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## Gender Equality & Election Management Bodies: A Best Practices Guide





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## Foreword

Voting is defined as a human right. The fundamental assignment of any election management body (EMB) is to provide a process for all citizens of voting age population to vote. Most national censuses reveal women are a majority of the voting age population and, as societies age, the majority percentage of women increases. While a prerequisite for global and national peace and justice is the full and equal participation of women in all spheres of political, economic and social life, attainment of the goal remains elusive. Nowhere is this more important than in a country's electoral process, where active political engagement, from both women and men, strengthens a country's democratic development. Despite the importance of proactively incorporating men and women in all stages of the electoral process, differential gender needs are often overlooked in analysis, planning and implementation of electoral activities. This negatively impacts women's participation as voters, candidates and election administrators.

Working with EMBs from around the world, the International Foundation for Electoral Systems (IFES) promotes equal participation in political processes. IFES' work includes collaborating with Myanmar's Union Election Commission to improve women's electoral participation; providing gender training and technical assistance to increase the number of female election workers in Haiti; and implementing a Women's Leadership Training program throughout six provinces in Indonesia to expand women's representation in election administration. Through these and other initiatives, IFES encourages women to add their voice to the democratic process. A crucial piece of IFES' work is providing sustainable tools that strengthen EMBs' capacity to carry out inclusive electoral administration.

By intentionally and proactively integrating gender into the analysis, planning and implementation of all their activities, EMBs can play a pivotal role in maximizing the participation of women in elections. With this in mind, IFES' Gender Equality & Election Management Bodies: A Best Practices Guide is an advocacy tool designed to guide EMBs through gender-positive planning and implementation. Drawing on international best practice in the field of gender and elections as well as positive examples from EMBs around the



world, the Gender Guide provides practical information and recommendations for how to address gender barriers and promote women and men's equal participation throughout the electoral process.

Advancing women's full political participation is not only important for women themselves, it impacts the overall ability of society to reach its fullest potential. As the primary election administrators in most countries, EMBs should meaningfully engage and support women and men's equal rights to political participation. With this in mind, IFES is pleased to add the Gender Guide to its collection of tools designed to strengthen inclusive electoral institutions that outlast international assistance.

A handwritten signature in blue ink, reading "William R. Sweeney, Jr." in a cursive style.

William R. Sweeney, Jr.  
IFES President and CEO

## Section 1 Introduction

The full participation of women and men in a country's political and decision-making processes as voters, candidates, elected officials and electoral management body (EMB) staff is crucial. Thanks to international instruments which lay the legal foundations to make this a reality, the increasing prioritization given to women's empowerment by governments, the international community, civil society and businesses and an increasingly strong women's movement, many positive developments have taken place and women have a greater say in how their countries are run than ever before. However, with women representing only 21.7% of world's parliamentarians, in many countries they continue to be marginalized and underrepresented in political and electoral processes. Clearly, major steps still need to be taken before true gender equality is achieved in this arena.

The degree to which women are able to participate in elections can be strongly influenced by the policies and programs of an EMB. It is therefore important that EMBs intentionally and proactively take gender into account in the analysis, planning and implementation of all their activities, as well in their interactions with other stakeholders involved in electoral processes. Although there are positive examples of EMBs with gender-sensitive policies and practices, EMBs can do much more to mainstream gender in a holistic and meaningful way within their own organizations as well as in electoral processes and activities.

To that end, this booklet aims to provide EMBs such as the Election Commission of Nepal (ECN) and those involved in the organization and management of elections with a resource to develop an integrated approach to gender in electoral administration. By adopting such an approach, EMBs will play a pivotal role in maximizing the participation of women in elections. In turn, this will result in more representative and democratic societies. Using the electoral cycle as a framework and drawing on global best practices, this booklet identifies key actions that can be taken by EMBs at each stage of the cycle to ensure that women's needs are taken into account and policies and programs are designed and implemented accordingly.

## Section 2 Gender Glossary

Term	Definition
Electoral Cycle	An all-encompassing analytical approach that views elections as a continuous process rather than an isolated event.
Electoral Management Body (EMB)	An organization or a body established for the purpose of, and legally responsible for, managing one or more of the essential elements for the conduct of elections. The term “electoral management body” or “EMB” has been coined as a name to refer to the body or bodies responsible for electoral management regardless of the nature of the wider institutional framework in place.
Electoral Stakeholders	Any person or group with a vested interest in or having expectations of a certain level of performance or compliance from the electoral management body (EMB), its strategic actions and corresponding activities. Electoral stakeholders include EMB staff, political parties and candidates, the executive branches of governments, legislatures, electoral dispute resolution bodies, civil society organizations, domestic and international electoral observers, and local communities and minority groups, among others.
Gender	A culturally based and socially constructed category that characterizes expectations of the roles and behaviors of men and women as well as the relationships between them.
Gender Equality	Entails the absence of discrimination on the basis of a person’s sex in the allocation of resources and benefits as well as access to all legal and human rights.
Gender Mainstreaming/ Integration	The process of integrating the concerns of women and men in design, implementation and evaluation of all planned activities to ensure that both men and women benefit. Effective gender mainstreaming seeks to address men’s and women’s differential barriers to full participation in political, economic, social and community development.

Term	Definition
Gender-positive	Targeted interventions and activities that promote gender equality by actively addressing and overcoming barriers to men's and women's equal participation.
Gender perspective	Entails consideration for how gendered expectations impact power relations; participation in economic, political and social spheres; and men's and women's different opportunities.
Gender-sensitive	An approach to planning and implementation that identifies gender differences between women's and men's priorities, interests and challenges, and what impact these have on gender equality.
Gender-specific	Explicit identification of how an activity, plan or strategy will address gender issues.
Sex	The biological characteristics that define humans as female or male.
Women's Empowerment	Women's sense of self-worth; their right to have and to determine choices; access to opportunities and resources; the power to control their own lives, both within and outside the home; and their ability to influence the direction of social change.

### Section 3 Rationale for Women's Involvement in Political Processes and Decision-Making

It is critical that women and men are full and active participants in a country's political and decision-making processes. The equal rights of men and women in all aspects of political, economic and social life and nondiscrimination are fundamental human rights principles. These rights are enshrined in a body of international and regional human rights law stemming from the groundbreaking 1948 Universal Declaration of Human Rights (UDHR), which states upfront in Article 1 that "all human beings are born free and equal in dignity and rights."

Complying with human rights principles is not the only reason women should be given the opportunity to be fully politically engaged; there are important practical reasons why women should be involved. First, **women make up at least half of a country's population** and if they are marginalized from full and equal participation in political and decision-making processes, a country cannot be considered fully democratic. As Principle 4 of the Universal Declaration on Democracy, Inter Parliamentary Union states, "The achievement of democracy presupposes a genuine partnership between men and women in the conduct of affairs of society in which they work in equality and complementarity, drawing mutual enrichment from their differences."

Secondly, **the involvement of women in a country's decision-making and governance is essential to maintaining a vibrant society**. Their considerations also often include the needs of their families, broadening the scope of their perspective. Women have different experiences, different needs and different perspectives than men. Involving women and drawing on these differences helps ensure a more representative society, one in which the needs of women and girls are taken into account in the development of policies and programs. Furthermore, **societies that are more inclusive of women, especially women with disabilities and women of marginalized groups, are often less violent and more tolerant**. This has positive impacts on women, men, girls and boys.



***“It is self-evident that democratic governance cannot be fully achieved without the full participation and inclusion of women.”***

Helen Clark, Administrator UNDP and former Prime Minister  
New Zealand

Finally, **involving women makes economic sense**. Major institutions such as the World Economic Forum, the World Social Forum, the Economic and Social Commission for Asia and the Pacific and McKinsey & Company, a major global management consulting firm, have all concluded that gender equality leads to more prosperous societies and better performing businesses.<sup>1</sup> Electoral management bodies (EMBs) are not businesses, but they frequently deal with multi-million dollar budgets and have a responsibility to the citizens of their country to manage and spend the money as efficiently and effectively as possible. Involving women at all levels of the organization will help achieve this.

