



National Dialogue on Political Parties' Internal Democracy in Kenya

International IDEA Policy Dialogue
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Acronyms

CMD	Centre for Multiparty Democracy (Kenya)
FORD	Forum for the Restoration of Democracy (Kenya)
IEBC	Independent Electoral and Boundaries Commission
NARC	National Rainbow Coalition (Kenya)
NGEC	National Gender and Equality Commission
NIMD	Netherlands Institute for Multiparty Democracy
ODM	Orange Democratic Movement
RPP	Registrar of Political Parties
SWAPO	South West Africa People's Organization

Contents

Acronyms	3
Introduction	5
Session 1: Opening session	6
Session 2: Comparative analysis of political parties through a gender lens	8
Session 3: Contextual analysis and overview of the implementation of the constitutional principle on gender parity in elections and politics	11
Addendum to Session 3: Assessment of the electoral framework	14
Session 4: Political parties' internal processes and practices	17
Day 2: Recap	19
Recommendations	22

Introduction

The National Dialogue on *Political Parties' Internal Democracy* was jointly organized by the International Institute for Democracy and Electoral Assistance (International IDEA) and the Centre for Multiparty Democracy (CMD-Kenya) at Enashipai Lodge in Naivasha on 18–19 October 2016. The meeting brought together key actors in Kenya's electoral process, such as representatives from political parties, the Office of the Registrar of Political Parties and the Independent Electoral and Boundaries Commission (IEBC). It was addressed by, among others, the Principal Secretary for Gender Affairs, a representative of the State Department on Gender Affairs, a representative of the Ministry of Youth and Gender Affairs, the Chair of the National Gender and Equality Commission and a representative of the IEBC. The meeting was also addressed by technical experts such as the Senior Programme Manager working on democracy and gender at International IDEA, the Programme Officer in charge of work on inclusivity at CMD-Kenya and a consultant on political party strategies from the University of Nairobi. The Dialogue was part of a joint project being implemented by International IDEA, the Netherlands Institute for Multiparty Democracy (NIMD) and CMD-Kenya, 'Respect for Women's Political Rights: Fostering Political Environments for Equal Participation and Leadership by Women in Political Parties', which is currently being implemented in Colombia, Kenya and Tunisia.

Session 1: Opening session

The central theme of the dialogue was gender in political parties' intra-party democratic processes, internal systems and practices. During the opening session, which was addressed by the Director of CMD-Kenya and moderated by International IDEA's Senior Programme Manager for Kenya, it was noted that the Dialogue aims to be a platform for collective reflection and consensus-building by key political stakeholders on parties' internal procedures for nominating candidates in Kenya. The idea is to foster compliance with the constitutional provision that not more than two-thirds of the members of any elected or appointed body shall be of the same gender. The CMD-Kenya Director stated that the aim of the meeting was to enable its participants to:

- Analyse intra-party democracy processes and systems to identify the gender-based impediments to accessing elected positions of power and decision-making at all levels in Kenya;
- Assess the state of regulatory frameworks to increase the nomination of women candidates and devise measures/mechanisms for monitoring political parties' nomination processes; and
- Define the key elements that will be required in political parties' strategies to achieve gender equality in candidate nomination in Kenya

The need to develop a consensus was emphasized and the dialogue was seen as one way of making the journey towards such a consensus.

Speaking during the same session, the Chair of CMD-Kenya, Omingo Magara, praised the significant role played by the partners who put together the dialogue and bluntly stated that as a country, Kenya, and specifically its political parties, is only paying lip-service to women and gender equality. He reflected on the various parliamentary bills that have sought to give effect to the two-thirds gender principle, such as the Duale Bill, and concluded that the failure of parliament to pass them demonstrated clearly that, as a country, we do not mean what we say. He added that there is still hope, however, and that the only missing ingredient is the political will necessary to achieve this objective. He recommended producing a scorecard to take note of and determine 'who is preaching water but drinking wine'.

Speaking on behalf of the Regional Director of International IDEA, Gram Matenga, a Senior Programme Officer at International IDEA, noted that the presence of all the participants demonstrated the importance they attached to the theme of the meeting. Speaking about International IDEA and what it represents, he emphasized the need for special provisions to ensure the participation and representation of women in Kenya's political processes. He cited patriarchy and the attitudes it fosters as undermining

women's participation. Matenga highlighted the key barriers to women's representation and participation. Women are expected to either nominate themselves or be selected as candidates by political parties; and must then be elected by the voters. At each stage, women face particular incapacities and obstacles. The most effective route is selection by political parties; but few parties have systematic mechanisms for selecting party candidates. Many parties use informal methods that are often unfair. This explains the poor level of representation by women in political parties and makes the new constitutional provision on gender parity a notable milestone. Matenga expressed the hope that the dialogue would help to encourage the realization of the gender parity provision.

