



**Women in Political Participation (WPP) Validation  
Policy Briefs Presentations for Kenya and Tanzania  
March 10th and 11th, 2021  
Safari Park Hotel**

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**Research Background**

Despite efforts made to enhance the participation of women in politics in most African countries, women continue to be underrepresented in political seats and spaces. To change the narrative, there is need to raise and sustain awareness to shift the prevailing attitudes, examine obstacles and make proposals for reform and empower identified champions of change, and share comparative evidence that could propel action

**Aim of the WPP Projects**

FAWE, in partnership with the International Institute for Democracy and Electoral Assistance (IDEA) will be implementing a 3-year project on women participation in politics. The project seeks to fulfil the political rights of women in Africa in line with the Maputo Women Protocol of 2003 on Rights of Women in Africa and other various sub-regional protocols and standards including the United Nations Sustainable Development Goals (SDGs). This project is being implemented in 8 African countries, namely Botswana, Democratic Republic of Congo (DRC), Eswatini, Côte d'Ivoire, Kenya, Senegal, Tanzania and Zimbabwe.

**Objectives**

- Develop country-specific policy briefs on the status of women in political participation in Kenya and Tanzania.
- The policy briefs will be used for advocacy purposes.
- The policy briefs are stand-alone documents that are focused on thematic topics.

**Policy briefs on women in public participation in Kenya - March 10th**

To develop the policy brief for Kenya the following approach was taken:

- Desk reviews that included a gender audit of the Kenyan legal enabling framework for WPP space and other decision-making leadership positions were conducted.
- In-depth interviews with numerous stakeholders including sitting and past members of National Assembly and Senate, Kenyan Citizens, Institutions established to oversee elections and promotion of gender equality including the State Department of Gender, National Gender and Equality Commission (NGEC), Independent and Electoral Commission (IEBC), Office of the Registrar of Political Parties (ORPP) and the Kenya Law Reform Commission.
- The results of a situational analysis undertaken by FAWE to inform the program were also considered.

The research conducted by the team led to development of one policy brief on WPP best practices as well as four key stand-alone policy briefs on Women in Political Participation (WPP) in Kenya. For the purposes of these reports, only policy brief summaries are provided with more attention being paid to the inputs from the discussions held and key contributions and recommendations made by the participants.

### **1. The Policy and Legal Framework on Women and Political Participation in Kenya**

The key issues highlighted in this brief included a review of the global and regional commitments of women's political rights; the constitution of Kenya 2010 and gender equality; promotion of political rights and the Kenya electoral system; the law on electoral process in Kenya; legal challenges towards implementing gender equality principle in Kenya and the Building Bridges Initiative (BBI). The report also made some policy recommendations under the legal framework.

#### **Discussion Summary and Recommendations for this brief**

- In considering the Building Bridges Initiative (BBI) there are some key recommendations that could have considerable effects on WPP if the referendum is passed. The use of language such as "shall consider" when referring to gender inclusion for candidates choosing running mates means that the candidates be it male or female are only required to consider but are not required to choose a running mate of the opposite gender. This could lead to further alienation of female candidates as running mates in the gubernatorial races. Use of such language is problematic and could greatly deter the progress of WPP.
- The implementation of the two-third gender rule has not yet been adhered to. To increase inclusivity of youth, women, people with disability and ethnic minorities in accordance to Article 100 of the constitution, there are key steps that must be taken. To start with, political parties should be lobbied aggressively to adhere to the two-third gender rule at all levels of party organization including top party leadership positions. The IEBC should also be more vigilant in ensuring that those violating electoral guidelines are punished accordingly and create more transparent electoral procedures that create equal opportunities for all willing participants.
- Since parties don't fund governor campaigns, the governors are not bound to choose a woman as a running mate. Given the high costs of conducting campaigns women are at a considerable disadvantage even before they enter the field. Implementing campaign spending limit policies and prosecuting those engaging in election corruption might help level the field.
- Deep civic engagement to tell the politicians to make tickets multi-gender rather than constitutionally mandating it because then a woman can choose a woman as a running mate.
- There needs to be political goodwill by those in government as well as the citizens to promote WPP. For instance, in South Africa gender policy is being realized through goodwill of the ruling party without any laws. For Rwanda, the willingness of President Kagame to involve more women in leadership has led to remarkable growth in WPP in the country. For the UK, it is being done with no written constitution. Changing the attitudes of voters towards women in leadership through civic education and highlighting of women leaders in the media, churches, and other forums will help normalize women leadership and dismantle negative stereotypes that are associated with it.