***“Amidst all the challenges and opportunities in our world today, one fact is unassailable: countries and companies with higher gender equality enjoy higher levels of growth and performance... and the growth is more inclusive, which benefits all of us.”***

Michelle Bachelet, President of Chile and Former Executive Director of UN Women.

In short, the full participation of women in political and electoral processes is not something that an EMB should aspire to just because it is a basic human right; involving women makes practical sense. The failure to do so misses a major opportunity to deliver free and fair elections and build a more inclusive, democratic and prosperous society.

<sup>1</sup> Lewis, K. (2011). *The Gender Dividend: A Business Case for Gender Equality*. New York: United Nations. <http://www.unwomen.org/~media/Headquarters/Media/Publications/en/UNWomenTheGenderDividend.pdf>.

## Section 4 Gender Barriers to Women's Political Participation

Women's electoral participation is often hindered by a variety of political, legal, social, economic and cultural barriers and it is important for the electoral management body (EMB) to identify and address these within the particular country context. Such careful analysis, which can help advance the development of gender-friendly electoral processes and procedures, is best done in consultation with women's groups and other relevant stakeholders.



One barrier to women's political participation is that they are more likely than men to lack citizenship, birth or marriage certificates and other legal documents required for voter registration. The absence of gender-sensitive provisions in national laws and other legal instruments contributes to this barrier. Laws and codes of conduct should explic-

itly identify women's right to political participation and prohibit gender discrimination throughout the electoral process.

A second barrier is women's comparative lack of resources, including time and economic resources. Prescribed gender roles, such as women's propensity to assume larger responsibility for childcare and domestic work, often leaves women with little time to engage in political activities. Registering to vote and voting are often accompanied by long waiting times or significant travel distances that conflict with women's prescribed responsibilities. Such constraints are particularly problematic for women with disabilities, pregnant women, elderly women and women from minority groups who may live further from central registration areas.<sup>2</sup> Additionally, women's higher rates of poverty and lack of control over resources limits their ability to travel as candidates, voters, party campaigners, poll workers or election observers. Limited control over economic assets also impacts women's ability to run for office as they often have fewer resources to spend on a campaign than men.

Women's and men's gender roles are further influenced by cultural and religious traditions that sometimes restrict women's independence or discourage women from exercising their right to vote. Some cultural traditions can lead to lower levels of education and literacy and other knowledge barriers that contribute to a lack of civic and political awareness. They also fuel gendered expectations that cast women outside of leadership positions and undermine women's confidence, political engagement and assertiveness. Finally, the competitive nature of political processes themselves, which are often viewed as a zero sum game, can limit public support for women to run for office or participate in public life.

The above barriers are further compounded by gender-specific safety concerns. Lack of female security personnel at polling stations, insecure travel routes and poor infrastructure undermine women's ability to participate in voter outreach and electoral campaigns, as well as simply vote themselves. Addressing these diverse but interconnected gender barriers to women's political participation requires a targeted approach throughout the electoral cycle.

<sup>2</sup> IFES and NDI (2014). "Equal Access: How to Include Persons with Disabilities in Elections and Political Processes." [http://www.ifes.org/~media/Files/Publications/Books/2014/Equal%20Access\\_How%20to%20include%20persons%20with%20disabilities%20in%20elections%20and%20political%20processes.pdf](http://www.ifes.org/~media/Files/Publications/Books/2014/Equal%20Access_How%20to%20include%20persons%20with%20disabilities%20in%20elections%20and%20political%20processes.pdf).

## Section 5 Key International Legal Instruments, Standards and Multilateral Initiatives to Advance the Participation of Women in Elections

The rights of women to participate fully and on an equal basis with men in a country's political and electoral processes are basic human rights. These rights are recognized in an extensive body of international and regional legal instruments. These include the *Universal Declaration of Human Rights* (UDHR), the *International Covenant on Civil and Political Rights* (ICCPR), the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), *United Nations Security Council Resolution 1325 on Women, Peace and Security* (UNSC 1325) and the *Convention on the Rights of Persons with Disabilities* (CPRD). Complementing these international instruments are a number of regional instruments such as the *European Convention for the Protection of Human Rights and Fundamental Freedoms* and the *African Charter on Human and People's Rights*. In addition, there are other treaties that apply to countries that are members of a particular regional body, such as the Organization for Security and Cooperation in Europe (OSCE), the Southern African Development Community (SADC), the Economic Community of West African States (ECOWAS) or the Organization of American States (OAS). These regional treaties also contain important provisions relating to gender equality and civil and political rights.

### Nepal's Key International Instruments/Agreements Relevant to Gender Equality and Women's Participation

Universal Declaration of Human Rights

Convention on the Elimination of All Forms of Discrimination against Women (Ratified 1991)

International Covenant on Civil and Political Rights (Ratified 1991)

Convention on the Rights of Persons with Disabilities (Ratified 2010)

International and regional human rights instruments provide a series of commitments and international norms for gender equality and women's right to participate in public life. If a country is a signatory to an internationally binding legal instrument, then it has committed to implementing its provisions. As such, these should be reflected in its domestic law and policies.

There are also other important gender related global frameworks. These include the *Beijing Platform for Action* adopted by the Fourth UN World Conference on Women in 1995 and the *Millennium Development Goals* (MDGs), which were established following a decade of major UN global conferences in the 1990s. The Beijing Platform for Action identifies key priorities and guidelines to achieve greater equality and opportunity for women and girls and remove all the obstacles to their active participation in all spheres of public and private life. The MDGs are eight interconnected international development goals to be achieved by 2015, with a follow-on process currently in development. The third MDG goal—entitled “Promote gender equality and empower women”—highlights gender equality as a global priority. One of the key measurements of progress for this goal is the “proportion of seats held by women in national parliaments.” The additional frameworks named above, while not legally binding, develop in more detail the highest standards that states should aspire to and best practices that states should adopt.



*This image box was part of a series used in the Democratic Republic of the Congo to educate the public on the voting process.*

These instruments and frameworks provide a solid foundation from which individual countries can develop legislation, policies and practices to help achieve the full participation of women in their political and electoral processes. It is therefore very important that the electoral management body (EMB) is aware of and understands the implications of any international and regional legal instruments that its country is party to, as well as the relevance and importance of other initiatives that can inform the development of gender sensitive policies and programs. This will help to ensure electoral laws and processes comply with international standards.



## **Key Provisions of International Legal Instruments**

### **UDHR (1948)**

#### **Article 21**

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

### **ICCPR (1966)**

#### **Article 25**

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

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

### **CEDAW (1979)**

#### **Article 7**

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

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

### **UNSC 1325 (2000)**

#### **Article 1**

UN Security Council urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict.

## Section 6 EMB and Institutional Measures/Modelling Good Practice

The term electoral management body (EMB) has been coined as a name to refer to the body or bodies responsible for electoral management regardless of the nature of the wider institutional framework in place. As organizations or bodies established for the purpose of, and legally responsible for, managing one or more of the essential elements for the conduct of elections, EMBs have a variety of names (such as “Election Commission,” “Department of Elections,” Electoral Council,” “Election Unit” or “Electoral Board”), institutional frameworks and sizes.

As such, EMBs can make a powerful contribution to advancing gender equality, not only in terms of how they approach the management of the key activities and processes relating to the conduct of elections, but also in terms of their own internal management policies and practices. With an EMB at the frontline of the democratic process, it is in a unique position to lead by example, beginning by building an understanding and commitment to gender equality within the institution itself.