Session 2: Comparative analysis of political parties through a gender lens

Rumbidzai Kandawasvika-Nhundu, Senior Programme Manager at International IDEA, gave a broad presentation on a comparative understanding of women's participation through a gendered lens. Range Mwita, Programme Manager at CMD-Kenya, focused on in-country experiences of gender representation among political parties. Both noted that the wide disparity between party rhetoric and practice was a matter of concern. The rhetoric is very good but action falls well short. They attributed this to the attitudinal assumption that men are born inherently competent and therefore deserving of absolute control over the political sphere, and especially of political parties. Thus, when the constitutions of political parties are examined, as well as their rules and regulations on elections for internal positions and their party manifestos, gender equality is an integral principle or one that anchors party values and ways of doing things. Once it has been put on paper, however, little is done to realize the letter and spirit of what is written.

Drawing on what political parties in the region are attempting to do, Kandawasvika-Nhundu noted that voluntary party quotas are being implemented in 53 countries, although only a select number of these countries is in Africa. Even where political parties have these measures, however, most of them do not implement their own rules. For instance, the six most senior positions in political parties rarely observe the rules on gender representation, perhaps with the exception of the African National Congress in South Africa, which comes close. The presentation revisited the demographic argument that women and youth should vote for themselves, noting how inimical such thinking is, and previous serious discussions of the complicated political processes that produce gender imbalances in representation. Gender cuts across numerous relations, and voting cannot be allowed to operate strictly along biological male versus female lines. She reiterated the centrality of gender as a value, and as a democratic and human rights issue. Gender awareness in political parties is crucial. Men have no reason to fear equality. If gender is not internalized in political parties, she concluded, nothing will change.

The presentation emphasized the need to institutionalize gender policies within parties, and to enhance and redefine the role of women's wings in political parties. This helps to avoid the idea that the kitchen has moved from the home to the political party, and that women's roles in political parties persist in mimicking their domestic roles. It is well known that there are 'secret spheres of decision-making' within politics and political parties where issues are canvassed and decisions arrived at before they are presented publicly, and this undermines the possibility of women being selected or elected. Borrowing from the political party systems that work for women, such as in the South West Africa People's Organization (SWAPO) in Namibia, which has 47 per cent

women's representation, Kandawasvika-Nhundu recommended the use of proportional representation. She cited the example of Namibia's 'zebra system', which requires that if a minister is a woman, the deputy minister must be a man, and vice versa; and that these positions must be switched in the subsequent cycle. This cannot be achieved, however, if the issue of women's representation is still seen as exclusively a women's issue. She concluded by emphasizing the importance of the media as a driver of the gender equality agenda. The gains that can be achieved by implementing key gender equality principles are enormous and make gender a democratic imperative.

Range Mwita noted that Kenya's political parties are doing some work to ensure compliance with legislation and legal requirements to promote gender equality, but still face challenges linked to their embedded organizational culture. Key among these is the framing of political parties as male-dominated organizations in which women can only be accommodated. This is a challenge that can be traced back to attitudes embedded in patriarchal contexts where politics is constructed as a male-only game and women are understood as belonging or assumed to belong in the kitchen. Little can be done to alter this situation while political parties' accountability mechanisms remain weak, the parties lack gender-responsive plans and there is a lack of political education to ensure informed and effective participation.

Mwita decried the influence of money in politics, noting that the high cost of elections has a direct bearing on gender equality and electoral democracy. Political parties see nominations as business ventures. Where they speak about altering this situation, they rarely go beyond the rhetoric to ensure that what is said in party documents is carried out. He called on the IEBC to ensure that political parties comply with their own internal rules and those that guide their operation. He cited the issue of violence, noting that violence during the electoral process, particularly party primaries, deters effective participation by women and must be punished. Finally, he emphasized the need to ensure compliance with the rule on 30 per cent financing for women. However, he wondered where parties are expected to find the funding when only three or four parties qualify for state funding.