## 2. The Role of Civil Society Organizations and Other Partnerships in Women Engagement in Politics in Kenya

In Kenya, there are numerous CSO's working in different areas and operating at different levels from grassroots to global. They work across all aspects of WPP including legal and policy reforms, advocacy, leadership, capacity building, media engagement, monitoring and accountability among others all of which contribute in different ways to creating gender equality.

Despite all ongoing efforts by CSO's, there are still critical gaps: *Limited coordination*- leads to duplication of activities and inadequate use of the meagre resources in the sector. A respondent noted that "CSOs tend to be reactive and unrealistic"; *Limited resources* - there are many CSOs competing for the same resources in an environment where funding for WPP has or is dwindling. *Challenges of channelling support* - there was a broad-based view among the assessment respondents that the UN, especially the UN Women, has been politicized, some CSOs are considered to be selective in their support for WPP; *Politicization of civil society*- CSOs continue to struggle due to alignment (real or assumed) to particular political persuasions and individual leaders; *Monetization of political processes*: The electorate, the agents, parties and individual aspirants approach the whole process as a way to generate an income – 'to reap from (or milk) the system'; *Short-term view of WPP*-Activities on WPP tend to pick up close to elections and fizzle out soon after.

### Discussion Summary on Gaps and Recommendations for this brief

- FAWE should work with other CSO's and partners to hold the government accountable. They should be ready to take the government to court if diplomacy seems not to work as fast. In working together, they should have a clear timeline on target fulfilment as well as clear criteria for CSO's on how to engage the interested participants.
- The Civil Society space is disjointed as CSO's don't work together. This has led to a lot of duplication of efforts by CSO's and yet the outcomes are not very visible. By working together, there would be more effective use of resources and more cohesive efforts towards lobbying. For instance, while we are launching this forum, the vice lady of Kenya is launching a similar event on the other side without and yet the Deputy Governors in attendance are unaware of this.
- Not all women's needs are the same. To better incorporate the needs of women with disabilities, FAWE should partner strategically with CSO's and government bodies that are focused on the needs of women with disabilities.
- It was noted that the policy brief lacked data and information that was age and disability specific.
- The activities of CSO's need to be continuous through the election cycle rather. This is critical especially in capacity building efforts, cultivation of a media presence and fundraising for campaigns. By the time elections get close, the activities of CSO's support for women running for political positions should be more on the field. Calling women aspirants for boardroom meetings close to elections actually takes away their presence from the field giving their male counterparts an advantage as they remain more present and visible.

- The media needs to be more critical of its portrayal of WPP. H.E Ms. Majale shared a personal experience where the media criticized her for being single. Such focus on trivial aspects take away from the important work that women in office are doing. FAWE and other CSO's should be ready to come out to defend women who are bullied as well as be ready to speak out publicly against media behaviour and attitudes that are damaging for WPP.
- Capacity building with no material support for campaigns is not very helpful to women aspirants. CSO's should find creative ways to provide material support to women aspirants. They should also lobby the government to return the affirmative action fund for elected women and have a campaign fund that targets women running for political positions.
- Have specific programs to mentor those in office, so that they can understand how to utilize the office to the best of their ability so that they can reach other women effectively.
- CSO's should engage political parties on how they can structure and involve women because they are political vehicles.
- Proper documentation and dissemination of information and activities of CSO's. Know which group is doing what and document what they are doing so that we can better synergize e.g. ACTIL already has similar programs to what FAWE is trying to do and the same women in FAWE program are also in ACTIL doing the very same thing. This is wasting resources instead of effectively managing them to support more women. What is FAWE doing so differently? What are the best practices from other CSO's that FAWE can pick? How do we scale up without exactly duplicating?