### **Best Practice for the Advancement of Gender Equality within an EMB**

#### **a) Gender Analysis/Gender Audit**

In order to put in place effective EMB gender policies and practices, it is important to first establish a baseline and understand the current state of gender equality. The analysis undertaken should also include examining the situation for women with disabilities, women of ethnic youth as well as young women. This will help identify what is being done well, internally and externally, and areas that need to be improved. This should be carried out by a dedicated person/team and the process should be clearly planned, with key areas for further examination identified. The methodology should involve identifying the relevant gender-related legislation within the electoral legal framework and reviewing the systems and processes for all electoral activities to ascertain the degree to which they are gender friendly. It should include meetings with key internal and external stakeholders, focus group discussions and/or a for-

mal survey of obstacles in the electoral processes for women as voters, candidates, observers, polling officials and EMB staff.

**b) Gender strategy and action plans**

Based on the gender analysis, the EMB can then develop an organizational gender strategy and action plans with specific objectives and targets for internal management and institutional development, as well as for external activities and specific electoral operations. It is also important that an EMB should have in place an equal opportunity policy, which sets out its approach to promoting equality of opportunity and preventing discrimination on the basis of gender, age, disability, race/ethnicity, religion, pregnancy/maternity, etc.

**c) Gender unit/focal point**

In order to advance women's participation in all internal and external aspects of an EMB's operations it is very helpful to establish a Gender Unit and/or focal point. This will ensure a dedicated resource within the EMB to spearhead and monitor gender initiatives as well as reviewing potential EMB policies and programs to see how they affect women as well as men.

**d) Staff gender balance**

Whether required to or not by domestic legislation, it is important that an EMB work to establish gender balance within its staff. Women should hold positions at all levels



with an EMB, not just the more junior positions. Special attention should be given to the inclusion of women from marginalized groups such as women from ethnic minorities and women with disabilities. Women in decision-making and management positions can help ensure that women's perspectives are taken into account in the development of electoral regulations and procedures. To help achieve this an EMB needs to analyze its current female staffing and retention levels and if there is a lack of gender balance or a high turnover of female staff, identify the reasons for the paucity of or differential treatment to female staff.

### Getting Women on Board

While EMBs can play a crucial role in enforcing parties' compliance with special quota measures, EMBs themselves can also implement quotas for their own organizational makeup that, when followed, ensure women's representation in electoral management. In Armenia, where two out of the seven Commissioners are required to be women, women made up 42 percent of top-level election administrators in 2014. Similarly, in Albania, where a quota requires 30 percent makeup of women in the EMB, women represented 29 percent of the top-level administration in 2014. Implementation of and compliance with gender quotas allows EMBs to model best gender practice for other electoral stakeholders.

Source: IFES (April 2014). *Women in Election Administration: Analysis of Female Membership and Positions in Election Management Bodies in Central-Eastern Europe, the Balkans, Russia and Eastern Partnership Countries*.

There are a number of measures that can help EMBs achieve gender balance, for example:

- **Targets and Quotas:** Targets can be set for the minimum percentage of women at various levels within the EMB, particularly the decision-making levels, ideally striving to achieve 50 percent, but at least 30 percent.
- **Recruitment policy:** The criteria and educational requirements for appointing elections administrators should not be overly high, as this can disadvantage female applicants in countries where women are less likely to be as educated as men. For EMBs that have a deficit in female staff representation as well as the autonomy to hire their own staff, the EMB can also adopt a policy of positive discrimination, so that in cases where a male and female applicant are deemed to be of a similar level, the female candidate will be preferred.



- **Developing a pool of female applicants:** The EMB can take affirmative action to expand the pool of female applicants by, for example, conducting outreach work with women's groups and female university students.
- **Job advertisements:** Should be displayed where women are likely to see them and the text should encourage women to apply and include an equal opportunities statement.
- **Training:** To develop a pool of qualified women to become election administrators, special training programs can be held for targeted women to build their knowledge and confidence prior to the application process.
- **Female friendly positions:** The EMB can identify positions within the organization that are suitable for women throughout the EMB, including women with families, women with disabilities, women from marginalized ethnic groups and young women, and prioritize these accordingly.
- **Working with men:** In all societies, efforts should be made to proactively engage men, such as traditional and religious leaders, to increase their acceptance and support of women applying and taking a job with the EMB.





#### **e) EMB staff gender training and awareness raising**

Training should be held for EMB commissioners and staff in order to build an understanding of the importance of gender equality and gender mainstreaming, particularly in relation to electoral administration. The gender BRIDGE<sup>3</sup> module is an excellent training program that can be adapted to the needs of the EMB. In addition, EMBs should ensure that staff throughout the organization are aware of equal opportunity and gender sensitive policies and understand the importance of complying with them.

#### **f) Staff development and leadership programs for female EMB staff**

Women can benefit from staff development and leadership programs that can be tailored to meet their needs, for example, training on speaking in public, assertiveness, etc.

#### **g) Collation of disaggregated data**

Systems to collate disaggregated data, including data on age and disability, need to be established, maintained and reported on for all EMB departments, including a personnel database, as well as for internal and external activities. This data is vital for monitoring levels of female participation and for identifying where remedial action needs to be taken.

#### **h) Gender balance in EMB trainings**

An EMB can model good practice in its trainings by ensuring gender balance among the participants and the trainers. It should also make sure that women with disabilities are included and that the content of trainings is gender sensitive.

#### **i) Female and disabled friendly EMB building**

Practical considerations also need to be taken into account, such as separate male and female toilets; friendly facilities for women with disabilities; well-lit areas around the EMB building and parking facilities; and gender sensitive and inclusive imagery and posters inside the building.

#### **j) EMB networking**

EMBs can share ideas and best practice with each other. This can be done at the Commissioner level and via gender focal points within the relevant EMBs. It is also very important to facilitate networking on gender-related issues at a field-level among provincial offices.

<sup>3</sup> BRIDGE (Building Resources in Democracy, Governance and Elections) is a modular professional development program with a particular focus on electoral processes.

## Mapping the Way for Female Participation in Nepal

The participation of women in electoral processes in Nepal has traditionally been extremely low. A number of gender responsive measures were taken for the 2008 post-conflict Constituent Assembly election to promote women's participation as voters, candidates, elected representatives and electoral staff. These included gender provisions in the electoral laws that resulted in 33 percent representation of women to the Constituent Assembly, as well as provisions that at least 50 percent of voter registration enumerators, voter education volunteers and staff in polling booths should be women. However, the Election Commission of Nepal (ECN) recognized that institutionalizing gender equality remained a major challenge. As a result, in 2010, the ECN carried out a comprehensive and extensive gender mapping exercise. This initiative identified gender gaps at the various stages of the electoral cycle and within the EMB, and based on the findings proposed concrete recommendations, including ensuring priority given to gender in ECN strategy and policies, establishing gender mainstreaming mechanisms within the ECN; ensuring women's representation within the ECN and the Constituent Assembly; systemizing gender training and capacity building; establishing gender monitoring and data management systems; and building gender perspective into all electoral processes and activities. The ECN has embraced these recommendations and since the publication of the report has taken significant steps to integrate gender into its management and decision-making practices, as well as in its operational activities. Highlights include:

- The adoption of a Gender and Inclusion Policy in August 2013
- The establishment of a Gender and Inclusion Unit in March 2014, including coordination of a series of "gender interactions" between district level political party leaders and female leaders to highlight the role and responsibilities of the new Unit in the ECN
- Delivery of Gender BRIDGE trainings for 249 people
- Facilitation of regular "talk programs" to encourage interaction between the ECN, civil society and other electoral stakeholders, beginning with a gender and elections presentation to mark International Women's Day in March 2014
- Gender measures, objectives and targets included in the ECN Five-Year Strategic Plan
- Gender-sensitive measures adopted for electoral processes for the November 2013 Constituent Assembly election, which resulted in 30 percent of female candidates being elected (172 women elected out of 575)

## Section 7 The Electoral Cycle

The electoral cycle is an internationally recognized tool that visually represents key components of the electoral process. The cycle considers the planning and implementation of elections as an ongoing, cyclical process, rather than a series of one-off events. It is divided into distinct phases, which take place in the pre-voting, voting and post-voting periods.

