

**POLITICAL PARTIES' STRATEGY ON GENDER  
EQUALITY IN CANDIDATES' NOMINATION  
IN KENYA**

**Towards Increasing the Representation of Women in the  
National and County Assemblies in Kenya**

**The Popular Version**

**Centre for Multiparty Democracy –Kenya**



[www.cmd-kenya.org](http://www.cmd-kenya.org)



The Political Parties' Strategy on Gender Equality in Candidates' Nomination in Kenya was jointly formulated by the Centre for Multiparty Democracy (CMD-Kenya), the Netherlands Institute for Multiparty Democracy (NIMD) and the International Institute for Democracy and Electoral Assistance (International IDEA) under the framework of Respect for Women's Political Rights (WPR) Project which is being implemented in Colombia, Kenya and Tunisia. The project seeks to foster political environments for equal participation and leadership of women in political parties.



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## Preface

The overall objective of this tool is to guide political parties on how to conduct candidates' nomination process to promote gender equality and women's participation and representation in politics in Kenya. The process of candidates' recruitment and nomination is probably the most important for political parties to address if women's political participation and representation is to be promoted in a systematic approach. Despite progressive international and local legal and policy regime, the challenge of gender imbalance in political leadership in Kenya remains large. There are inequalities between men and women in the political sphere of life. The lack of robust and multi-dimensional internal political party measures and the existing electoral system of plurality/majority system (FPTP) continue to impact negatively on the representation of women in the Kenyan parliament.

Gender equality and women's empowerment are not only human rights imperatives but they are also essential for achieving inclusive, equitable and sustainable development. Political parties are important institutions for actualizing the important goal of women's political participation and representation. Thus political parties in Kenya need to do more in their efforts to create enabling environments for equal opportunities on the candidate nomination of women. It is this gap that this tool seeks to address. Nomination processes should be, formalized and transparent, which would allow for better preparation and greater fairness in political representation.

We are grateful for the partnership with the Netherlands Institute for Multiparty Democracy (NIMD) and the International Institute for Democracy and Electoral Assistance (International IDEA) through which this nomination strategy was developed. We are indebted to the UN Women and UNDP for the financial support towards publication of this tool and supporting political parties integrate the provisions herein in their instruments.

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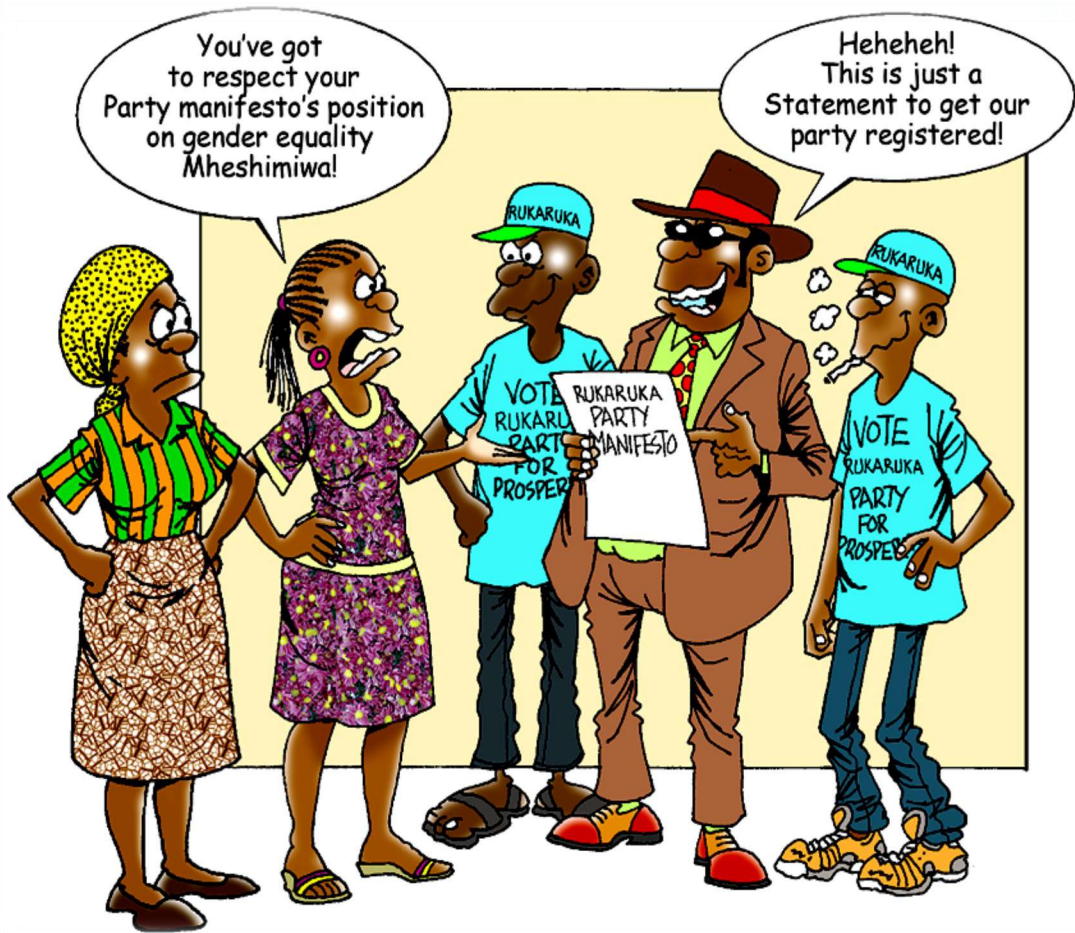
## 1.0 Introduction