There were several questions and requests for clarification during the discussion that followed. One participant sought more information on the zebra system, and whether it could be adopted in Kenya. Another commented on the importance of the electoral system and what it means for women. Could a system of proportional representation be tried just within political parties? A contributor regretted the fact that the Kenyan Constitution fails to endorse proportional representation, as this has allowed Kenyan political parties to persist with tribal inclinations. Another questioner asked what measures will be needed to curb existing backward socio-political tendencies, traditions and customs that leave women unable to participate effectively. He noted that there is no one-size-fits-all solution to traditional or customary attitudes or practices. It was observed that political parties are voluntary political organizations made up of people who sacrifice their time to run them. The expectation that they must do something to finance women does not sit well with their lack of funds. Reiterating this point, another participant noted that political parties' lack of resources makes it difficult or impossible for them to implement many decisions. However, it was also observed that all political parties have some funds and the issue rests with where they place the question of gender parity among their priorities.

The session also candidly reflected on the issue of hypocrisy. Reflecting on the relationship between political parties and women, one participant noted that women tend to run away from some parties and wondered whether the problem is with the party or the women who run away. Do the parties provide an environment that is conducive to women feeling secure? Some interjections traced the challenge of women's representation to the nature of Kenyan politics since independence and argued women have been oppressed since then. Everything that has happened since has been the stuff of lies, hypocrisy and lip-service. The challenge lies not just within political parties. The same is also true of the media, which was described as being against women.

The argument was made that women must fight for their rights and should not rely on men granting rights to women. Part of the challenge, it was observed, is the need for Kenyans to unlearn their negative gendered attitudes by, for instance, teaching children to be aware of their rights, which would transform the landscape. One participant wondered how an intervention for women could be carried out, however, as he thought that democracy was to enable people to elect leaders. If we micro-manage and dictate to constituencies who they should elect, in this case women candidates, are we not contravening the meaning and implications of democracy?

At this point, the intervention of Martha Karua reiterated that, as a country and as political parties, we pay lip-service to gender issues. Being gender sensitive does not come with being a woman. We are raised to believe in men first; and the privilege of masculinity comes with patriarchy. Political parties, she argued, are the worst enemy of women as they obstruct good women candidates. She stressed the need to deconstruct patriarchy by looking at what we do in our homes and translating good gender-sensitive practices at home into public life.

For women to participate effectively, political space must be taken not given. Elaborating on the issue of representation, Karua observed that political parties technically comply with the gender rule but all decision-making remains with the men. The women's/ youth leagues in political parties are weak just like the parties themselves are weak and struggling with the basics, such as maintaining offices and staff. She urged innovative ways of handling this and dismissed as clichéd the argument that women have no money. Money has to be mobilized. She reiterated the need to go beyond the logic of training women to instead bring them together to affirm each other and strategize. To demonstrate party commitment, she recommended that every party obey the gender rule from the county level all the way to the local unit by sponsoring women candidates that meet the constitutional threshold. She identified two forms of violence: verbal and physical. Finally she added that the media is critical. She wondered why the CMD did not have a monitoring unit to partner with the Association of Media Women in Kenya in order to monitor the media coverage of women. Finally, she dismissed tokenism, which she observed has achieved no serious results. The number of women currently in parliament does not reflect the effort put in to get more women there. Tokenism is no solution.

Session 3: Contextual analysis and overview of the implementation of the constitutional principle on gender parity in elections and politics

The Principal Secretary at the Department of Gender Affairs, Zeinab Hussein, gave the keynote presentation, which was followed by a discussion. After providing an overview of the ministry and its mandate, she discussed the key areas of intervention prioritized by the department. These include women in decision-making, socio-economic empowerment, gender-based violence, and peace and security, including an emphasis on the Kenya National Action Plan on Women in Peace and Security. She noted the need to focus on women in political spaces. Referring to the McKinsey Report, *Women Matter: Africa*, her presentation identified several barriers to women's representation and highlighted the key actions that need to be taken. Overall, the Department of Gender Affairs had zeroed in on violence, financing, attitudes and socialization as key barriers for women. As a result of these barriers, Zeinab Hussein reiterated the point that women are not taken seriously and the things that matter to women are not taken seriously either. The need for a new seriousness about women's issues cannot be over-emphasized and she urged Chief Executive Officers to take women's matters seriously at that level, since there is a compelling case for women in politics. Most importantly, however, she discussed the need for evidence-based interventions. Executives must lead and make purposeful interventions to ensure that women take on leadership roles.

Among the barriers that need to be addressed are those that touch on mindsets about men and women and their roles, the legislative framework, political party establishments and gender-based violence, which is perpetuated by the above mindsets, frameworks and establishments. She emphasized the urgent need for programmatic interventions that are sustainable, embedded in institutions and outlive elections. She called for an expert study to examine ways of creating a national strategy for women's political leadership in Kenya. She acknowledged that government cannot do everything and the need for concerted efforts by state and non-state actors. There are, however, targets to work with that make accountability a critical ingredient. Among the targets she discussed is the aim to have three women Governors and seven female Senators, and to increase the number of women single constituency Members of Parliament elected from 17 to 46. It is envisaged that there will be a huge role for non-state actors to play in this programme.