As can be seen from the diagram below, the electoral cycle identifies electoral activities relating to specific phases.

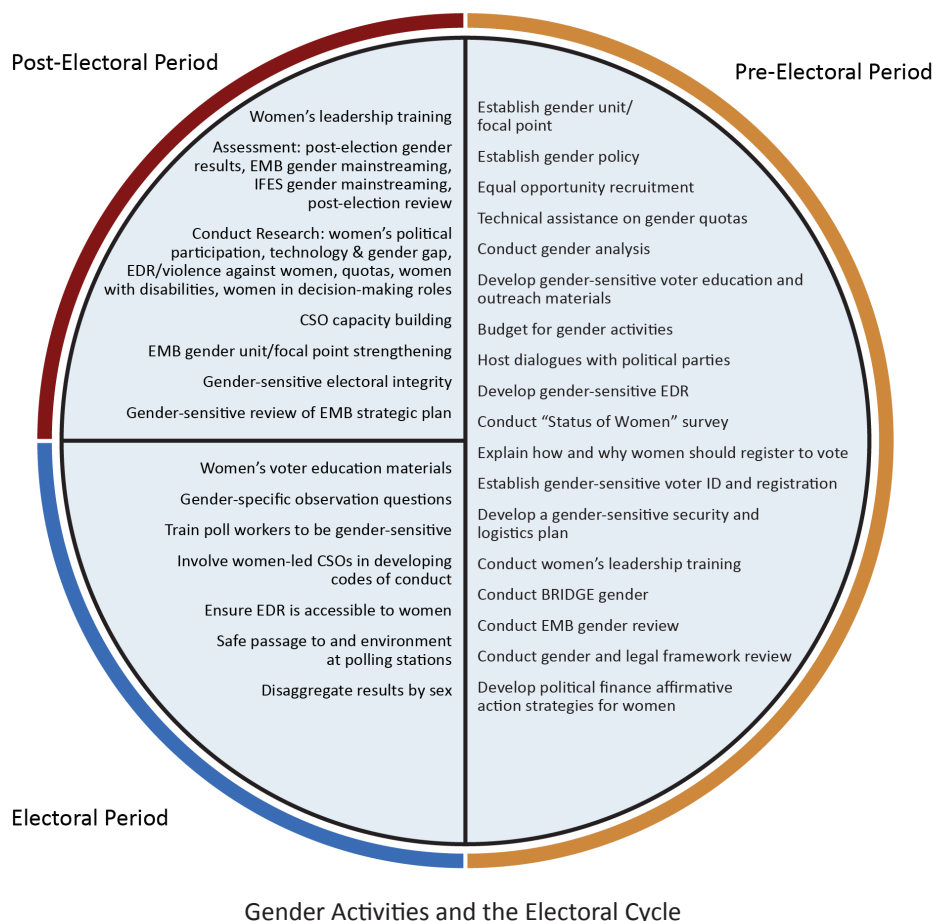


Electoral Cycle  
Source: International IDEA

Although there is a general progression from one phase to another, there are linkages between different activities and there will be times when activities in different phases will overlap, such as voter registration, voter education and electoral dispute resolution all taking place throughout the cycle.

The electoral cycle is an important management tool. It is based on the premise that the beginning of each new electoral cycle is informed by the experience of the previous cycle and that policies and programs for future elections can be continually refined and enhanced.

The following subsections provide guidance to electoral management bodies (EMBs) by considering each phase of the electoral cycle and identifying what specific actions it can take to ensure gender is effectively mainstreamed into electoral activities and the participation of women is maximized. The time between elections, when EMBs are less under pressure, is particularly conducive to this exercise.



## Section 7.1 Legal Framework

The term “legal framework for elections” refers to all relevant legislation and regulatory documents related to elections. Specifically, the “legal framework for elections includes the applicable Constitutional provisions, the electoral law as passed by the legislature and all other laws that impact on the elections.”<sup>4</sup> The legal framework governs all stages of the electoral cycle and can therefore have far reaching implications on the degree to which women are treated on a non-discriminatory basis and are fully able to participate in the electoral process. For example, the rules for eligibility to vote can determine the extent to which women can register to vote in an election; the way political parties nominate candidates and access to campaign finance can affect the number of women who contest an election; the way an electoral system is designed in the law and the use of quotas can affect the number of women elected; and the way that electoral disputes are handled at any stage of the electoral process can determine the degree to which women are treated fairly and on an equal basis with men.

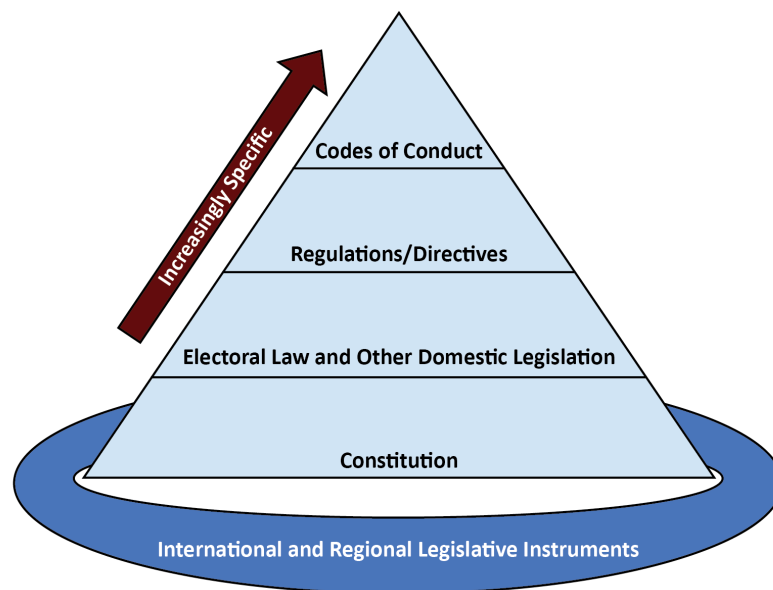
When involved in advocating for, drafting, reviewing or implementing electoral legislation, it is vital for an electoral management body (EMB) to ensure that the legal framework along with other regulatory documents account for the needs of women and men throughout all stages of the electoral process.

### A. Understanding the Legal Framework for Elections and Gender Implications

#### Levels of the Legal Framework

The legal framework consists of various levels of authority. Ideally each level should be framed in a way that ensures the full participation of women and men, and EMBs should ensure these protections are realized in the planning and implementation of elections. As you progress through each level, the detail and specificity of legal provisions relating to gender equality and elections should increase.

<sup>4</sup> IDEA (2002). *International Electoral Standards: Guidelines for reviewing the legal framework of elections*. [http://www.idea.int/publications/ies/upload/electoral\\_guidelines.pdf](http://www.idea.int/publications/ies/upload/electoral_guidelines.pdf).



At the broadest level, the EMB's work is informed by **international and regional legal instruments** that outline international electoral standards that a country has committed to and form the foundation of the legal framework for elections. As outlined in Section 5, there are a number of these key instruments that are relevant to elections and the participation of women such as the Universal Declaration of Human Rights (UDHR), the International Convention on Civil and Political Rights (ICCPR), which protect the equal right of everyone to vote and to be elected, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities (CPRD), which prohibit discrimination against women and persons with disabilities. These international instruments can foster a gender-positive culture that promotes women's electoral participation. It is important for EMBs to reinforce these international principles in the regulatory framework and educate citizens about the rights and protections under these instruments.

Next, as the highest law of the land, a **Constitution** provides the key elements of a country's legal framework. Relevant constitutional provisions might include identifying equal rights to vote and be elected, establishing the types of elections that take place and vesting authority in the EMB as the institution responsible for organizing elections. When a Constitution explicitly guarantees human rights and equality between men and women, it provides an EMB with a resource to hold electoral stakeholders accountable to promoting gender equality throughout elections.