The question of Gender Equity and equality in Kenya has been that of various challenges and similarly, strides. Following the promulgation of the new Constitution of Kenya 2010, the need for further inclusivity of both men and women in political leadership has taken on a legal requirement. However, with the failure of the sitting House of Parliament to operationalize the not more than 2/3 Gender requirement, we look to the genesis of elective leadership- the political parties to realize our Constitutional dream of equal representation. This tool delves into the heart of the matter: Political Party Nomination Strategies in Kenya to single out clear, workable mechanisms for political parties to contribute to equality in representation in political office.

## 2.0 Background

The levels of gender inequality and also dismal performance of women in Kenyan political leadership is a serious matter of concern both in policy and practice. Cultural, social and political factors have had direct influence on the levels of gender equity in the country's political representation. The cultural variables include female literacy rate; gender role values; and religion, while social economic factors include the human development index, the gender empowerment index, fertility rates, male to female income ratios, control over resources and expenditure on education and health. Political factors include the structure of the state; the structure of the national legislature; the party system; conditions of candidacy (monetary deposit, campaign costs, and if these are standardized); and voter turnout.

While these issues remain, key measures in ensuring we pursue equity in political representation are unenforced or largely lacking. Political parties remain the pivotal point where aspirations for political representation are launched into being. Thus the structures, policies, practices and values of political parties have a profound impact on the level of women's participation and representation in politics. There is however, a tendency of political parties to list the gender equality provisions the party constitutions, manifestos and election regulations and procedures merely as a requirement (or obligation) and hardly as a commitment, a core value or strategic objective (CMD-Kenya, 2014). Low numbers of women nominated by political parties to run for office has translated to low numbers in representation. In the 2013 General Elections only 3% of women were cleared by their parties to vie for the Gubernatorial Seat and 7% for the Senators' seat, and this translated to 0% representation of women at this level of leadership. Equally, 6% of women were cleared to vie for the Members of National Assembly (MNA) and Members of County Assemblies (MCAs) seats respectively and in the end, 6% of women clinched these seats.



An increase in the number of women nominated to the party ticket could very well mean an increase in the number of women who get elected. In the 2013 General Elections, all political parties performed dismally on the number of women nominated and those elected as MCAs. Out of 1450 elected MCAs, only 109 were female. Although the number of women who actually present themselves for these positions is low, it should be noted that a number of issues such as open bias, violence and intimidation during party primaries tend to deter women from participating in this process. This is largely a reflection of the intra-party dynamics, processes and leadership structures.

