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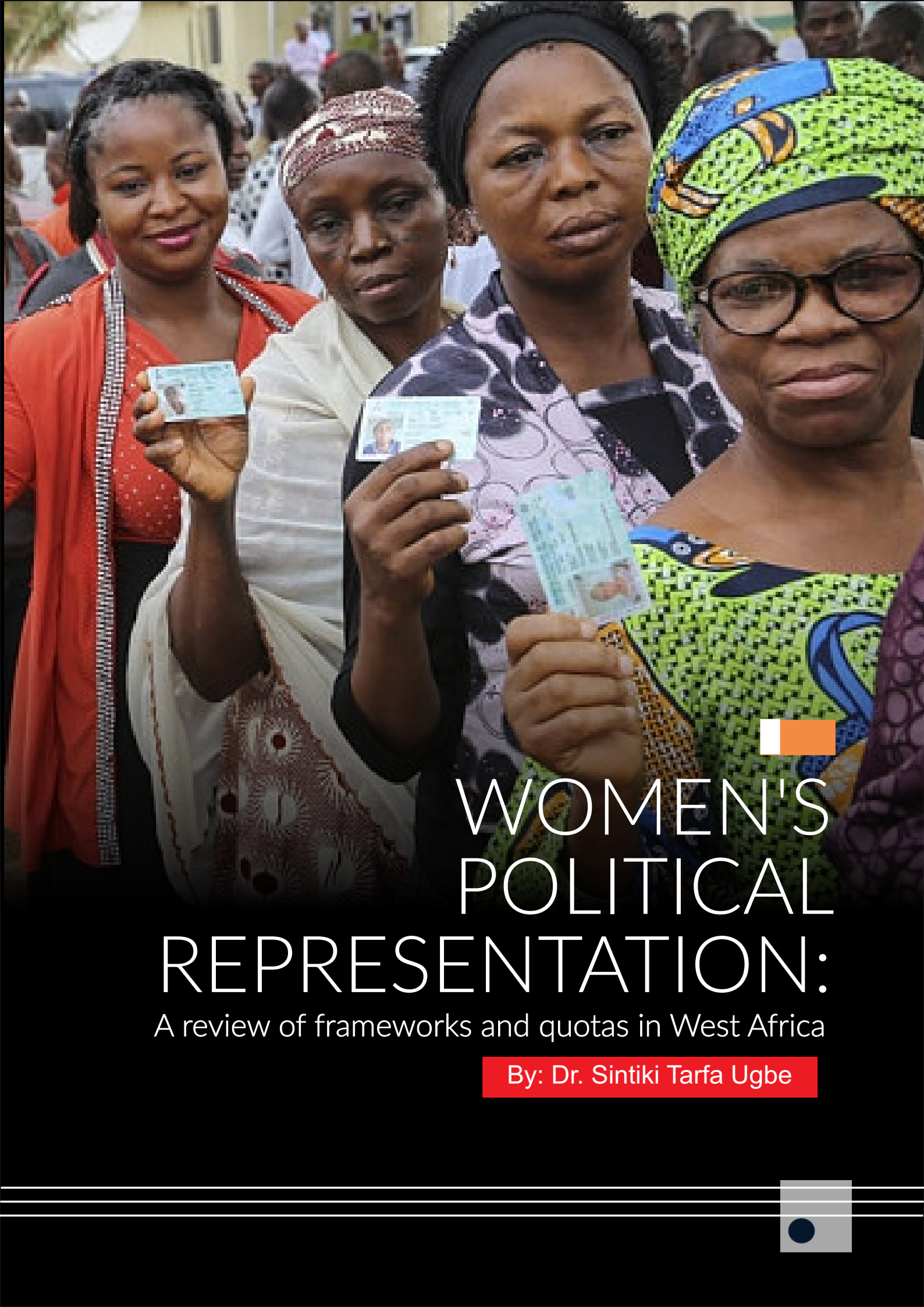
GETTING WOMEN ELECTED

CHALLENGES AND OPPORTUNITIES

SERIES 1



Centre for Democracy & Development
Centre pour la démocratie et le développement



WOMEN'S POLITICAL REPRESENTATION:

A review of frameworks and quotas in West Africa

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1 Introduction:

The Economic Community of West African States (ECOWAS) pursues the promotion of good governance, peace and security and free, fair and credible elections in member states through a combination of direct involvement and diplomacy. The Commission, with a mandate derived from the ECOWAS Treaty, has developed legal frameworks such as the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security (1999), and the Supplementary Protocol on Democracy and Good Governance (2001) to guide its interventions. In line with its legal instruments the Commission has deployed institutional organs such as ECOWAS Standby Force (ESF), Early Warning System, the Mediation and Security Council, Offices of the Special Representative, the Council of the Wise (CoW) and Special Mediators to successfully prevent and resolve conflicts in the region. ECOWAS has successfully intervened in civil wars and political crises in Liberia, Sierra Leone, Guinea Bissau, Côte d'Ivoire, Togo, Guinea, Niger, Mali, and Burkina Faso.