The Department of Gender Affairs has therefore adopted a new strategy that requires participation in elected bodies, but with an emphasis on deliberate efforts. Political parties are at the centre of facilitating the entry and ensuring the meaningful inclusion of women. Zeinab Hussein acknowledged that the two-thirds gender principle is being frustrated but the department has not given up. As a way forward, the department has re-examined the Duale Bill with the aim of finding solutions to those elements that are irritants. It has also engaged the Attorney General (AG) to revise these elements in a new bill. However, she cautioned that Affirmative Action cannot last forever. She urged more deliberate efforts that keep the pressure on political parties to adopt a nomination process that is fair to women and to make a commitment to reserve 30 per cent of their seats in their strongholds for women.

Some building blocks for concerted action are already in place. There are currently nine female Deputy Governors, but they are invisible because they have no role to play. In fact, the spouses of Governors are more visible than the Deputy Governors. There is a need to define and strengthen the role of Deputy Governor through a specific allocation of roles to ensure that they enjoy the visibility they deserve. Furthermore, the zebra approach discussed above should be encouraged so that a single gender does not occupy the position of Governor or Deputy Governor. In addition, other mechanisms that have not worked need to be re-evaluated. For instance, the women's and youth wings of political parties have never been mainstream and they do not participate in parties' decision-making processes. In order to change this, the department is driving the process by speaking to the media and engaging in community dialogues.

Interventions during the discussion emphasized the need for greater partnership between the ministry and key partners such as CMD-Kenya. Success in pushing the gender agenda depends on platforms like this. Furthermore, it was observed that the ministry requires change champions. Indeed, for women's leadership to expand and for the advancement of gender equality to succeed, the full involvement of men and boys is essential. There is a need to tap into existing male forums to get them to help change outcomes for women. Zeinab Hussein called for those present to sign up to HeForShe, the United Nations-initiated solidarity campaign for the advancement of women.

Participants reiterated the need to use the Dialogue to find a resolution to how to get more women elected, not nominated. They argued that the President must play his role when the next gender bill goes before parliament, by showing his commitment to the women of Kenya. In addition, the need for all political parties to comply with the two-thirds gender rule in every county was restated. Zeinab Hussein was cautioned against holding the basket fund for women, instead allowing the fund to be held by a consortium of civil society organizations and drawing up rules for its management. It was clarified that it is the role of the department not to hold funds, but to fundraise.

Participants argued that the constitution has enacted the two-thirds gender principle but impunity is preventing its realization. This culture of impunity persists even in those political parties with some level of women's representation. Accountability mechanisms are critical to dealing with impunity. Thus, even as we strategize to bring a bill back to parliament, it is crucial to avoid the danger of impunity finding its way through the provisions on the progressive realization of the two-thirds gender rule. It was acknowledged that proponents have not managed to secure public backing and the interest of the media. There is a need for greater or more sustained pressure to pass

the bill. Broadly, therefore, there is a need for a framework of sustained engagement for equality, a concept that, it was agreed, is broader and covers issues that go beyond appointing and electing individuals.

Addendum to session 3: Assessment of the electoral framework

This session heard presentations from the National Gender and Equality Commission (NGEC), the IEBC and the Registrar of Political Parties (RPP). The NGEC Chairperson, Winfred Lichuma, expressed appreciation for the support received from political parties, especially on the two-thirds gender rule, even though the bill to implement it had not originally been supported. She focused on the context of the challenge, highlighting the fact that a majority of the political parties did not hold primaries in all seats in 2013, and that where they did take place they were not properly managed. Consequently, the handling of party lists was also not well managed by the IEBC and the parties, forcing the NGEC to go to court. A majority of people did not know how the party list was prepared. As it turned out, some party members nominated themselves while others had the lists changed even once it was at the IEBC.

We seem to be moving towards the 2017 election without achieving the provisions of the two-thirds rule. If we go into the election without clarity on this provision, there is a good chance that the parliament will be declared unconstitutional. The time to fix this issue is now. There is no doubt that the number of women has increased, largely due to the constitution. By now, however, we also know the reasons why women do not get elected and we should know how to fix the problems. Instead of doing this, there is procrastination and excuses are made to avoid the issue. For instance, a socio-economic report by parliament makes the case that we are over-represented and recommends that the number of affirmative action seats is cut. Furthermore, there is danger looming in the attempt at negotiated democracy that is taking place in the north-eastern region of Kenya. These proposals have no women included in the negotiated outcome.