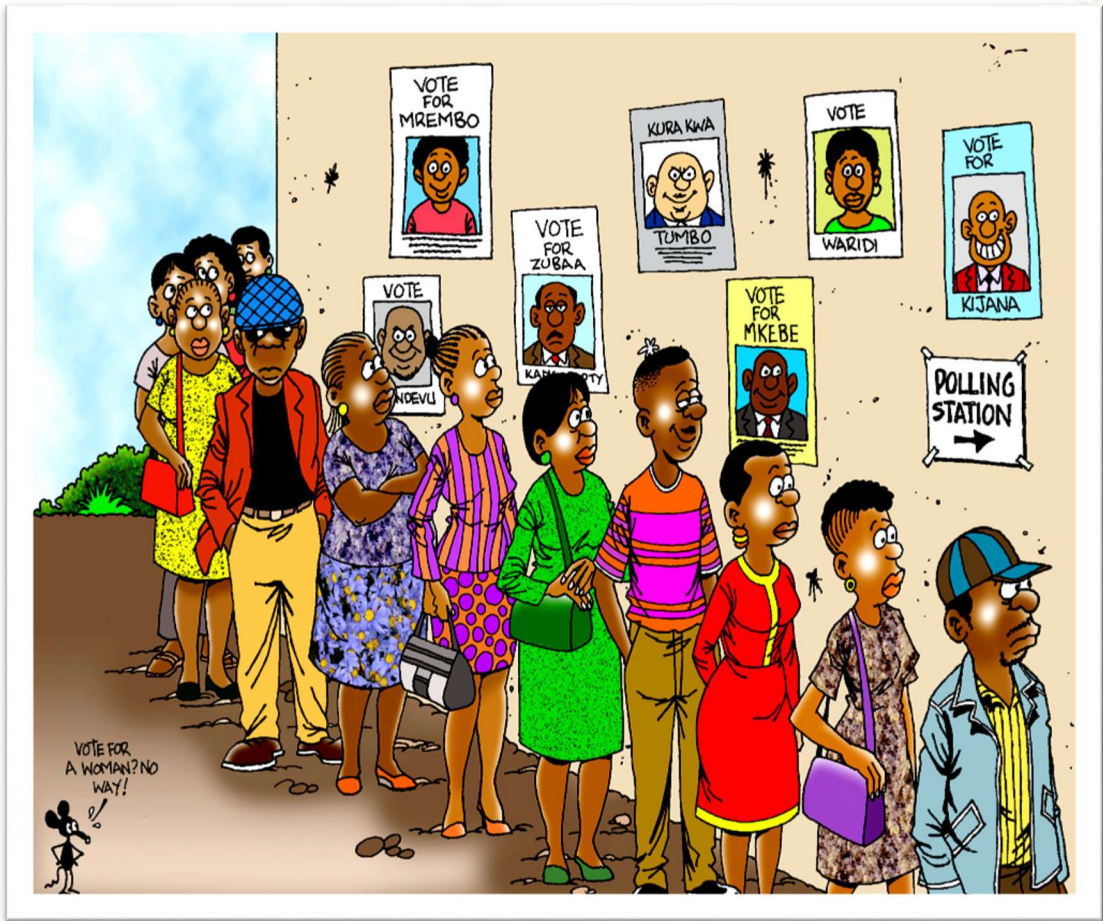
### 3.0 Political Parties' Candidate Selection Practices in Kenya

Political parties in Kenya are not strongly founded on ideologies or philosophy but revolve around interests of personalities; ending up serving the personality ambitions to win elections and capture state power. In most cases, political parties do not adhere to their structural formation and operational procedures. This is exemplified in the emergence of new political parties with every election indicating no permanent systems, but interests. This leaves political parties with weak democratic and governance culture, which often works against gender inclusivity.