These interventions represent some of the concrete examples of ECOWAS' ability to apply legal and institutional frameworks to promote peace and security in the region. However, it is also true that often these successes have been marred by incidences of human rights violation

including sexual and gender-based violence (SGBV). Generally, women are still at the margins of the political, economic and social development agenda, and continue to face enormous challenges in exercising and fulfilling their fundamental human rights in peace and conflict situations. The 1979 ECOWAS Revised Treaty adopted by member states, specifically Article 63 on Women and Development, directs the ECOWAS Commission to formulate, harmonize, coordinate and to establish appropriate policies and mechanisms for the enhancement of the economic, social and cultural rights of women in West Africa. This has driven decisions to transform the West African Women Association (WAWA) into the ECOWAS Gender Development Centre, to set up an ECOWAS Technical Commission on gender and to adopt the ECOWAS Gender Policy in 2005. All were intended to provide the legal, institutional and policy frameworks to engender the regional integration agenda.

This chapter explores the regions' progress towards addressing gender inequality by focusing on the analysis of women's representation in the political space in West Africa. It highlights examples of positive affirmative action measures that have advanced women's political representation. The chapter also identifies some of the barriers in the

This Chapter draws heavily from the trainings, workshops, assessments and reports of gender & elections in West Africa which the Author (Dr. Sintiki Tarfa Ugbe) and Professional Expert (Theophilus Dowetin) and ECOWAS Colleagues (Francis Oke, Luther Barou and Raouf Salami) working on elections in West Africa engaged in from 2015 to date.



electoral processes that are impediments to women exercising and enjoying their electoral rights. It concludes with practical suggestions on ways to bridge the gap.

The analysis draws from the findings of a series of gender and election workshops held with over 300 participants (85% women) in nine ECOWAS member states -Burkina Faso, Côte d'Ivoire, Guinea, Nigeria, Togo, Liberia, Sierra Leone, Mali

and Gambia - from 2015 to date, as well as the Report of Assessment on Gender Mainstreaming in Electoral Management Bodies (EMBs) in Electoral Processes in West Africa (2019) prepared by the ECOWAS Electoral Assistance Division, the Directorate of Gender of the ECOWAS Commission, and the Secretariat of the ECOWAS Network of Electoral Commissions (ECONEC).

2 ECOWAS: LEGAL FRAMEWORKS AND GENDER RELATED PROVISIONS

This section outlines ECOWAS legal frameworks to address gender inequality barriers to representative democracy, peace, security and development in West Africa. It highlights the provisions in two Protocols and an Act adopted by the ECOWAS Heads of State and Government to promote increases in the numbers of women in elective and appointive decision making positions across the region. The provisions in these legal texts offer a clear indication of the recognition and affirmation of the regional leaders' commitment to promote women's representation in West Africa, at least on paper.

On the 15 May 2015 the ECOWAS Heads of State adopted revised texts with some gender sensitive provisions in two important protocols:

A. The Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security of the 10th of December, 1999 (hereafter referred to as Mechanism (1999):

Article 40 (4): Responsibilities of ECOWAS: ECOWAS shall recognize, encourage and support the role and participation of women in its initiatives for conflict prevention, management, resolution, security and peace support operations.

B. The Supplementary Protocol on Democracy and Good Governance (2001)

Section II Article 2 (4): Member States shall take all appropriate measures to ensure that women have equal rights with men to vote and be voted for in elections, to participate in the formulation of government policies and the implementation thereof, and to hold public offices and perform public functions at all levels of governance.

Article 15 (4): The members of the Mission shall include women (i.e. Long and Short Term Electoral Observer Missions)



Section VI: Education, Culture and Religion

Article 30 (6): Member States shall adopt affirmative policies on women and youth quotas to strengthen the principle of participatory governance and pro-women and youth political parties shall be encouraged.

Article 32 (6): Member States shall adopt affirmative policies on women and youth to strengthen the principles of participatory and inclusive governance.

Article 32 (7): Member States shall encourage equal participation of women, youth and physically challenged persons in decision-making processes in political parties and other activities.

Article 36 (4): Promote understanding among conflict parties of the values of inclusive participation and ensuring that women and other minority groups are included in their delegations.