Lichuma wondered whether there is a need to train women candidates or in fact women need concrete support to run successful campaigns. She zeroed in on the need for strong institutions, noting that parties need ideologies and should have a gendered agenda. She challenged the tendency to zone women and argued that we want women in the mainstream and a fair nominations process. She concluded by calling for a partnership between women and men.

Salome Oyugi of the IEBC made a presentation on assessing the electoral framework for gender inclusion in political party nomination processes. At its core, the legal/regulatory framework in the country guarantees equity and privileges the rights of all to fairness and fair representation. She referred to the Advisory Opinion under Application no. 2 of 2012, which underlines the need for a gradual or phased attainment of the two-thirds gender goal. The challenge, according to Oyugi, is that Kenya's history is littered with exclusion, and all efforts in parliament to secure an incremental increase

in the representation of women have failed due to male dominance. The system of allocating seats to address specific inequities requires political parties to work under the supervision of the IEBC, but the numbers are negligible in terms of addressing the challenge ahead. In fact, the laws themselves are conflicted—they have different provisions that make ensuring gender equity a complicated process. Analysing the 2013 electoral experience, Oyugi argued that even though the constitutional and electoral legislative frameworks introduce a duty and responsibility to ensure gender inclusivity, the number of female candidates standing and the election outcome show the need for immediate mechanisms of redress before the 2017 election.

The presentation reiterated the key challenges and barriers facing women when seeking elected office. It used statistics to show that the numbers remain very low and discouraging. Talking about strategies to enhance women's access, the presenter indicated that the IEBC is seeking to put standardized rules and regulations in place that would have the force of law and bind political parties to ensure fair nomination processes and promote equal representation of all special interest groups, as set out in article 100 of the 2010 Constitution. Streamlining the legal framework will be critical to this endeavour.

The Registrar of Political Parties, Lucy Ndungu, was the final speaker on the panel. She spoke about incentives to ensure that political parties comply with IEBC regulations and adhere to the two-thirds gender principle. Since the 2010 Constitution mandates this principle, she endorsed the need for structured political party constitutions; and to align party constitutions with the two-thirds gender principle. She also highlighted that political party policy documents must be filed with the RPP and must contain plans for ensuring compliance with gender and related provisions.

The Registrar addressed the question of how to ensure that political parties adhere to the gender principle. She identified a checklist for gender compliance and argued the need for consultative meetings to ensure that parties understand and comply. She also raised partnerships, suggesting a need to partner with UN Women to devise a tool for monitoring compliance. The Registrar's office is currently looking at party membership with a view to cross-checking the basics on compliance. While noting that technically speaking parties do comply, she wondered how to ensure that party lists include marginalized groups and are cascaded to the grassroots. After all, party lists come from the party membership. She noted that her Office is working with the IFES to revamp party lists. The need for monitoring is also urgent, and monitors at the county level are carrying out visits to ensure that county party offices exist and are working well. The RPP is also auditing party offices to ensure that they have documents talking about gender inclusion at all levels.

She called on the parties to work with the IEBC at all levels. Funding remains a major challenge since only four parties are receiving funds, but the fund for special groups is not utilized as well as it could be. She stressed that the 30 per cent of funds meant for these groups must be used for the intended purposes. Finally, she noted that political party dispute resolution has been given an enhanced mandate, and that all the parties need to do is ensure that their constitutions are adhered to.

During the discussion, participants were concerned that election campaign finance regulations seem to focus on those with big money; the ceilings are unrealistic and can encourage vote buying. Participants stressed that dispute resolution should never be with the IEBC. They argued that the IEBC should concentrate on its mandate and let parties handle disputes. Parties can then co-opt whoever they need to assist, including the Association of Arbitrators of Kenya and the Law Society of Kenya. Others felt that while it is difficult for the IEBC to run elections and manage the internal affairs of political parties, the constitution has given the IEBC a mandate to supervise party elections. Parties should be allowed to take advantage of the existing resources of the IEBC, especially if they cannot afford specific items such as ballot boxes.

The issue of party lists was raised repeatedly, in particular the confusion that arises when the IEBC requires new lists. Participants criticized the requirements around lists for calling for too much too quickly. On voter education, it was argued that the key stakeholders undertaking voter education should partner with political parties through CMD-Kenya. Arguing against a generalized education qualification, one participant argued that qualifications must reflect the profile of Kenya, since educational attainment does not translate in the same way across the country. Nor does it necessarily translate into integrity.