In Kenya, the most prevalent method of candidate selection is through the party primary system where registered party members determine who gets the party ticket. In pursuit of democracy, political parties have transitioned from the *delegate* system of candidate selection to the primaries system. It is however, not unheard of for *political party elite* to select candidates. In practice, it is often a combination of a number of these methods, depending on the party's nomination rules.

For the most part since parties shoulder the financial requirements for the primaries to take place, there are number of inadequacies that cause parties not to reach the standards required for credible primaries. In the 2013 General Elections, only 28% of political parties invited the Independent Electoral and Boundaries Commission (IEBC) to be part of their nomination process while 72% did not. Of the 28% that did, majority had IEBC perform a supervisory role while only 6% assisted party officials in conducting the nomination exercise.

Also, most political parties hardly verify voting members using official membership registers. This leads to abuse of the process, for instance, through candidates ferrying voters from other parties to increase their likelihood of clinching the party ticket. It also leads to a situation where opposing parties send their members to participate in the exercise of their opponents to ensure that the party ticket goes to a candidate that is weaker than theirs. Lack of controls at this level makes it difficult to identify and ascertain members of political parties and some voters are able to participate in nominations of more than one party.



It is also not uncommon for political aspirants to decamp for their main parties due to fear of perceived candidate preferences particularly in party strongholds. This was observed in the last election where candidates were unfairly granted the nomination ticket, the fallout led to these aspirants moving to smaller parties. In connection to this, vote buying and ballot stuffing during the party primaries claims create an unequal competition ground for the candidates.



Violence against women candidates and their supporters is a matter that cannot be left unsaid as a key characteristic that plagues the nomination process in our political parties. The violence often ranges from societal, familial, economic and political threats that come in the form of harassment, intimidation and physical and sexual abuse, and it should be noted that for every reported case of violence there are dozens others that remain unreported. In the last election it was not unheard of for a female candidate to clinch the nomination ticket and to have it taken from her through violent measures.

What then are the implications of this process, as is, have on gender equity in representation? Not only does this serve as a deterrent for the women who are actually willing to present themselves for political office but also as an unmoving stumbling block that only prevent transparency and accountability within party structures. Without deliberate strides to correct this, gender equity in political representation will remain a notion, actualized on paper and not in practice.

## 4.0 Gaps and Challenges

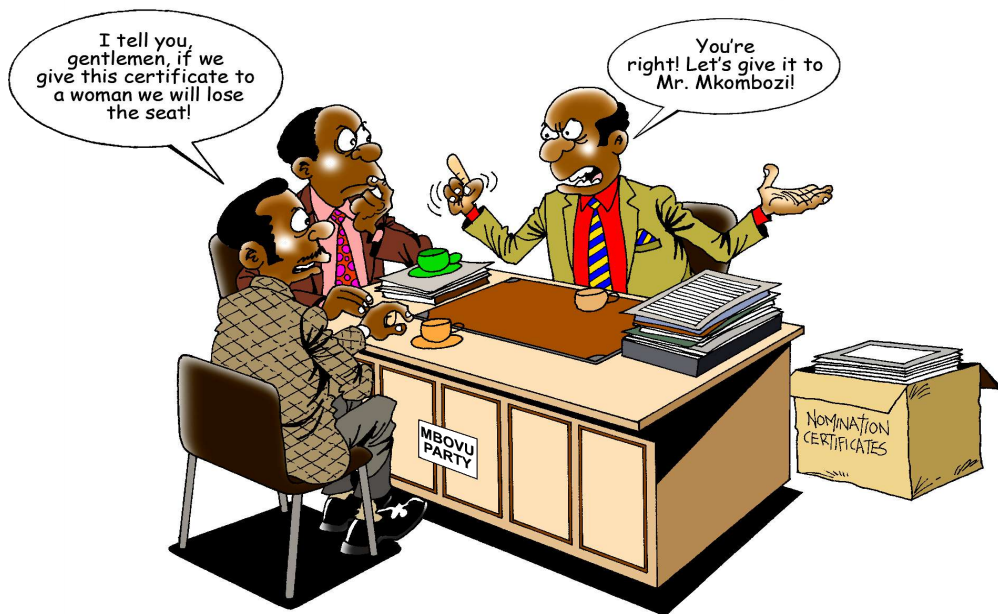
As implied, political parties face a number of challenges that hinder them from making meaningful strides to mainstream gender equity within the party. These challenges can be categorized into two: structural challenges and candidate nomination challenges.