Also in 2015 the ECOWAS Heads of State adopted the Supplementary Act on equality of rights between women and men for sustainable development in ECOWAS region. It included the provisions as follows:

Article 4: Constitutional and Policy Measures

1. Member States shall ensure the effective implementation of the constitutional provisions on gender equality and equity and ensure thereafter that no law, rule or practice infringes these principles of equality and gender equity.
2. Member States shall ensure that women have a greater role in public dialogue processes. To this end, they will ensure that the principle of parity between women and men is applied in the composition of government and in the private sector, especially with regard to positioning women to contest elective positions such as the Parliament and local decision-making bodies.

Article 11: Representation

1. Member States shall institute affirmative action to ensure effective gender equality in decision-making positions in public and private sectors.
2. Member States shall take all necessary measures at all levels to demonstrate the essential link between gender-balanced representation, good governance, sustainable democracy, and development.

Article 12: Participation in electoral processes

1. Member States shall adopt legislative measures and other strategies to ensure equal participation of women and men in all electoral processes, including the administration of elections and voting;
2. Member States shall ensure equal participation of women and men in the appointment of political representatives and decision-making through the adoption of laws and implementation of policies, strategies and programmes aimed at:



- Strengthening women's capacity to participate effectively through training, leadership mentoring and awareness creation on gender issues;
- Strengthening the capacity of young people through training, leadership mentoring and civic engagement;
- Setting up structures to improve gender mainstreaming in civic education.

Related provisions are also elaborated in the Women, Peace and Security Component of the ECOWAS Conflict Prevention Framework adopted by the ECOWAS Mediation and Security Council (MSC) in January 2008 and its associated action plans covering 2017-2020 and 2019-2021.

The provisions in the revised Protocols and Act marked a significant milestone in the quest for gender equality. Whilst the passage of these texts are not an end in and of themselves, they do serve important functions to signify legal obligations of political leadership to affirmative action measures and quotas for women and youth to strengthen participatory and inclusive governance; provide the legitimate basis for long term programming and advocacy for women and youth affirmative action measures in the region; and define strategies and actions to guide the

implementation of the commitments to support gender-equality representation in the region.

However, the challenge of turning these commitments into reality remains. For this to happen there must be strong political will amongst the leadership and demand from citizens. The political will referred to here is not defined as willingness to adopt statements of intent but as willingness of political actors to commit precious time, energy, funds and political capital to create the desired change. It is in the context of this definition that state and non-state actors are expected to hold leadership at all levels accountable to the application of the legal provisions of affirmative action measures including quotas in the region.

3 WOMEN IN WEST AFRICAN LEGISLATURES

According to the Report of Assessment on Gender Mainstreaming in Electoral Management Bodies (EMBs) in Electoral Processes in West Africa (2019), the legislature is the body usually responsible for making laws, including electoral laws, approving government budgets and scrutinizing all public accounts, including those of EMBs. It is argued that adequate representation of women in the legislature will help in effectively ensuring gender equity in the enactment of laws that affect both women and men. This is supported by the Critical Mass Theory and Women's Political Representation (Childs & Krook, 2008).

Looking at 2019 data produced by the Inter-Parliamentary Union on the representation of women in legislatures across West Africa, it is clear that they are underrepresented. Senegal is the country with the highest number of female representatives - 41.82%. Nigeria with the highest number of representatives in the legislative body - 355 - had just 3.38% women in 2019, compared to 6.5% elected in 2015. West Africa's average of women's representation in the legislature at the time of data analysis is 14.4%. It is below the sub-Saharan African and global averages of 23.7% and 24.3% respectively. Both of these are still below the 30% target often used by affirmative action policies.



Table 1: Representation of women in parliaments in ECOWAS countries (2019)