Session 4: Political parties' internal processes and practices

This session was made up of presentations by representatives of various political parties: the Orange Democratic Movement (ODM), Jubilee, the Agano Party, the Forum for the Restoration of Democracy (FORD-Kenya) and the National Rainbow Coalition (NARC-Kenya). Each reflected on its internal party arrangements as they relate to women's representation. Citing the ODM National Elections Board as a key organ of the party, the ODM speaker noted that the Board is chaired by a woman and two of its five members are also women. He stated that the National Elections Board has leeway to reduce the nomination costs of youth and women and can give preference to women, youth and people with disabilities. The biggest challenge is setting aside women-only constituencies, which is very difficult to implement. Constituencies will not agree to be set aside for women. Thus, the party focuses on free and fair nominations, does not allow direct nominations and ensures that as many women as possible are given opportunities.

Speaking for Jubilee, Veronica Maina noted that there had been a systematic overhaul of party structures when 12 previously independent parties coalesced into a single party. This had provided a chance to negotiate a new party constitution. A woman led the secretariat for the merger process and the party negotiated how it wanted women to be viewed and treated by Jubilee. While they did not achieve a 50:50 balance, they did implement the two-thirds gender rule. The option of a women's league, however, was not taken up as it was thought to have the potential to cocoon women in a small side grouping. The National Election Board will be constituted to respect the two-thirds rule, cascading from top to bottom. In addition, nomination costs will be variable so that women pay slightly less in some positions.

The Agano Party stated that its election board has two male and two female representatives. The Secretary General of the party is a woman. The party is not affected by male domination commonly known in Kenya as the 'big boy syndrome'. It is looking into the idea of proactively mobilizing resources. Its constitution and rules on nominations observe the two-thirds gender rule.

Speaking on behalf of FORD-Kenya, Carol Odour noted that the party had embraced the issue of gender before the implementation of Kenya's 2010 Constitution. It promotes the full participation of women and seeks to hold members accountable. The party slogan, *usawa, haki na ukweli (equality, rights and truth)*, reflects and seeks to capture this conviction. The party has a women's league (which has male members). The party aims to dedicate seats for women at the constituency level. Party nomination rules are very firm on the two-thirds gender principle. It has also considered waiving

nomination fees, although it is aware that this can have negative implications since it can be disenfranchising.

Finally, speaking on behalf of NARC-Kenya, Martha Karua noted that the party is keen on moving from setting out policy to action. It is now aiming for a 50:50 balance and recognizes that the two-thirds principle is just a minimum. This balance is to be maintained from the top to the branches, wards and polling stations. The party is recruiting and training candidates at all levels. Resistance among women to the issue of standing as a candidate is a real problem, due to their treatment by political parties and voters. The party acknowledged that it is difficult to develop women candidates. Karua mentioned its history of training women who then move to other political parties, although this still achieves the objective of increasing the number of women in leadership positions. She emphasized the need for a nomination process that works consciously to ensure that it is fair to women, youth and persons with disabilities. The party is committed to working hard to ensure that it is gender inclusive. Karua noted that when women do well, it is not the equivalent of achieving male standards; women's standards are much higher. She concluded by noting that women must be themselves and avoid conforming to male standards.

During the discussion session, concerns were raised about parties that are notorious for invoking direct nomination for some candidates in order to avoid party primaries. Worries were also expressed about parliament undermining the foundations of gendered rule as articulated in articles 97 and 98 (1) of the Kenyan Constitution, by reducing the numbers or changing the constitution to remove the two-thirds gender requirement. Some participants felt that no one is encouraging women to put themselves forward for elected seats. A major drive is needed to encourage women to register as voters and do everything to encourage women to stand for office. The SAFINA Party pointed out that it gives youth and women free nominations even though it is a poor party. Participants commended NARC-Kenya for including targets and working to achieve them. Developing women candidates, it was observed, has worked very well for NARC-Kenya. Parties were urged to move away from locking women up in leagues and related forums, replacing them with inclusive and ungendered discussions. The idea of creating *Waremba na Uhuruto* (*Women together with President Uhuru and Ruto*) was frowned upon. One participant described this as a flower girl mentality; others as an approach that objectifies women. The new constitution holds members to account in their manifestos and this should be turned into a serious undertaking. To upscale women's participation, a two-pronged approach to encourage women into politics should involve getting those who can afford it to contest and those who cannot to be sponsored.