Stemming from the Constitution, **electoral laws** are the guiding legal instruments for the conduct of elections. Electoral laws and other laws directly related to the electoral process (such as laws on political parties, citizenship, the media, campaign finance etc.) provide more detailed legislation for the conduct of elections and a more detailed legal basis for an EMBs' work. Electoral laws that promote non-discrimination and conform with rights enshrined in the Constitution and international conventions are an effective tool for EMBs to foster gender equality in the electoral process.

Most election laws make provision for the EMB to develop and issue **legally binding regulations and directives** to regulate specific electoral management issues, clarify or address any gaps in the law, and establish clear processes for the conduct of elections. Whenever possible, EMBs should draw on human rights legislation to develop regulations that foster non-discrimination and gender equality.



*This image was part of a voter education series in Nepal. It described the voting process using pictures that included women and people with disabilities.*

Finally, the EMB may develop or facilitate development **codes of conduct** for stakeholders such as political parties, election officials, observers, security forces and the media to complement electoral laws and regulations. Codes of conduct play an important part in governing the behavior of different stakeholders and preventing discrimination against women and other marginalized groups, and are therefore a critical tool for EMBs. It is also important to establish effective mechanisms for enforcing codes of conduct to ensure the rights of women and other marginalized groups are protected in practice.

## Examples of Existing Gender Provisions in Nepal's Legal Framework

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### Nepal Election Codes of Conduct and Directives

Election Codes of Conduct and Directives:

- Prohibition of gender discrimination;
- Prohibition of the incitement of gender-based violence;
- Promotion and dissemination of information that encourages women's participation;
- Collection and sharing of disaggregated voter data;
- Provision of female volunteers for inking of nail/thumb;
- Implementation of separate queues for female voters, including elderly and pregnant women and women with disabilities; and
- Target of 50 percent female staff for polling centers, voter education and voter registration teams.

Observation Directives for Election Members:

- Designation of "observer status" should be open to men and women equally;
- Ensure issues of women's participation are integrated in all observer trainings and orientations; and
- Reduction of education requirements for observers to ensure greater participation of women from all regions and sectors of society.

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### National Laws and Constitutional Provisions

Nepal's interim Constitution identified a number of gender provisions, including:

- Women must account for at least one-third of the total representatives between first-past-the-post and proportional representation systems;
- Political parties must ensure proportional representation of women, Dalits, oppressed tribes, Madhesi and other minority groups and make provisions for including women in their executive committees; and
- The state assumes responsibility for encouraging "maximum participation of women in national development."

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### International Commitments

Nepal is signatory to a number of international human rights commitments, including:

- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
- International Covenant on Civil and Political Rights (ICCPR); and
- The Convention on the Rights of Persons with Disabilities (CRPD).

## Quotas and Special Measures

*“An increasing number of countries are currently introducing various types of gender quotas for public elections: In fact, half of the countries of the world today use some type of electoral quota for their parliament.”*

The Quota Project

To address the fact that women are significantly underrepresented in positions of power and decision-making, CEDAW provides for the use of “special measures” to help achieve greater gender equality. In the electoral context, special measures can take a variety of forms which, when properly implemented, can be extremely effective tools for promoting greater participation of women in electoral and political processes.<sup>5</sup> Over the last few decades, quotas have been increasingly used by countries to address the underrepresentation of women in the political process. Their use has resulted in a global increase in women in parliament. EMBs play a crucial role in enforcing electoral stakeholders’ compliance with quotas and other special measures, including reserved seats, legislative candidate quotas and voluntary-party quotas.

It is worth noting that the subject of quotas is a widely-debated issue. While there is little doubt that quotas increase women’s representation, some argue that they can serve simply as a token measure or be counterproductive by privileging women connected to the political establishment.

The electoral system determines how votes cast in elections translate into party or individual candidate seats. Different types of electoral systems can have gender implications, often resulting in the underrepresentation of women. The use of special measures such as quotas can be integrated into the electoral system to help address this.

### Quotas and Electoral Systems

The primary types of electoral systems are **proportional representation** (PR) and **first-past-the-post majority** (FPTP) or **mixed systems**. In general, proportional electoral

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5 UN, “Women & Elections,” 2005.

systems are more conducive to the election or appointment of women, and the application of gender quotas, than FPTP systems.<sup>6</sup> The reason is that in a majority winner-take-all system, where only one seat is available for each electoral constituency, political parties are more likely to hedge their bets by nominating men. With proportional systems, however, parties present a list of candidates and are more likely to include women in the list in order to appeal to a broader voter base.<sup>7</sup>

### Key Types of Quotas and Special Measures

**Reserved seats:** guarantee that a certain proportion of women are elected to the legislature. While women can be elected to other seats, only female candidates can compete for the reserved seats. Reserved seats typically exist in plurality/majority electoral systems. They are generally embedded in the constitution and/or electoral law and should be enforced by the EMB.

**Legislative candidate quotas:** require political parties that use candidate lists within proportional representation systems to field a minimum percentage of female (and male) candidates. In order to be effective, women need to be placed in electable positions on the party lists. A “zippered” list, where male and female candidates are evenly alternated, is the best way to ensure that women are elected, particularly if a closed-list system is used. This type of quota can have a significant impact on the number of women elected, particularly if the EMB effectively enforces party compliance.

**Voluntary quotas:** occur in the absence of electoral legal requirements, when political parties decide to apply quotas to their candidate lists themselves. Such quotas have been widely used with varying degrees of success, are implemented in accordance with each political party’s internal regulations, and cannot be enforced by EMBs.

Within a PR system, a number of factors can further impact women’s likelihood of gaining office as well as quota implementation. For example, using closed versus open lists, where the political party decides the order of candidates and voters are not able to express a preference for a particular candidate, often increases women’s likelihood of gaining office. Female candidates must be ranked high enough on either open or closed lists in order to be elected.

6 UN Department of Peacekeeping Operations, “Joint Guidelines on Enhancing the Role of Women in Post-Conflict Electoral Processes.”

7 UN, “Women & Elections,” 2005.

Merely increasing the number of female candidates within the FPTP electoral system does not necessarily increase women's likelihood of being elected. The type of electoral system, use of quotas and level of EMB enforcement of gender provisions are all important considerations in improving women's participation.

#### **Nepal: Gender Provisions**

Implementation of gender quotas has drastically improved women's national representation in Nepal. According to the 2007 Constituent Assembly Electoral Members Act, PR lists submitted by political parties must include at least 50 percent female candidates, while political parties must take into account inclusion issues when nominating FPTP candidates. The interim Constitution gives the Election Commission of Nepal the authority to reject lists that do not comply with these quotas. With these provisions in place, women's representation jumped from 5 percent in Parliament throughout the 1990s to nearly 30 percent in the 2013 Constituent Assembly.

#### **Campaign Finance**

One of the most significant factors contributing to gender inequalities in politics is women's limited access to campaign finance, which undermines their ability to effectively campaign and run for elected office. Around the world, women command a smaller proportion of economic resources than men. Because individuals and groups with a larger share of assets often dominate the political sphere, women's participation as political candidates, as well as the participation of both men and women from minority groups, is limited by their relative lack of assets.<sup>8</sup> Despite this, political finance regulations are rarely adopted with gender equality in mind. More commonly, the goal of political finance regulations is to reduce the advantages of wealthy competitors, level the playing field, address corruption and abuse of State resources and increase transparency. To improve women's participation, these regulations should also take into account the importance of equality between male and female candidates.