COUNTRY	SENEGAL
GLOBAL RANK	15
ELECTIONS	2017
SEATS	165
WOMEN	69
% WOMEN	41.82%



COUNTRY	CABO VERDE
GLOBAL RANK	77
ELECTIONS	2016
SEATS	72
WOMEN	17
% WOMEN	23.61%



COUNTRY	GUINEA
GLOBAL RANK	83
ELECTIONS	2013
SEATS	114
WOMEN	26
% WOMEN	22.81%



COUNTRY	NIGER
GLOBAL RANK	123
ELECTIONS	2016
SEATS	171
WOMEN	29
% WOMEN	16.96%



COUNTRY	TOGO
GLOBAL RANK	127
ELECTIONS	2018
SEATS	91
WOMEN	16
% WOMEN	16.48%



COUNTRY	GUINEA BISAU
GLOBAL RANK	144
ELECTIONS	2019
SEATS	102
WOMEN	14
% WOMEN	13.73%



COUNTRY	BURKINA FASO
GLOBAL RANK	145
ELECTIONS	2015
SEATS	127
WOMEN	14
% WOMEN	13.39%



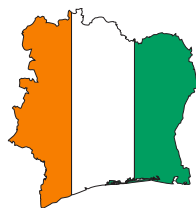
COUNTRY	GHANA
GLOBAL RANK	148
ELECTIONS	2016
SEATS	275
WOMEN	35
% WOMEN	13.09%



COUNTRY	LIBERIA
GLOBAL RANK	153
ELECTIONS	2017
SEATS	73
WOMEN	9
% WOMEN	12.33%



COUNTRY	SIERRA LEONE
GLOBAL RANK	
ELECTIONS	2018
SEATS	146
WOMEN	18
% WOMEN	12.33%



COUNTRY	COTE D'IVOIRE
GLOBAL RANK	161
ELECTIONS	2016
SEATS	255
WOMEN	27
% WOMEN	10.98%



COUNTRY	GAMBIA
GLOBAL RANK	163
ELECTIONS	2017
SEATS	58
WOMEN	6
% WOMEN	10.34%



COUNTRY	MALI
GLOBAL RANK	168
ELECTIONS	2013
SEATS	147
WOMEN	13
% WOMEN	9.52%



COUNTRY	BENIN
GLOBAL RANK	176
ELECTIONS	2019
SEATS	83
WOMEN	6
% WOMEN	7.25%



COUNTRY	NIGERIA
GLOBAL RANK	186
ELECTIONS	2019
SEATS	355
WOMEN	12
% WOMEN	3.38%

However, reviewing the data over time shows that countries are not keeping pace with global change. Table 2 compares the global rankings from 2016 with those of 1 July 2019. Senegal which was 6th in the global rankings in 2016 is now 15th. Cape Verde was 71st and is now 77th, while Guinea, Togo and Niger were 78th, 103rd and 125th and are now 83rd, 127th and 123rd respectively.

RANKING	COUNTRY	SEATS*	WOMEN	%WOMEN
15th (6th@April,2016)	Senegal	165	69	41.82
77th (71st@April,2016)	Cape Verde	72	17	23.61
83rd (78th@April,2016)	Guinea	114	26	22.81
185th (175th@April,2016)	Nigeria	355	12	3.38
		107	7	6.54



But still gender progress is being made across much of West Africa, albeit more gradually. The subsequent sections of this chapter will look at two important factors that have contributed to the increase in the number of women in parliaments - the electoral system and gender quotas. Before then, an analysis of gender disaggregated data on youth and women's representation in the ECOWAS Parliament is required.

4 YOUTH REPRESENTATION

Even though the focus of this paper is on gender quotas in West Africa, we cannot ignore the issue of youth participation in national parliaments as there is a correlation between age and gender representation. Data from the 2018 Inter-Parliamentary Union (IPU) report of youth participation in national parliaments shows the average share of young parliamentarians in single and lower chambers as 1.5% for those under 30, 15% for MPs under age 40 and 29.7% for MPs under age 45.

Further disaggregation of the 2018 IPU report data indicates that male MPs outnumber their female counterparts in every age group. The share of young parliamentarians has risen faster among young men since 2016 although the gender imbalance is less pronounced among the youngest MPs in each parliament, where the male to female ratio is approximately 60:40. The findings suggest that in order to politically benefit from Africa's demographic dividend there is the need to promote gender and youth participation in national parliaments. Improved youth representation can strengthen the legitimacy of parliament, achieve greater fairness in

access to political decision-making, contribute to better policymaking and generate important symbolic effects for youth and the political process (IPU, 2018).

There is a need for more research work to be done at the regional level to compare and analyse youth representation in parliament, to identify challenges and document good practices and strategies that have worked to promote greater youth participation. In Nigeria the Not Too Young To Run Bill was signed into law by President Muhammadu Buhari in 2018 after a sustained campaign led by young Nigerians. It alters Sections 65, 106, 131, 177 of the constitution, and aims to relax some of the tough and biased provisions against young people participating in politics. The age qualification for president has been reduced from 40 to 35 years while that of governor has been reduced from 35 to 30. Similarly, the age for the membership of the state House of Assembly has been reduced from 30 to 25 (THIS DAY NEWSPAPER, June 19, 2018)