Day 2: Recap

Day 2 began with a recap of the key outcomes from day 1. The rapporteur summarized these as follows:

- The political parties represented acknowledge that the current environment, defined as it is by patriarchy and patriarchal attitudes, undermines, stifles and restricts women's political participation and, in many ways, prevents many from realizing their full potential as political actors seeking to play an equitable role in political leadership;
- The political parties represented agree that the work of ensuring gender parity is crucial, urgent and worth the commitment of all actors, both state and non-state.
- Political parties, representing as they do the most critical constituency, will continue to play a critical role in enhancing women's participation and leadership according to the provisions of the constitution and related supportive laws, and to develop effective frameworks for facilitating the nomination of women to stand for leadership positions;
- The urgency of the need for political parties to develop a framework to ensure women's representation is enhanced ahead of the 2017 election. In the short term, this framework will involve: introducing or up-scaling mentoring; facilitating training/education for women aspirants; finding and providing resources, both financial and non-financial; and ensuring a non-violent environment for nominations and campaigning;
- Parties will deliberately exercise greater leverage in ensuring that parliament plays its key role in providing a legislative framework that supports gender parity, and seek to effectively influence the policy choices and voting patterns of their members in parliament;
- Parties will play a more effective role in fighting impunity within their ranks by punishing without fail those who contravene party laws and regulations, and supporting frameworks that enable aspiring women to enjoy the full support of the gender parity;
- Women will identify parties that have mechanisms and processes that are truly favourable to their advancement, especially those with high targets for ensuring, as a minimum, achievement of the two-thirds gender rule;
- There is a need for greater partnerships: between key actors in the struggle for gender parity that cuts across all branches of government; between state and non-state actors, and international agencies; and more importantly to grow and sustain partnership, dialogue and consultation between political parties (directly but also

through CMD), the IEBC, the NGECC and other actors not just at the top, but cascading to counties and below;

- Parties will work to establish an inter-party monitoring tool to monitor progress towards 50:50 gender parity aspirations, and put in place a peer review mechanism that enables parties to monitor progress.

This recap was followed by a presentation and discussion on *Political Parties' Strategies for Gender Equality in Candidate Nominations* by Dr Richard Bosire. He highlighted the operational context of political parties and focused attention on three key elements: strengthening intra-party structures and processes for gender equity; candidate identification, selection and nomination, adhering to gender equity requirements; and a political system environment/context that supports the achievement of gender equity. The presentation examined intra-party structural challenges and what needs to be reformed to enable gender parity. It focused on the intricacies of nominations and what these mean for women. He examined the processes and challenges of candidate identification, selection and nomination, and strategies to effectively counter the challenges.

The discussion that followed raised several key issues. First, CMD-Kenya does not have the legal mandate to hold parties to account. This is vested in the Registrar of Political Parties. CMD-Kenya can, however, constitute a peer review mechanism. The need was raised to create a forum to develop a tool to help parties monitor their progress. In refining this point, the discussion argued that monitoring of parties does not require legislation. It might require a monitoring and evaluation framework, including a scorecard, that names and shames non-performing parties. The need to use the media, especially in meetings like this one, was re-emphasized. One participant argued that what undermines women is not the law, but the way laws are operationalized and followed.

The key discussions in this session therefore focused on: accountability mechanisms; capacity-building for parties as institutions; a tool that can be self-driven to help monitoring and evaluation compliance among parties; and CMD-Kenya's alternative review mechanism, which could take the shape of a peer review mechanism. It was also pointed out that the issue of respect for women has not percolated down among men. It must remain deliberate practice to ensure women are given their own space. The idea of transparency initiated by men as an initial undertaking to ensure gender parity might also be useful.

The session further debunked the idea that there are no women leaders. There are women who can effectively represent a party in elections. Where they are absent, deliberate action is needed to develop them. The challenge cannot correct itself; deliberate interventions are needed. The meeting cautioned that getting women candidates does not mean giving us angels as political leaders. Inclusivity and participation by women is a good thing and there should be no fictitious expectations of them. Furthermore, political parties must desist from nominating women they can control as this poses a big dilemma for the women.

The point was reiterated that a policy of having a certain percentage of women nominees sits badly with the desire for free and fair nominations. However, it was noted that men