### 4.1 Structural Challenges

Structural challenges include:

- Cosmetic application of policy and legislative frameworks for promoting gender equality and women's political empowerment. As indicated above, affirmative action for gender equality provisions are listed in political party constitutions, manifestos and election regulations and procedures merely as a requirement (or obligation) and hardly as a commitment to the core values or strategic objective.
- Lack of political goodwill to implement existing legal frameworks. National Constitutional provisions on gender equity integrated into party constitutions (two-thirds rule), but political parties do not implement them.
- Internal party leadership positions shared without regard to gender equity. Statistics indicate the 83% of top leaders of political parties in Kenya are male, and only 17% are female.
- Intraparty candidate selection and nomination rules are not adhered to by parties.

- Weak party structures. Most party structures are ad-hoc and under-developed which results in poor execution of key party activities such as recruitment, education and development of its members. An example of this is the poorly performing women leagues that post with poor outcomes in terms of recruitment of women into county and national leadership.
- Interaction between gender equality and other political imperatives such as elections financing, interparty competition, etc. impede gender equity in representation. The lack of purposeful prioritization of gender mainstreaming in favor of other political priorities continue to ensure that women's representation remains low.
- Poor intraparty and political system level accountability/monitoring mechanisms on gender equity. Political parties have continued to flout regulations on gender equality without any regard to consequences because there have been none. The oversight body for political parties; the Office of the Registrar of Political Parties (ORPP) has not provided satisfactory oversight and push for accountability for parties that have been in violation of the law.



## 4.2 Candidate Nomination Challenges

- Party nomination rules not clear on how to meet the minimum gender equity requirements.
- Candidate selection and nomination processes are often plagued with political bias, which often falls to the disadvantage of women as indicated in the sections above.
- Party lists often manipulated by the party elites to disenfranchise women and override gender equity principles.
- Electoral system – First Past The Post (FPTP) and selection/nomination process to run for office not conducive to implementation of gender equity requirements.
- The entrenchment of personality politics as opposed to party loyalty affects women nomination and support.
- The incumbents are often favored - direct nomination, relaxed requirements by their parties, thus maintaining status quo that promotes gender inequality.



## 5.0 Way Forward For Political Parties

In order to address the challenges of mainstreaming gender within party structures and systems, a number of interventions can be pursued. This can be divided into 3 so as to register success for increased gender equality in political representation.

### 5.1 Quick Wins: Short Term Strategies

1. Gender equality - two-thirds gender principle to be integrated into political party constitutions, party electoral and nomination rules. Likewise, these rules and procedures should be adhered to during the process of selection and nomination of party candidates. Monitoring and accountability mechanisms should be created to ensure compliance and delivery of positive results, which is, the realization of gender parity in legislative bodies and party and other leadership positions.

**Activities:** a). Review of party Constitutions, manifestos & nomination rules to meet legal requirement of not more than two-thirds of either gender.

b). Establish internal legal monitoring compliance team, to provide accountability on implementation.

2. Party manifestos and Constitutions should include provisions regarding what parties will incorporate into their internal structures, such as binding quotas for women through internal party rules and systems. Party culture, including binding quotas, has been noted to play an important role in influencing attitudes towards increasing the number of representatives of women in political leadership. They ensure a percentage of female representatives from respective parties in parliament.

**Activities:** a). Political parties to develop binding quota systems.

3. Parties to nominate more than 30% women candidates for all positions, especially in their strongholds, where they have higher chances of winning political seats. This is possible in areas where political parties have the greatest support.