5 WOMEN IN THE ECOWAS PARLIAMENT

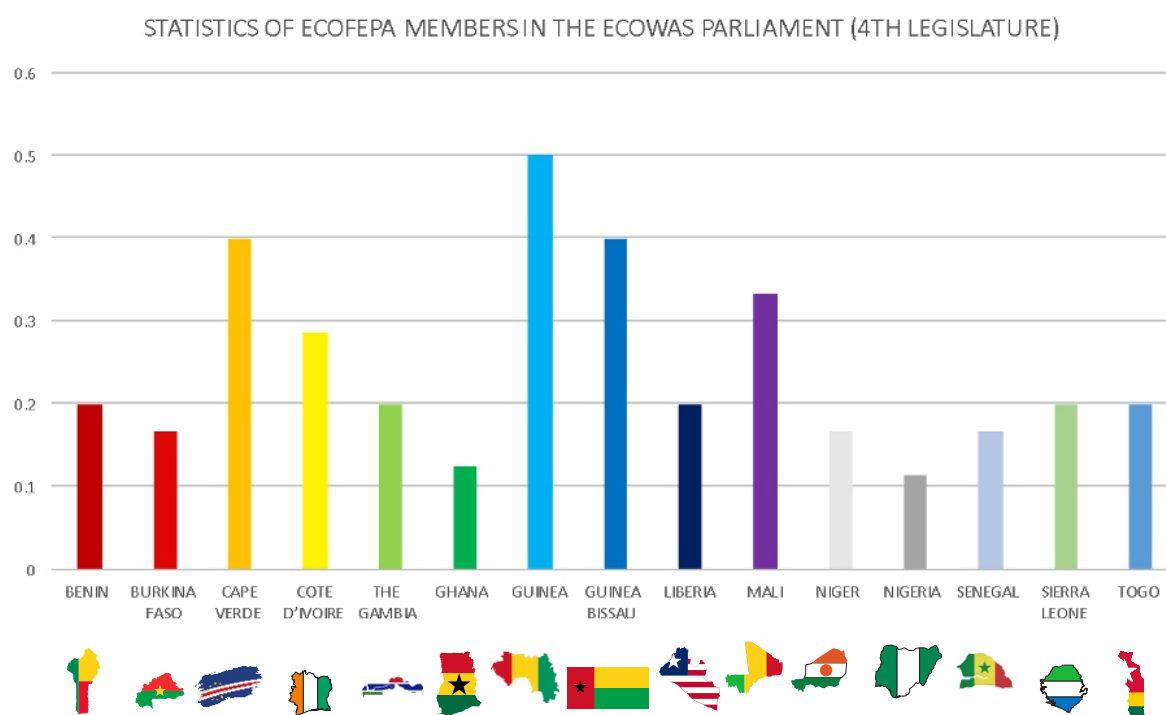
In May, 2018 the Electoral Assistance Division and the Gender Directorate of the ECOWAS Commission hosted a meeting with the ECOWAS Female Parliamentarians (ECOFEPA) Network to discuss the ECOWAS Gender and Elections Strategic Framework and Action Plan adopted by the ECOWAS Heads of State and Government in 2017. The Framework is to serve as an advocacy document to promote women's political participation and representation in democracy and their role in the electoral processes. The meeting provided an opportunity to review the data on female representation at the ECOWAS Parliament. Tables 3 and Graph 1 present the distribution of female and male parliamentarians in the fourth legislature, in September 2017

Table 3: Statistics of Female Representation in the ECOWAS Parliament (fourth Legislature)

NAME OF COUNTRY	NUMBER OF SEATS	NO. OF MALE REP	NO. OF FEMALE REP.	PERCENTAGE OF FEMALE REP
BENIN	5	4	1	20%
BURKINA FASO	6	5	1	16.7%
CAPE VERDE	5	3	2	40%
COTE D'IVOIRE	7	5	2	28.6%
THE GAMBIA	5	4	1	20%
GHANA	8	7	1	12.5%
GUINEA	6	3	3	50%
GUINEA BISAU	5	3	2	40%
LIBERIA	5	4	1	20%
MALI	6	4	2	33.3%
NIGER	6	5	1	16.7%
NIGERIA	35	31	4	11.4%
SENEGAL	6	5	1	16.7%
SIERRA LEONE	5	4	1	20%
TOGO	5	4	1	20%
TOTAL 115	91	24	20.9%	28.6%



Graph 1: Female and Male Parliamentarians in the Fourth Legislature, in September 2017.



Guinea, Cape Verde and Guinea Bissau have 50%, 40% and 40% female representation. With just 20% female representation in the ECOWAS Parliament in 2017, Senegal has failed to match the success of above 40% female representation in its national parliament. Ghana and Nigeria have the poorest rankings with 12.5% and 11.4% female representation respectively despite being the two countries with the most seats (8 and 35).