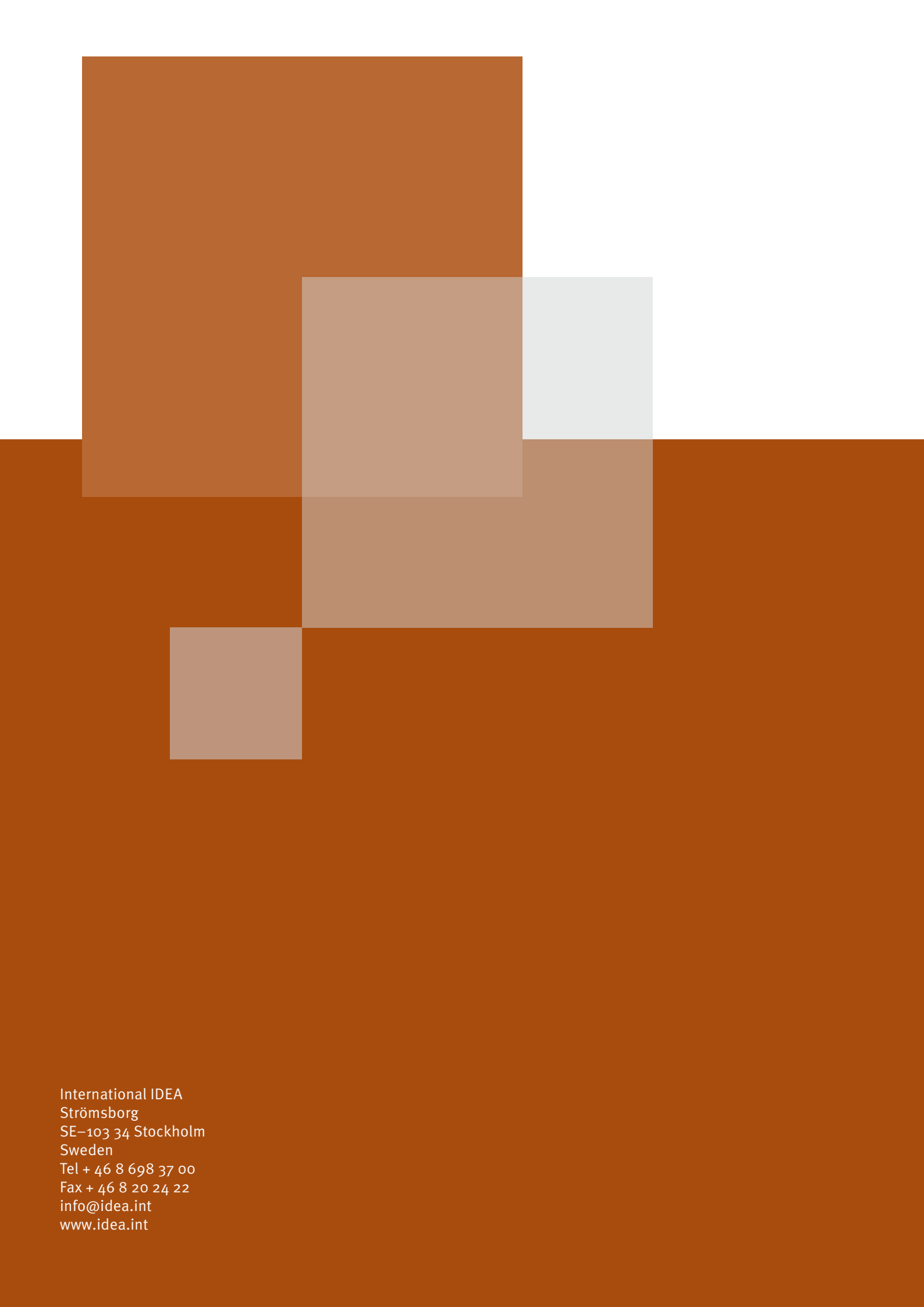
have always received direct nominations. Male privilege exists, and thinking about ways in which this privilege can be shared by ensuring freer access to nominations by political parties is not absurd. The possibility of a functioning inter-party community tool that can deliver mentoring and help tame the terror exhibited by men who fight gender parity is a valid aspiration. Finally, the need was identified for an inter-party monitoring tool to monitor progress towards achieving the 50:50 aspiration. More generally, the discussion session identified the need for mentoring, education, finance and the creation of a non-threatening environment for nominations as critical interventions.

Recommendations

A number of recommendations were made and agreed arising from the two-day meeting. Parties should also seek independent methods of working on gender parity issues. Political parties must:

1. commit to eliminating gender-based violence, particularly violence targeted at female politicians;
2. increase women's participation at all levels of the party structure from the NEC to the grassroots;
3. work to increase the number of women in elected seats in the 2017 elections;
4. ensure that party constitutions and rules are in line with the constitution and the law;
5. mandate CMD-Kenya to monitor each party on the fulfillment of these aspirations;
6. strive to adhere, as a minimum, to the two-thirds gender rule on the nomination of candidates to contest the 2017 general election at all levels through specific actions in support of women candidates, capacity-building, resource mobilization, creating an enabling environment and any other measure that the party may deem appropriate, including rotational gender designated constituencies;

Finally, the need was identified for an inter-party monitoring tool to monitor progress towards achieving the 50:50 gender parity aspiration.



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