### **3.The Impact of Women in Political Participation in Kenya**

To know where we are going, it is important to know where we have been and where we are. As women overcome barriers to get into active politics, they continue to face discrimination at different levels. These encounters sometimes make their contribution in parliament and outside parliament difficult, and very challenging as well. The common view, from this assessment, is that women have made a great impact as individuals in presenting and debating motions and presenting gender sensitive bills. Reference can be made to women like Priscilla Ingasiani Abwao who was the only woman who attended the Legco in Lancaster House among others including Dr. Julia Ojiambo, Nyiva Mwendwa, Phoebe Asiyo, Grace Ogot, Prof. Wangari Maathai, Charity Ngilu and Martha Karua whose contribution to framing of the constitutional principle of the not more than two third gender rule has been crucial in promoting WPP. Phoebe Asiyo is remembered for moving the affirmative action motion in Parliament on November 23, 1997. We should celebrate such successes and continue to strive to overcome the challenges that women in WPP continue to face in equal stride.

#### **Discussion Summary and Recommendations for this brief**

- It is important to note that the proportion of women winners is higher. For those women who run, more win compared to men.
- Kenya needs to have a strong women movement - e.g. in South Africa, they have a strong movement such that they can actually summon non-performing women representatives to reprimand them.

- KEWOPA, KEWOSA and County Assembly Women Caucuses have never united to work as one voice of women in the assemblies. There should be an umbrella body of women in assemblies under parliamentary committees so that they can have access to resources
- Need to learn lessons on why these caucus broke down in the first place so that we can rebuild them to be better and stronger.
- Help women to learn how to run early enough so that they don't waste time during campaigns at capacity building meetings.
- Get people to document the journeys of WPP like deputy DG and make documentaries so that those who come after can learn from their journeys. This will also increase their visibility.
- Women leaders are not accessible to mentor young aspirants. Instead, they tend to abuse and use them as handbag carriers instead of helping them to access the political spaces. For instance, H.E. Majala did not get any support from women to mentor her so how can they come to hold her accountable if they weren't there to support her in the first place?
- Focus has been about gender sensitivity and so on for WPP. However, women leaders should be more diverse in their contributions to go beyond gender related issues i.e. have other things that contribute to societal conversations not just issues about women but other sectors.
- The report should include the performance of women with disabilities. What legislation did they champion? Also include organizations for women with disabilities as we bring together women caucus.
- The founder syndrome is a big challenge within women organizations. The founders should exit and let organizations grow beyond them by mentoring the next generation to take over.

#### **4. Context and Reality of Women and Political Participation in Kenya**

The legal framework in Kenya is largely facilitative for WPP. The equality clause in the Constitution (2010), affirmative action and the gender quota, which is repeated in the Chapter on representation in County and National Assemblies and the Senate, provides opportunities for women to participate in the political space. Regardless of the expanded normative commitments by Kenya, women's political rights continue to be undermined by inadequate implementation, institutional barriers, discriminatory social norms, as well as by violence and intimidation of WPP.

#### **Discussion Summary and Recommendations for this brief**

- Cyber bullying of female candidates and electoral violence continue to be a big challenge for WPP
- Coincidentally, the Deputy Governor for Makeni attempted to attend a Council of Governors meeting at the request of her governor. Unfortunately, she was kicked out and not allowed to enter the meeting. It is unclear if this was because she is a woman or a DG. Even though they were elected on the same ticket and her role is to deputize the governor, her power is limited. Deputies are excluded from governors activities yet judged on the same criteria.
- Some of the deputy governors do not have a portfolio and are left out of major decision making processes in the counties.
- In some communities e.g. Luo, campaigns use the vulgar language so women aspirants have to adopt the vulgar language to fit in. If you are not comfortable to do this, then you can easily get discouraged from participating in politics.

- The report should highlight sexual harassment as part of realities that WPP face.
- Politics is an ongoing process and both aspiring and sitting women leaders need to remain engaged and visible throughout the cycle.
- For women in leadership, the support of their partners, marital status, ethnic group, religion and other social aspects can greatly influence their success in leadership. It is unfortunate but until we can manage to systematically change such social constructs, women should learn how to best work from within the system to influence change.