The overall average of 20.9% illustrates that a number of ECOWAS member states are yet to comply with Article 18 of the Supplementary Act on the Enhancement of the Powers of the Parliament, which stipulates that: “each Member-State shall ensure at least 30 percent female

representation in their Parliamentary Delegation to the Parliament”. In fact only four have met or are above the target of 30% female representation.

This is an concerning signal given that the ECOWAS Parliament is the legislative arm of the governance structure of the Commission and its institutions. The Parliament has the responsibility for oversight for budget allocations and advocacy for the implementation of many important resolutions. Enhancing women’s representation in the ECOWAS Parliament is very critical to ensuring that women’s voices are amplified in debates, to proactively advocate for gender equality, and promotion of the sustainable development, goals.

6 ELECTORAL SYSTEMS AND THE PROMOTION OF EQUAL REPRESENTATION

West African countries mainly practice three different electoral systems: a simple majority, proportional representation and mixed-member proportional representation.

Electoral Systems	Countries	No of Countries
<u>Majoritarian</u>	Cote d'Ivoire, Gambia Guinea, Ghana, Liberia Mali, Nigeria, Sierra Leone	8 ↑
<u>Proportional Representation</u>	Benin, Burkina Faso, Guinea Bissau, Niger Togo.	5 ↑
<u>Mixed System</u>	Cape Verde, Senegal	2 ↑

The Proportional Representation (PR) electoral system is generally considered the most favorable for a fair representation of women (IDEA, 2007). According to an analysis of "Votes for Women: Electoral Systems and Support for Female candidates," it is a well-established finding that PR electoral systems are associated with greater legislative representation for women than single member systems" (Golder et al, 2017).

In West Africa the two leading countries for women's representation - Senegal and Cape Verde - have some element of proportional representation. Both also passed gender parity legislation in 2010 and 2018 respectively. In contrast, the electoral system that is seen as least effective at promoting women's representation the majoritarian system- is used by over half the ECOWAS countries.

Nonetheless Guinea, which has a majoritarian system, is ranked 3rd in West Africa in terms of female participation in

Parliaments (IPU, 2019). However this can be explained by the fact that it has a law on parity that says women must make 50% of the candidate lists for elective positions. Article 2 of the law, which was adopted by a unanimous vote, stipulates that: "parity applies to any list of candidates for national and local elections, as well as for the holding of elective offices in public institutions" (UN Women, 2019). UN Women and the United Nations Development Program (UNDP) supported Guinean parliamentarians with drafting of the law and provided support to advocacy around it.

Conversely in Benin, which has a proportional representation electoral system, women's representation is the second lowest in the region. However, the Republic of Benin has recently revised the electoral codes and charter for political parties, which saw an increase in the number of seats to be reserved for women.

These are some of the many positive



measures enacted in West Africa to improve women's representation in elected assemblies. There are also provisions adopted aimed at encouraging women to participate more in the electoral processes, especially as candidates; provisions for independent candidature; provisions which

define violence against women and provide specific protection during elections. Quotas to enhance women's representation in elective positions in West Africa are another approach that is been tried across parts of West Africa.

7 QUOTAS AND POSITIVE MEASURES TO PROMOTE WOMEN'S PARTICIPATION AND REPRESENTATION IN WEST AFRICA

Through the series of gender elections trainings and workshops on the implementation of the ECOWAS Gender and Elections Strategic Framework (GESF) held at national levels, the ECOWAS Commission has documented and elicited an enhanced understanding amongst stakeholders on some of the direct discrimination and complex barriers that prevent women from getting their share of political influence in West Africa. Participants at a 2018 workshop in The Gambia identified several factors responsible for the low political participation and representation of women as follows:

- The electoral system is a barrier. PR Lists with women quotas are a tool for enhancing women representation in parliament and among sub-national elected offices.
- Limited women-centered education and political awareness.
- Social, cultural and religious barriers.
- Limited access to funds
- Security concerns during campaign rallies, the election and post-election periods.
- Gender norms that see women in reproductive roles and in domestic work.
- Language barriers: due to higher illiteracy rate of women in the general population, the use of English or French as an official language becomes a hurdle.
- Limited knowledge on the pre-election process especially at the rural level.
- Lack of opportunities provided by political parties, which most often is a male-dominated institution.



