangirai (MDC-T)

Zimbabwe African National Union Patriotic Front (ZANU PF)



## About International IDEA

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### **What is International IDEA?**

The International Institute for Democracy and Electoral Assistance (International IDEA) is an intergovernmental organization with a mission to support sustainable democracy worldwide.

The objectives of the Institute are to support stronger democratic institutions and processes, and more sustainable, effective and legitimate democracy.

### **What does International IDEA do?**

The Institute's work is organized at global, regional and country level, focusing on the citizen as the driver of change.

International IDEA produces comparative knowledge in its key areas of expertise: electoral processes, constitution building, political participation and representation, and democracy and development, as well as on democracy as it relates to gender, diversity, and conflict and security.

International IDEA brings this knowledge to national and local actors who are working for democratic reform, and facilitates dialogue in support of democratic change.

In its work, International IDEA aims for:

- increased capacity, legitimacy and credibility of democracy;
- more inclusive participation and accountable representation; and
- more effective and legitimate democracy cooperation.

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International IDEA works worldwide. Based in Stockholm, Sweden, the Institute has offices in Africa, Asia and the Pacific, Latin America and the Caribbean, and West Asia and North Africa regions.