### **5. Women in Political Participation Best Practices**

The context domestication of strategies created to increase WPP in Africa can arguably be considered inconsistent and lacklustre based on the progress of implementation over the years. There are major challenges in reversing attitudes and the underlying principles affecting WPP, due to the social, cultural, economic and religious contexts that continue their perpetuation in society. However, there are African countries such as Rwanda, Namibia, South Africa and Senegal that have made significant strides towards attaining the goal of equity in women's participation in the political space. Comparative statistics on this show that Kenya is still behind in WPP. Some of the challenges holding women back in WPP in Kenya include: Lack of commitment to the constitutional gender provisions; political parties have not invested in women parliamentarians: they have in some cases dissuaded them from competing in the general electoral seats, confining them to women special seats through nominations; CSOs have faced several challenges including limited resources, lack of coherence and partisanship among others. However, progress can still be made by picking and applying what has worked for better performing countries in WPP and learning from their mistakes.

#### **Discussion Summary and Recommendations for this brief**

- Politics in Kenya is still majorly masculinized. The language used is masculine and women are made to believe that they need to adopt a masculine attitude to be successful in politics. This needs to change.
- WPP should package themselves differently without being as equally vulgar as men or changing their personality to be more like men once in office.
- There should be a "*Women Think Tank*" where women from different walks of life come together to serve as advisors for those in politics. Have intellectuals who can support WPP with real points
- We have to deconstruct the political culture, we have just dived into what already existed including the political terms and norms that are biased against women.
- Have forums where we share experiences e.g. you need 25 million Kenya shillings to run for office in some areas but others not as much and the fact that we need to harness our voices well.
- Target people who are just out of college and preparing to become new voters. Focusing on molding leadership in young girls and women will ensure smooth transition and continuation of the legacy of WPP
- Politics can be expensive and by empowering women economically we will increase their chances and ability to engage in politics.

## **Policy briefs on women in public participation in Kenya and Tanzania - March 11th**

### **Approach to developing the briefs**

- Desk reviews that included a gender audit of the Tanzanian legal enabling framework for WPP space and other decision-making leadership positions were conducted.
- In-depth interviews with numerous stakeholders including sitting and past members of Parliament in Tanzania Mainland and in Zanzibar and CSOs actors.
- The results of a situational analysis undertaken by FAWE to inform the program.

Same as for Kenya, the report reviewed five policy briefs with additions and contributions from the one-on-one participants as well as the virtual participants. The attendance and participation for this session was lower and as such there weren't many additional recommendations to this policy brief.

### **1.The Policy and Legal Framework on Women and Political Participation in Tanzania**

The content of this brief included a focus on global and regional commitments of women's political rights; the constitution of United Republic of Tanzania (URT) and gender equality provisions; promotion of political rights and the Tanzania electoral system; the electoral process in URT; legal challenges towards implementing the gender equality principle in URT as well key policy recommendations .

The Constitution of Tanzania domesticates the treaty obligations and it has ratified numerous international and regional treaties touching on WPP and leadership. Further URT has put in place electoral laws, rules and regulations, election-monitoring bodies and regulations of political parties to ensure fair, free and credible elections. The Constitution of Tanzania (1977 CURT) promotes party and legislated quotas for the single/lower house and at the sub-national level. The general principles for the electoral system include the equality principle that provides that women members must not make up less than 30 percent in the National Assembly (Article 66 (1) (b) of CURT).

Progress in WPP has been derailed by various legal and policy challenges. Some of these include: Lack of specific Article in CURT that requires parliament to enact legislation to promote representation of women, persons with disabilities, youth and marginalized and ethnic minorities; Lack of knowledge, skills and poor attitudes are some of the key barriers to the enhancement of WPP; Women special seat MPs are seen as primarily representing their political parties and not their "special" constituencies; The Electoral commission in its reports has noted the lack of adequate resources to undertake effective voter education and has called on increased partnership with CSOs.

As FAWE enters the field to work in WPP in Tanzania the report recommended that they should:

- FAWE should also seek to work closely with the Tanzanian Parliamentary Working Group to increase their capacity to facilitate WPP
- Since the 30% has been abused and used as a way to alienate female candidates from competitive political positions, FAWE should work with those in office to encourage them to seek out other electoral positions.
- Work with NEC and other CSOs, especially TWPG and its equivalent in Zanzibar Association of Women Members of the House of Representatives, to provide voter and civic education mainly directed at women to bolster their understanding of processes and regulations pre, during and

post-election. FAWE should find mechanisms to educate WPP stakeholders on the use of the internet as a means of enhancing WPP.