From the above list it is clear that men and women are not operating on a level playing field when competing for elective positions. Even if men and women are presented with the same opportunity or treated equally, the outcomes will be different. Quotas and other forms of positive measures are required as a means towards instituting the notion of “equality of result” (IDEA, 2007). The argument is that real equal opportunity does not exist just because formal barriers are removed. Direct discrimination and a complex pattern of hidden barriers prevent women from being selected as candidates and getting their share of political influence. Quotas and other forms of positive measures are thus a means towards equality of result.

The argument is based on the experience that equality as a goal cannot be reached by formal equal treatment as a means. If barriers exist, it is argued that compensatory measures must be introduced as a means to reach equality of result. From this perspective, quotas are not discrimination (against men), but compensation for structural barriers that women meet in the electoral process.

In discussing quotas it is important to also note that CEDAW's stipulation that temporary special measures do not constitute discrimination as stated as follows:

Article 4

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

The IDEA gender quota database distinguishes between three types of gender quotas used in politics.

- 1  Reserved seats (constitutional and/or legislative)
- 2  Legal candidate quotas (constitutional and/or legislative)
- 3  Political party quotas (voluntary)

While the reserved seats regulates the number of women elected, the other two forms set a minimum for the share of women on the candidate lists, either as a legal requirement or a measure written into the statutes of individual political parties. Using these definitions the data for West Africa is summarized in Table 4

Table 4. Statistics on Gender Quotas in West Africa: IDEA's Global Database of Quotas for Women

Country	Quota Type	Legal Source	Details	Legal sanctions for non-compliance	Is the provision of direct public funding to political parties related to gender equality among candidates?
SENEGAL	Legislated Candidate Quotas	Electoral Law	Electoral Law 92-16 of 1992, as amended by law 2012-01 of 2012, Article L.145, mandates parity in all candidate lists for the general elections. Candidate lists must be composed of alternating male and female candidates. As Senegal has a parallel electoral system the provisions of parity apply to both the list of candidates submitted for seats elected through a proportional representation system and the seats contested through a majority system in	Candidate lists which do not comply with the provisions of Article L.145 (parity and gender alternation) will not be admitted.	No



Country	Quota Type	Legal Source	Details	Legal sanctions for non-compliance	Is the provision of direct public funding to political parties related to gender equality among candidates?
			multi-member constituencies. If the number of seats contested in a constituency is odd, the parity rule applies to the immediately lower odd number (e.g. in a multi-member constituency with 5 seats, a party must have at least 3 women in its list of 5 candidates).		
CAPE VERDE	Legislated Candidate Quotas	Electoral law Political Funding Legislation	The lists proposed for (national) elections shall contain a balanced representation of both sexes' (Article 415 (1) of Electoral Law no. 92/V/99, as amended by Law no. 56 /VII/2010).	Article 415 (2) states that 'public funding will be awarded only to those political parties or coalitions whose lists presented for national elections if elected, contain at least 25 percent women candidates.	YES
GUINEA	Legislated Candidate Quotas	Electoral law Political Funding Legislation	Article 4 of the law for the political parties states that a 5% of the total state funding for the political parties will be proportionally distributed to the parties that they have elected women MPs	None	Not applicable
TOGO	Legislated Candidate Quotas	Electoral Law	The National Assembly is composed of 91 members elected through a proportional representation system from closed candidate lists in multi-member constituencies. The lists of candidates must contain equal numbers of men and women (Article 220 (5) of the Electoral Code as amended by Law 2013-004).	No	YES, The allocation mechanism for public party funding rewards successful female candidacy: 70% are attributed based on the share of votes in preceding elections, 20% are determined by the number of women elected for the party in the previous legislative elections and 10% by the number of women elected for the party in the last local elections.



Country	Quota Type	Legal Source	Details	Legal sanctions for non-compliance	Is the provision of direct public funding to political parties related to gender equality among candidates?
NIGER	Reserved seats	Electoral Law		The Constitutional Court rejects the candidate lists that do not comply with the gender quota requirements, and asks parties to correct them	NO
SIERRA LEONNE Quota at the Sub-National Level)	Reserved seats	Electoral Law	The 2004 Local Government Act created new local councils. Women's groups had advocated for special seats in the local councils, but the proposal did not succeed. However, equal representation for women was granted at the lower level, for the Ward Development Committees, elected at town meetings: out of 10 members, 5 must be women (Article 95 (2:c) of the 2004 Local Government Act).	NO	NO
BURKINA FASO	Legislated Candidate Quotas	Electoral law	Lists of candidates must include at least 30% of either sex (Law on Quotas, Article 3).	If a political party fails to meet the quota requirements, its public funding for election campaigns will be cut by 50% (Article 5). If a party reaches or exceeds the 30% quota, it will receive additional funding as prescribed by the regulations related to public funding of political parties (Article 6).	YES