Improving equal access to funding provides a pivotal opportunity to give women candidates the same chance as their male counterparts to effectively campaign and advocate for their election. It is possible to adopt measures to level the campaign playing field

<sup>8</sup> Political Finance and Gender Equality: IFES White Paper, Lolita Cigane and Magnus Ohman, August 2014. <http://www.ifes.org/Content/Publications/Articles/2014/Political-Finance-and-Gender-Equality.aspx>.

while also improving women's political participation and promoting equal distribution of campaign resources among women and men. Measures should also seek to address the zero-sum nature of politics, which increases competition for political finance resources and can make women less competitive.<sup>9</sup>

Gender sensitive provisions can improve equality in electoral races with less regard given to candidates' financial status and gender. Because EMBs are often the primary enforcers of campaign finance regulations, they have a distinct opportunity to promote women's equal access as political candidates through enforcement of gender-sensitive campaign finance regulations.<sup>10</sup> Such regulations could also positively impact the political participation of men and women from minority groups.



### Electoral Dispute Resolution

Inevitably in any electoral process, things will not always go smoothly and electoral disputes between various stakeholders will arise. The core function of an electoral complaints body is to maintain credibility and reliability through the availability of a clear legal right of action for individuals and relevant actors. This mechanism must encompass the fundamental right to judicial review with the prospect of an effective remedy – a baseline standard recognized by a plethora of international and domestic treaties and codes.<sup>11</sup>

The way that electoral disputes are managed is a key factor in determining whether an election is free and fair. Women and men should have equal access to the dispute resolution process. Unfortunately, women's access to formal systems of justice is often more

9 Political Finance and Gender Equality: IFES White Paper, Lolita Cigane and Magnus Ohman, August 2014. <http://www.ifes.org/Content/Publications/Articles/2014/Political-Finance-and-Gender-Equality.aspx>.

10 Political Finance and Gender Equality: IFES White Paper, Lolita Cigane and Magnus Ohman, August 2014. <http://www.ifes.org/Content/Publications/Articles/2014/Political-Finance-and-Gender-Equality.aspx>.

11 GUARDE, 2011.



difficult for women, especially in countries where their movement is restricted. In addition to improving gender sensitivity of more formal systems of justice, alternative dispute resolution mechanisms and other informal justice mechanisms should also be considered to encourage women's access. Regardless of a country's particular mechanism for dispute resolution, every step in the process, from accessing public information, to filing a complaint, to taking part in a public hearing, to receiving an effective remedy, must consider potential barriers to women's equal access and work to remove those barriers.

## **B. EMB Best Practices to Ensure Gender Equality in the Legal Framework**

Electoral laws are often drafted by members of Ministries of Justice and other national legislatures. The advice or input of EMBs is sometimes sought in the process of developing electoral laws. Wherever possible, EMBs should advocate for and work with the legislature and civil society, including academic experts, on promoting gender equality and ensuring the rights of women in the following areas:

### **Electoral Law**

- Review electoral law and other relevant legislation from a gender perspective to ensure they are in line with international and regional instruments, that the legal framework is consistent and transparent and is not open to arbitrary interpretation. Identify any areas which need to be clarified, elaborated, or gaps that may need to be addressed by regulations or legislative reform.
- Where gaps have been identified, work with the relevant bodies to make the necessary revisions to ensure that the rights of women are fully reflected and their participation in electoral processes maximized.
- Develop gender-sensitive electoral laws and regulations particularly for voter registration, the electoral campaign, campaign finance, polling and counting and dispute resolution. This should be in line with key international human rights principles and instruments. The process should involve gender experts and women's groups to help guarantee the needs of women are taken into account and that women have equal access as voters, candidates and election officials.
- Develop a system that properly investigates, prosecutes and remedies violation of the law.

### **Special Measures/Quotas**

- In countries where the underrepresentation of women is an issue, consider the introduction of special legal measures to improve this, such as quotas.

- In the identification and development of any special measures, work with the key stakeholders such as women's groups and political parties to fully understand the issues and challenges in the country context. Clarify what type of special measures are likely to be most effective and what problems there might be using them in the short- and long-term.
- As part of this process, work with electoral experts and review different country examples and best practices to fully understand the options and the implications.
- For special measures such as quotas, ensure that legislation includes sanctions for noncompliance and that a system for monitoring, regulating and enforcing implementation at the intraparty level is in place.

### **Electoral Systems**

- Given that gender inequality is inherent in most societies and electoral systems are not gender-neutral, ensure the needs of women are an integral part of discussions on electoral system design.
- Work with key electoral stakeholders and electoral system experts to make sure the gender implications of the various types of electoral systems are fully understood.
- For PR systems, carefully consider the impact of factors such as closed lists in the particular country context to determine likely impact on female representation.

### **Campaign Finance**

- Advocate for and promote gender-sensitive campaign finance regulations, such as tying public funding to the equal nomination of male and female candidate, promoting or establishing ceilings on campaign expenditures as well as regulations that improve transparency and ensuring that these regulations are strictly enforced.

### **Election Dispute Resolution**

- Work with relevant stakeholders to ensure that the electoral dispute resolution (EDR) mechanisms are gender sensitive and that men and women have equal access to and representation within the process.
- Ensure that women understand the EDR process through targeted voter education campaigns.
- Provide women with the necessary support to lodge complaints and make sure that any cases of intimidation or discrimination that they experience as part of the process are swiftly dealt with.

Additionally, while electoral laws are under the domain of legislatures, EMBs have significant control over the **regulatory framework**. They can:

- Develop regulations, directives, policies and codes of conduct to supplement and reinforce gender-sensitive electoral laws, ensuring gender equality is factored into the planning and implementation of electoral processes throughout the electoral cycle.
- Enforce regulations and levy penalties for violations. Often violations of gender-related provisions are not accorded the same level of importance as other violations.

#### **Special Measures Rank Rwanda First in the World**

In 2014, women held nearly 40 percent of the seats in Rwanda's Upper House and 64 percent in its Lower House. While this is a tremendous accomplishment in any country, it is particularly noteworthy for a country where women only realized the right to vote in 1961. A strong quota, enshrined in electoral laws and the Constitution, has helped increase women's political participation.

Formally adopted in 2003, Rwanda's current constitution incorporates a number of gender provisions, including explicit reference to CEDAW and a 30 person gender quota for all decision-making bodies, and calls on political organization to engage in electoral education that promotes women's and men's equal access to political office. Additionally, in 2007, an amendment was adopted to Rwanda's Law on Political Organizations and Politicians requiring party candidate lists to also include at least 30 percent female candidates. These combined initiatives have made women's national-level representation in Rwanda the highest in the world (Source: Quota Project).

## Section 7.2 Planning and Implementation

In order to ensure that gender is effectively mainstreamed across all electoral operations and processes, particularly given the scale and complexity of electoral operations, it is essential for the electoral management body (EMB) to fully consider gender and other inclusion issues in the planning and implementation stage of the electoral cycle.

### **Best Practice/EMB Actions for Gender-Sensitive Planning and Implementation**

#### **a) Planning**

- Carry out gender analysis of electoral processes pre-election and identify where actions are needed to address any gaps. This analysis should be done in reference to any gender mapping work that the EMB has already carried out and can include focus group discussions and/or a formal survey of obstacles in the electoral processes for women as voters, candidates, observers, polling officials and EMB staff. The analysis should include a review of the electoral system and other methods that have an impact on women's representation in elected bodies (such as quotas, reserved seats and political party regulations on candidate nomination).
- Develop operational/security plans and related instructions/directives that incorporate gender targets and activities, which specifically address the needs of women. This should be done in reference to any existing EMB gender strategy to ensure consistency. Carefully consider whether the needs of women are best served through segregated measures, such as dedicated registration times, polling stations/booths, or through gender-sensitive joint measures, such as gender-sensitive legislation or registration/polling stations being open at a time when women can attend with their male family members.
- Carry out gender-sensitization training for EMB staff (see Section 7.3)
- Establish monitoring and evaluation mechanisms for each electoral activity.
- Ensure that draft plans and instructions are reviewed by the Gender Unit or Focal Point before they are finalized.