- Engage with political parties' leadership and the Registrar of political parties to activate the women leagues within political parties. Political parties are pathways to WPP and women need to have a great voice that will facilitate and influence socio-cultural factors within communities that hinder women from contesting in politics.
- Engage with Women Parliamentary Caucuses, the TPWG and the Association of Women Members of the House of Representatives in Zanzibar, to propose an amendment to the law to enable women on special seats to also get considered for positions of chairpersons of parliamentary committees

## **2.The Role of Civil Society Organizations and Other Partnerships in Women Engagement in Politics in Tanzania**

In Tanzania there are numerous CSO's working in different areas and operating at different levels from grassroots to global. They work across all aspects of WPP including legal and policy reforms, advocacy, leadership, capacity building, media engagement, monitoring and accountability among others all of which contribute in different ways to creating gender equality. Despite all ongoing efforts by CSO's, there are still critical gaps: *Limited coordination*- leads to duplication of activities and inadequate use of the meagre resources in the sector. A respondent noted that "*CSOs tend to be reactive and unrealistic*"; *Limited resources* - there are many CSOs competing for the same resources in an environment where funding for WPP has or is dwindling. *Challenges of channelling support* - there was a broad-based view among the assessment respondents that the UN, especially the UN Women, has been politicized, some CSOs are considered to be selective in their support for WPP; *Politicization of civil society*- CSOs continue to struggle due to alignment (real or assumed) to particular political persuasions and individual leaders; *Monetization of political processes*: The electorate, the agents, parties and individual aspirants approach the whole process as a way to generate an income – '*to reap from (or milk) the system*'; *Short-term view of WPP*-Activities on WPP tend to pick up close to elections and fizzle out soon after. The report made some key recommendations discussed below to remedy this situation. They include:

- *Work with other like-minded CSO's*: Given that CSO's had a lot of difficulties in the last election they should try to tailor-make the program specific to needs on the ground. This should start by FAWE holding a partners conference in Tanzania to come up with solutions that are informed by experiences of those on the ground.
- *Document the needs of WPP and provide targeted support*: The current approach of some CSOs and partners developing and funding programs without contextualizing the needs of the voters and women politicians needs urgent redress .
- *Take leadership in the knowledge arena*: CSOs (including caucuses and development partners supporting WPP) should take leadership in shaping people's minds. For instance, FAWE could work with partners to organise regular meetings to develop a common agenda for WPP in the country.



- *Innovative financing strategy:* FAWE should work with partners interested in WPP in Tanzania to look at best ways to raise funds that will enable women participate fully and freely in politics.
- *Partner with political parties:* Although political parties have their own challenges, they are still the key vehicles women use to ascend into political office .
- *Democratize and institutionalize engagement with the media:* FAWE could liaise with Tanzania National Assembly and local authorities (both urban and district), Media Council of Tanzania (MCT) and other CSOs to develop content for training women political leaders on the role of the media

### **3.The Impact of Women in Political Participation in Tanzania**

As women overcome barriers to get into active politics, they continue to face discrimination at different levels. These encounters sometimes make their contribution in parliament and outside parliament difficult, and very challenging as well. The common view, from this assessment, is that women have made a great impact as individuals in presenting and debating motions and presenting gender sensitive bills. Some of the bills have been enacted into law. For the first time in the history of Tanzania, in 2015, Tanzania got its first Vice President Hon. Samia Sululu Hassan. The appointment came with mixed reactions as to whether indeed the gesture of appointment was to promote women’s rights, since the feminists had doubts on the government’s approach to promoting women’s rights.

Participation of women in politics has various gains. For instance, women’s entry as MPs leads to appointments in other leadership positions, e.g. as minister's national and at regional and international levels. They also get to participate in the legislative process and contribute towards growing a strong women movement and acceptance of women leadership in community as well as influencing public policy and participation. Despite these successes women continue to face various challenges. For instance, women empowerment efforts have not translated into empowerment of women to run and get elected in competitive constituency or ward-based seats. Failure of the electoral regime to provide a conducive running environment coupled with negative stereotypes associated with women leadership have further hindered these efforts and reduced their visibility in public life. To rectify the situation the report makes the following key recommendations:

- Support the training and induction of women who have joined politics following the national elections in 2020 .
- Work with other like-minded CSOs to undertake targeted community civic and voter education
- Engage with TPWG and the Zanzibar Women Parliamentary Association by leveraging on available resources to promote their programs towards enhancing WPP
- Work with the parliamentary women associations and lobby to entrench a gender committee within the house standing orders. The membership should include men and women as a long-term process of male engagement .