LIBERIA	Legislated Candidate Quotas	Electoral Law	A political party or coalition in its submission to the Commission, of its list of candidates for an election should endeavour to ensure that the governing body and its list of candidates has no less than 30% of its members from each gender. A list of candidates submitted to the Commission for an election should endeavour to have no less than 30% of the candidates on the list from each gender. (The New Elections Law 2014, article 4.5: 1-b, 1-c)	N/A	N/A
MALI	Legislated Candidate Quotas	Electoral Law	The lists of nominated candidates submitted by political parties, political party groups or independent candidate groups are not eligible if they present more than 70% of women or men (Electoral Code, Loi No. 2016/048). Thus, at least 30 % of the candidates must be women.	No data available	YES

ECOWAS has nine countries - Senegal, Cape Verde, Guinea, Togo, Niger, Sierra Leone, Burkina Faso, Liberia and Mali - with some type of quota (legislated candidate quotas or reserved seats) and in all but one case the legal source for quotas is the electoral law and as such it applies at the national level. The exception is Sierra Leone for which the quota is reserved for seats at the sub-national level. The remaining six ECOWAS member states - Benin, Côte d'Ivoire, Gambia, Ghana, Guinea Bissau and Nigeria - have no special laws or quotas for women or no available data to indicate otherwise. However, as indicated in section VI of this Chapter the Republic of Benin has amended its constitution and has reserved seats for women (2019) and The Gambia has proposed constitutional amendments that may change that.

who comply and sanctions for those who do not. Only five of the nine countries - Senegal, Cape Verde, Guinea, Niger, and Burkina Faso - have legal sanctions for non-compliance. These are some of same countries that have higher representation of women in their national parliaments in West Africa and have the best positions on the global rankings. In contrast, countries like Sierra Leone with reserved seats at sub-national level and Liberia and Mali with legislated candidate quotas but no sanctions for non-compliance or no available data, do less well when it comes to women's representation. Whilst all political parties are regularly encouraged to provide opportunities for women's representation across ECOWAS member states, this is not strongly supported by a rigorous electoral or parity law across the board.

However, it is not enough to have quotas. It is also important to have incentives for those



8 CONCLUSIONS

The electoral system combined with legislated quotas has the potential to address the disparity in electoral representation of women and men. What the analysis shows is that a rigorous electoral or parity law can provide the best platform for greater female political participation and thereby help to push women into political positions of power.

It is imperative that there more efforts are focused on creating gender-friendly national legal frameworks for elections and electioneering. To do this, women and the youths may have to explore and consider how to use the critical mass of their votes to negotiate for electoral reform, to push for the introduction of quotas or affirmative action measures backed by law and to promote the adoption quota commitments by political parties.

To accelerate progress, national and regional strategists will benefit from speaking to and with each other and to leverage on knowledge, experiences and best practices at all levels. The possibility for women and youths to work together and to use their platforms and voting power to negotiate with the political parties for positive measures for inclusivity should also be vigorously explored. A good example of this is how a strong collective voice led the passage of the 2018 “Not Too Young to Run” Bill in Nigeria.

Finally, even though the analysis in this chapter is limited to the national legislature, the focus of women’s political participation should not be limited to the national legislature or national levels. There is a need to advocate for gender quotas and parity efforts in sub-national governance structures.

9 RECOMMENDATIONS

- 1** A bi-annual regional symposium to build capacity and to share knowledge and tools on gender quotas or positive measures to promote women's participation and representation in West Africa. This can showcase countries making progress, like Guinea which recently passed its gender parity law.
- 2** Promote learning and exchange visits to parliaments that have good gender representation to share experience with those looking to learn and improve.
- 3** Strengthen advocacy with ECOWAS parliament to lead by example by enforcing/pushing for much more balance in its own parliament.
- 4** Conduct an analysis of when positive measures were brought in and track its relationship with female participation from that juncture. As this would show more clearly how they impact on improving women's political participation.
- 5** Organize capacity building, leadership skills development, empowerment or confidence building workshops for female or young candidates.
- 6** The creation of an ICT led regional platform for sharing information and resources to promote political participation, to mobilize a critical mass of women and to encourage cross-regional peer mentoring irrespective of political party affiliations from the grassroots to the national level.
- 7** Produce products - briefs, working papers, case studies, essays, documentaries etc- to transfer knowledge, lessons and best practices on the how and benefits of gender quotas or positive measures to promote women's participation and representation among the ECOWAS member states.
- 8** Promote evidence-based youth participation in national parliaments in West Africa in line with United Nations Security Council Resolution 2250 on youth, peace and security.



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