### **Integrating Women into Design and Implementation**

When drafting its 2013 Election Code of Conduct, the Election Commission of Nepal held consultations with a variety of women's organizations including the Interparty Women's Alliance, women's activists and the Constituent Assembly Women's Caucus to identify and integrate gender-sensitive measures throughout electoral planning and implementation. Sample gender-sensitive measures include provision for: female voter educators and registrars; gender-positive voter education messages; and female polling staff and election observers.

- Consult women stakeholder groups as part of the planning exercise.
- Ensure systems are in place to collate and monitor gender-disaggregated data for all electoral activities.
- Budget for gender activities, including provisions for monitoring and evaluation.
- Coordinate with other government departments, civil society, the international community and donors to ensure an integrated and holistic approach to gender activities for any given election or electoral process.
- Develop recruitment guidelines and targets to help ensure gender balance in the recruitment of staff for electoral operations, and where relevant make provision for all female teams.



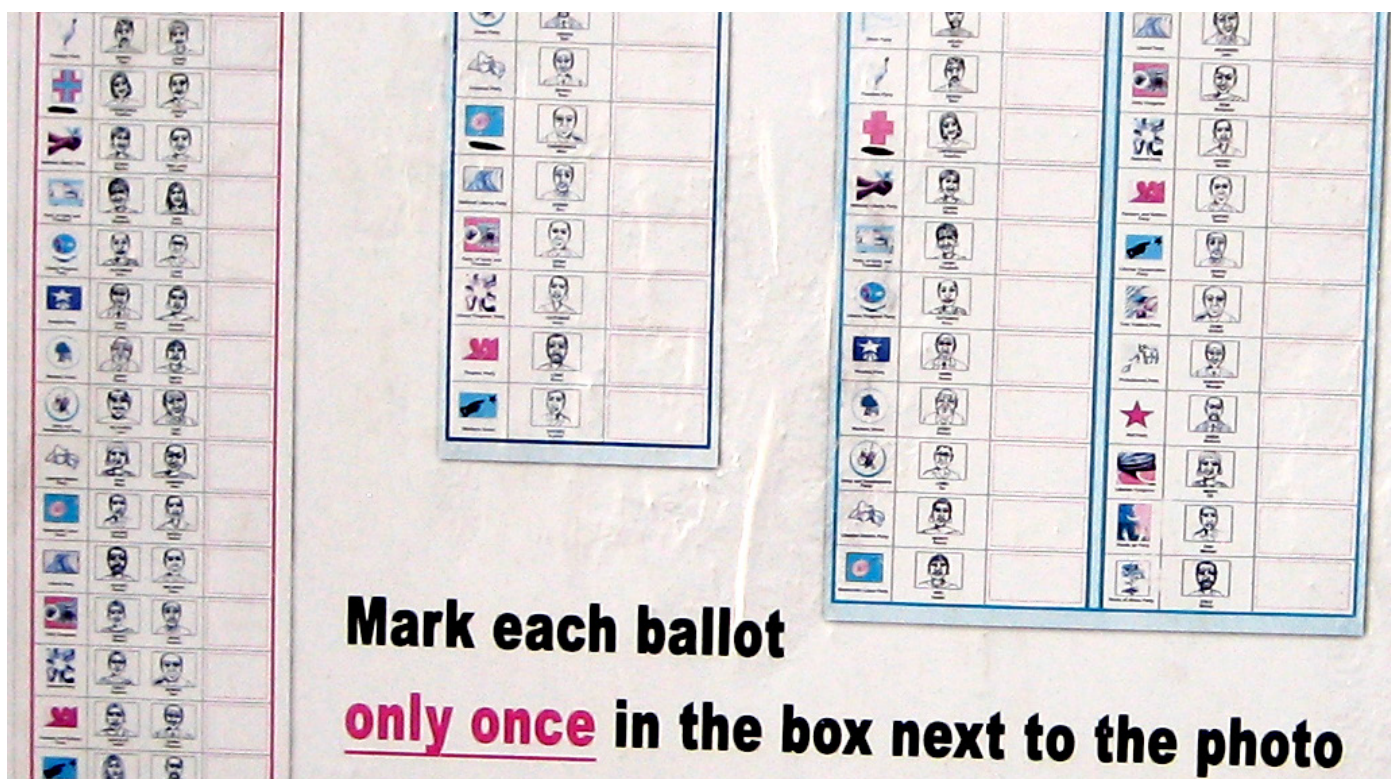
### **Afghanistan Gender Mainstreaming all Electoral Planning and Activities**

In a country where it is dangerous to stand up for women's rights, the EMB in Afghanistan, called the Independent Election Commission (IEC), does just that. Gender considerations are taken into account in all aspects of its work within and outside the organization. This commitment is reflected in the far reaching work of the Gender Unit, which was established in May 2009 and was responsible for developing a gender strategy for the IEC, with an immediate focus on electoral operations for the 2014 Presidential and provincial elections. The Gender Unit works in an integrated way with all IEC departments, including a gender focal point within the IEC Public Outreach Department, as well as cooperating closely with the Ministry of Women's Affairs and with the Ministry of Haj and Islamic Affairs. It also implemented an integrated voter education campaign with the Ministries of Haj and Women's Affairs whereby Mullah's around the country attended workshops facilitated by gender trainers from the respective Ministries on the voting rights of women and the importance of women's participation in the electoral processes. Finally, the IEC continues to increase its female staff conducting voter registration in an effort to encourage female voters to register for and participate in elections. As a result of these efforts, women made up 36 percent of the voters in the first round of the 2014 Presidential election. To find out more about the IEC's gender mainstreaming efforts, visit its website: [www.iec.org](http://www.iec.org).

#### **b) Implementation**

- In accordance with recruitment guidelines, wherever possible put together gender-balanced teams at the EMB HQ and in field operations.
- Make sure that election calendars, information and deadlines for candidate registration, challenges and complaints, voter registration, and voting are widely disseminated well in advance and are easily accessible to men and women.
- Ensure that all voter and civic education material, handbooks and communications depict women as prominently as men, that all language is gender neutral and that motivational messages are particularly sensitive to the inclusion of women (see section 7.3)
- Design ballots, and any other printed materials such as posters and leaflets, in such a way that they don't discriminate against illiterate people. For example, use pictures and cartoons in voter education materials and symbols or photographs of candidates on ballots. This is an important gender issue given the typically higher rates of illiteracy among women.





- Review, monitor and evaluate electoral activities from a gender perspective as they are being implemented in order to identify any problems and take any necessary corrective action.
- Data from monitoring and evaluation activities should be systematically collated so that it can be compiled into a final report post-election.
- Actively encourage observation organizations to recruit and train female observers, and political parties to employ female agents. Observation is a key element in transparency and accountability of electoral processes. Insufficient numbers of women observers and agents can render women-only polling stations or registration centers vulnerable to fraud and intimidation.

## Section 7.3 Education and Training

### Civic and Voter Education

A key role of an electoral management body (EMB) in delivering a successful election is the provision of timely and effective information to the electorate. In order to maximize participation, people must know their voting rights, what it is they need to do to realize them, how they can do it and why it is important. This can be particularly crucial in post-conflict countries where voting and information relating to the process might be very new to them. Civic and voter education campaigns run by the EMB, as well as other stakeholders such as civil society and the media, are vital in providing this information and motivating voters to act upon it.

**Voter education** refers to the information, materials and programs that are used to inform voters about the voting process for a specific election, including details on, for example, voter eligibility, voter registration, the candidates, how and where to vote, and what to do in the event of a complaint or electoral dispute.

**Civic education** deals with broader concepts underpinning a democratic society, such as the respective roles and responsibilities of citizens, government, political and special interests, the mass media, and the business and non-profit sectors, as well as the significance of periodic and competitive elections.