- Continue to support mentorship activities by TPWG. This will facilitate interaction between the older women legislators, current legislators and aspiring legislators for capacity building and handholding.
- Contribute towards profiling and disseminating the great achievements made by Tanzania women
- Engage Political Parties to Undertake a comprehensive gender audit of the party.
- Advocate for strengthening of the regulatory framework for public funding and support to women in politics

#### **4.Context and Reality of Women and Political Participation in Tanzania**

The legal framework in Tanzania is largely facilitative for WPP. The equality clause in the Constitution, affirmative action and the gender quota, which are replicated in the local government elections (sub-national level) under the Local Government (Elections) Act, Cap 292 R.E 2015 and the Local Authorities [Councillors Elections] Regulations 2015, provide opportunities for women to participate in the political space. The nomination seats to National Assembly and Local Government Authorities, which have been used by political parties to bridge the gender gap, address inequality and have shaped changed perceptions on the capacity of women to succeed in the political space. In the same light, WPP is also affected by the social constructs on the ground; the political awareness of women as well as the influence of the media on the portrayal of women in WPP.

The reality of WPP in Tanzania is that women face numerous challenges in their participation. Some of these include:

- In Tanzania the special seats are regional. The special seats include constituency seats that are allocated by political parties to women, based on the proportion of the vote that the party has received. An unintended consequence has been that it is hard for women to contest constituency seats as they are deemed already to have a place
- There is lack of a supportive environment for women.Parliament can be hostile against women even on the floor of the House
- Women lack the resources to solidify their electoral bases. Elected MPs have access to more funds than the nominated ones since they are considered not to have much to do as they have no constituencies.

Some recommendations made by the report to remedy this include:

- Enhance awareness on WPP at all levels
- Engage with political parties on WPP.
- Enhance the skills of women political aspirants
- Support the mentorship initiative in the country
- Engage with the media at all levels
- Address violence against women aspirants
- Creatively consider support towards financing women aspirants.

## 5. Women in Political Participation Best Practices

The context domestication of strategies created to increase WPP in Africa can arguably be considered inconsistent and lacklustre based on the progress of implementation over the years. There are major challenges in reversing attitudes and the underlying principles affecting WPP, due to the social, cultural, economic and religious contexts that continue their perpetuation in society. However, there are African countries such as Rwanda, Namibia, South Africa and Senegal that have made significant strides towards attaining the goal of equity in women's participation in the political space. Although Tanzania ranks ahead of Kenya in promoting WPP they are still facing some challenges. For instance:

- Political parties have not supported women parliamentarians fully to realize their potential in WPP. They have in some cases dissuaded women from competing in the constituency and ward specific seats, confining them to women special seats;
- In preparation for the 2020 elections the CSOs, more so human rights organizations, had a difficult time operating in the country due to the animosity that was created between them and the ruling party. This may have affected the support towards women candidates;
- Violence against women vying for political office and police brutality have continued to make it difficult for women to safely run for office;
- Persistent social, cultural and religious norms make it difficult for women to gain support for political campaigns; and
- The media has on many occasions perpetuated the negative norms against WPP.

Some of the recommended solutions to the situation include:

- Support CSOs to formulate strong women movements to continuously hold the Government accountable. The support should focus on working with political parties to ensure women are considered for constituency specific seats and only use the special seats as a stepping stone to get into politics;
- Advocate for and support of gender machineries, including the ministries responsible for women's af-fairs to advance gender mainstreaming, including WPP with great focus of persons with disabilities and other marginalized groups;
- Offer capacity building to female candidates and support them to access to mass media as a great platform of advocacy;
- Support mentorship programs (there is one in place under the TPWG) through which successful female politicians encourage others to run for office; and to mentor the young upcoming youth leaders; and
- Enhance the capacity of male involvement to support WPP to avoid the focus on WPP as women issues.