**Activities:** a). Political parties commit to nominate at least 30% of the candidates to vie for political office through competitive process, mainly at the party's strongholds.

4. Party lists should propose 50-50 men and women by adopting the *zebra model*, alternating the genders on party lists. Kenya uses a closed list, whereby seats are awarded to candidates on the party list in the order they appear on the submitted list. It is the party leadership that puts together the party list. In a show of commitment to the principles of gender equality; this provides an entry point for parties to nominate women and have them top the list.

**Activities:** a). Political parties commit to and institutionalize zebra model into party list development.

5. Political parties to supply political good will to increase women representation in decision-making institutions, elective and non-elective.

**Activities:** a). Political parties willingly implement existing gender mainstreaming provisions in the parties' instruments.

6. Parties should reduce or waive nomination fees for women and provide financial support to counteract their disadvantaged socioeconomic conditions, as part of the affirmative action, to encourage women to vie for seats.

**Activities:** a). Political parties establish kitties for supporting economically disadvantaged but potential women candidates vying for political offices.  
b). Organize fundraising activities among party members to offer campaign support to women candidates.

## 5.2 The In-Betweens: Medium-Term Strategies

1. Gender sensitivity of males in the party can contribute positively to the operational effectiveness of political parties through the identification of specific tasks that place specific requirements to involve women in party activities. Parties should also identify and support male champions for gender equality, to demystify cultural stereotypes about women and leadership.

**Activities:** a). Conduct internal civic and gender awareness campaigns.

b). Political parties to identify male champions for gender equality for purposes of sensitizing other party members on the fundamentals of gender equality.

2. Ethnic politics has constrained women aspirants contesting for Parliamentary and County Assembly seats due to the dominant patriarchal character of most ethnic groups, and the male-dominated councils of elders that decide on the political life and leaders of various ethnic groups. However, women should break this barrier by mobilizing women as a political block and bargaining collectively for representation and participation in legislative assemblies.

**Activities:** a). Concerted civic education undertakings & public awareness on importance of equal gender representation.

3. Recruitment drives should be supported in order to increase women participation within the political parties that will then lead to a larger pool of women to select from for representation.

**Activities:** a). Parties to initiate intra-party member recruitment and mentorship programs targeting young women with intent of developing their capacities for expanded political responsibilities within and without the party.

4. Female perspectives are required in top party leadership positions. Male dominance at the top must be changed if parties' effectiveness as crusaders of gender equality is to be achieved. Because over 83% of top party leaders in Kenya are male, their decisions may sometimes be unaccommodating to women.

**Activities:** a). Deliberate efforts to identify, front and support strong women candidates for top decision making party positions to carry and articulate gender agenda in the parties' top ranks.

### 5.3 Long Term Strategies

1. Parties should strengthen women leagues as *incubators* of leadership for recruitment into political and decision-making positions at County and National levels. Women should be identified, mentored, supported and recruited into higher positions of leadership. The leagues should be funded by mother parties and their activities popularized by the party leadership.
2. Capacity building and creation of awareness among voters and women on gender equity and fair representation. This will help deal with patriarchal culture and negative and often combative attitudes towards gender equality. Capacity building is necessary to ensure effective participation of women in party structures. Women are usually not elected to positions of power within political party's structures because of gender biases of male leadership. Political parties lack the gender perspective and capacities to plan, develop, implement and monitor critical decisions concerning gender equality contained in the party documents and national legal frameworks.

### 6.0 Political Parties' Commitment During the Inter-parties Dialogue Session in Naivasha

The strategies above were informed by resolutions and commitment agreed on by CMD-Kenya members parties during the inter-parties' dialogue session held on 18<sup>th</sup> – 19<sup>th</sup> October 2016 in Naivasha during which the nomination strategy was developed. During the dialogue session, the political parties agreed and committed to undertake the following measures towards the achievement of gender parity in the next (2017) and future elections:

1. Political Parties committed to eliminate violence in party elections and party process by strictly enforcing party rules and taking concerted action against violators of our rules.
2. Increasing women's participation at all levels of the party structures from NEC to grassroots levels through consistent recruitment, mentoring and provision of equal opportunity to participate at all party levels.
3. Working towards increasing women's numbers in elected seats in 2017 elections through affirmative action such as waivers on nomination fees and campaign support to women candidates.
4. Ensuring party Constitutions and rules are in tandem with the constitution and the law; by reviewing internal party documents.
5. Mandated CMD-Kenya to monitor each party on the fulfillment of these aspirations by convening peer review meetings where political parties share experiences on the progress of these commitments.

6. Striving to adhere, at the very minimum, the two-thirds gender principle in the nomination of candidates for contest in the 2017 general election at all levels through specific actions in support of women candidates through capacity building, resource mobilization, creating an enabling environment and any other measures as the party may deem appropriate (including rotational gender designated constituencies).

## 7.0 Best Practices: South Africa

South Africa is one example of a democracy that emerged from a fragmented and polarized society after the collapse of apartheid. Discrimination on the basis of race, gender and color was a common feature. Participation in politics took place outside formal political institutions, mainly within civil society organizations. For instance, women participated through women organizations such as the Federation of South African Women; ANC's Women League; the United Women's Organization in Western Cape; and Women trade unions. In the 1990s the National Coalition was formed by women returning from exile, Women power brokers within political parties, civil society organizations concerned with the status of women and feminist academics. Women organization in Kenya should lobby and agitate for improvement in their representation.

During the constitutional negotiations women worked to secure a multi-member district electoral system with closed party-list PR - a voting system used by several countries with high proportions of women in parliament. But more importantly, women within their political parties worked to foster the advancement of women into party lists through quotas, selective recruitment and membership. In this case political parties deliberately increased the number of women on party lists.

Another lesson to be learnt is that though many parties have women on their party lists, they are not always being elected into office. This is because many parties often place women in lower positions on the party list. Political parties claim to have a representative list of candidates yet they often place men at the top of the list. Also some parties that took a low number of seats filled them with male candidates. This is the case in Kenyan political parties whereby lists presented to the electoral body are always filled with men up to the point that they were likely to gain the seats in the legislative assemblies.



In the contrary, parties such as the African National Congress (ANC) and the Minority Front, often place women in the winning positions on their party lists. In the case of ANC, this has a great impact on the overall composition of parliament because of their overwhelming electoral success. ANC adopted a *voluntary party quota* for women in 1994. Thus, ANC policies and not the measures taken by other parties or the electoral systems have created a great impact on women representation. Election results show that the success of women in office is due primarily to the policies of the ANC, specifically its 30% quota.

Adopting affirmative action measures to promote women within their party ranks and ultimately onto their election lists. The example of ANC's 30% seats on its pre-election party list is a case in point. In the 1999 elections, the ANC moved to a policy of having every third seat on its party list filled by a woman candidate, thus ensuring that women candidates are not clumped in unelected seats.

Since the ANC adopted a quota, other parties have been influenced to increase the number of women on their party lists. A vast majority of parties since 1994 elections have utilized other forms of affirmative action to advance women candidates, such as *targeted recruitment, mentorship, and rapid promotion* through lower levels of government. Additionally, by the 2004 elections, many women had served in local and provincial governments and were experienced public servants. Thus, there was a new pipeline of women eligible for advancement.

## About CMD-Kenya

The Centre for Multiparty Democracy (CMD-Kenya) is an organization that seeks to enhance multiparty democracy by building the capacity of member political parties to become strong, structured and well organized capable of carrying the multiparty agenda forward. Guided by the cardinal principles of inclusion, non-partisanship and dialogue, CMD-Kenya through its cross-party and bilateral programmes seeks to ensure that all political parties have equal opportunities to participate in the country's political processes in a healthy, tolerant and accommodative political environment.



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