It is not enough for an EMB to only run generic voter education campaigns for men and women. Women often have particular information needs. For example, in some countries due to conflict or cultural attitudes, women may not have traditionally been involved in electoral processes; and in some countries due to limited educational opportunities and domestic responsibilities resulting in girls leaving school earlier than boys, there may be higher levels of illiteracy among women. The implications of this are that the EMB needs to take specific actions to address the education needs of women to ensure that they have sufficient information to make knowledgeable electoral choices.

## **Best Practice/EMB Actions to Address the Voter Education Needs of Women**

### **a) Plan for women's voter education needs**

- Analyze the specific voter education needs of women in the country in urban and rural areas and the barriers to women's participation in electoral processes. There are a number of ways to carry out the analysis, for example, surveys, focus group, key informant interviews or reviews of pertinent documents such as references in observer reports.
- Identify any groups of women that may have distinct voter education needs, such as ethnic minority groups, illiterate women, women with disabilities and linguistic minorities, etc.
- Ensure a budget line for women's voter education.
- Involve gender experts in the planning process and development of voter and civic education materials.
- Factor pilot testing of messages, materials and methodologies, pre- and post-testing and impact evaluations into the voter education plans and budget (see d.).

### **b) Develop targeted campaigns**



- Identify key voter and civic education messages for women. For example, highlighting women's right to vote and their right to exercise their own choice, the importance of women's participation in political processes as voters and candidates, and specific measures that will facilitate their participation.
- Ensure education targeted at rural, illiterate, poor and disabled women takes place.



- Utilize assessments, surveys and other information gathering tools to assess the ideal way to reach women through targeted voter education outreach.
- Where appropriate, target men with voter education campaigns to inform them of their rights, the rights of women to vote and do so independently, as well as the resulting benefits of women's participation in the electoral process. This should include the importance of the secrecy of the vote to help reduce instances of family and proxy voting.
- Ensure that material and images contain positive images of women in leading roles (as election officials, observers, candidates or educators, etc.).
- Design education and outreach campaigns for women who may be victims of electoral violence.
- Identify and use appropriate media and methodologies to reach different target groups of women, including rural, illiterate, disabled, ethnic minority, home-bound and young women.



- Ensure voter education workshops or activities take place at times that women can attend, in venues that are accessible to them and in an environment in which they feel safe and at ease to fully express themselves.

- Ensure that voter education is carried out by mixed-voter education teams, and where appropriate use dedicated female voter education teams (e.g., midwives, health workers or female teachers). In some countries, in order for women to travel as part of a mixed team, special travel arrangements may need to be made for them. For example, a male relative may need to accompany the female team member. It is important that the person accompanying them is someone they trust.

### **Voter Education in Nepal**

In the lead up to the 2013 Constituent Assembly election, the Election Commission of Nepal (ECN) implemented a number of measures to improve voter education and outreach to women and marginalized groups. For example, Nepal's electoral codes of conduct calls for promotion and dissemination of news and information that encourages women's participation, and election directives, including provision for 50 percent female representation among voter education volunteers, further encouraged outreach. Teams of "Nirwahan Sikshya Karmachari" (NISIKA), or voter education workers, drew from the ranks of health workers and primary school teachers, ensuring that women were well-represented. In 2013, nearly 24,000, or 76 percent, of the voter education volunteers were women. A women-to-women approach, where female voter educators traveled to homes of people in marginalized communities to distribute voter education messages, proved particularly effective in reaching women who lacked resources to travel to events.

Other ECN-sponsored initiatives such as radio public service announcements and street theater performances were organized during times and in places that women were likely to access. These events further provided an opportunity for illiterate women to access civic education and voter materials.

### **c) Maximize the impact**

- Work in a coordinated, integrated and creative way with other government departments, women's groups, civil society and the media to promote key messages to women. The health and agricultural sectors can be effective sources of trainers and voter educators, for example, working with rural health teams, midwives and local agricultural associations. By working in cooperation with relevant stakeholders, the impact and reach of voter education can be maximized.



#### **d) Test materials and methodology**

- Make sure that the messaging of education materials is clear and motivating and that the methodology used to deliver the messages is effective by testing them with the target audience before rolling out the campaign. This can be done with focus groups, surveys, etc.
- Where appropriate, measure the effectiveness of voter education by carrying out pre- and post- tests and impact evaluations with a representative sample of the target groups. This involves clarifying levels of knowledge of the women before running the voter education campaign and measuring levels of knowledge of the same women after they have received the voter education.

#### **Mobilizing Women's Participation in Niger**

Thanks to a targeted voter education campaign, there was a massive turnout of women voters in the December 2010 regional and local elections in Niger. The challenge for the Independent National Electoral Commission of Niger (INEC) was the country's high illiteracy rate (over 70 percent of the population and 90 percent of women). Substantive information and education was needed to explain the different levels of elections to be conducted and the various electoral processes. Women's participation in elections had traditionally been very low due to lack of information and understanding of their rights, and lack of key documents for their participation, such as a birth certificate, national identity card or voter card. An integrated set of audio and video messages was broadcast and a major face-to-face campaign targeting young, elderly and marginalized people, with a special focus on women as electors, was undertaken. By the time of the election, women constituted about 51 percent of the 3.56 million registered voters.

Source: Adapted from UNDP newsletter "Voices" – 2nd quarter 2011: UNDP Electoral Cycle Support to Niger

#### **Training**

An EMB works with many different internal and external stakeholders when planning and delivering an election. Many of these stakeholders will receive training or briefings from the EMB relating to their particular role in the election. This presents the EMB with a great opportunity to promote key gender messages and/or to sensitize the stakeholder to the specific needs of women in the various electoral processes. In doing so,

it is imperative that the EMB models gender-sensitive behavior in the preparation and delivery of these programs.

### **Actions an EMB can take to integrate gender into stakeholder trainings**

#### **a) Identify target groups and plan for strategic delivery of gender sensitization electoral training**

- Well in advance of an election, hold multi-stakeholder gender training, such as the BRIDGE gender module, to raise awareness of the importance of women's participation and gender sensitivity in electoral processes.
- Hold gender training for specific stakeholders, such as local security forces and EMB personnel, to help ensure gender issues are integrated into their electoral operations. For example, in the case of training for security forces, increase awareness of gender issues relating to security, explain how to help prevent electoral violence targeted at women and how to respond to women who have been victims of electoral violence.

#### **b) Build capacity of EMB staff to run gender-sensitive training**

- Build capacity of EMB staff responsible for delivering training for internal and external stakeholders, so that they can plan for and deliver gender-sensitive training. For example, trainers should be aware of the need to take gender considerations into account when arranging the logistics of the training. They should also understand how to model inclusive behavior when training in order to make sure female participants are able to fully participate and contribute.
- Implement women's leadership trainings that aim to expand women's role as leaders in the EMB and broader electoral stakeholder community.

#### **c) Gender sensitive training materials and content**

- Ensure that electoral training materials are gender sensitive, for example, images, narratives and case studies should feature women in a positive light (i.e., avoiding negative stereotypes and degrading imagery, and showing women playing a leading role in society).
- Highlight likely gender issues to arise in electoral processes. For example, in training of poll workers, participants should understand that family voting is a violation of the law and voting rights.

#### **d) Composition of training teams**

- Wherever possible, use gender-balanced training teams and ensure that male and female trainers have equal status and responsibility.



- Where necessary, use women only training teams. For example, in situations where women-to-women voter education campaigns are likely to be more effective.

**e) Selection of Participants**

- When inviting stakeholders to nominate participants, request both female and male participants to be nominated.
- Ensure that women from minority groups and disabled women participate in EMB trainings.

**f) Coordination of training delivery with other key stakeholders**

- Consider how best to deliver the training to a specific target audience. For example, working in coordination with women's or religious groups, health workers, agricultural associations or relevant government departments such as the government departments responsible for or working on women's issues.



Gender and Leadership Training for Georgia CEC

#### **Georgia Central Election Commission: Gender Trainings and Outreach**

In its efforts to increase women's participation both within the organization and throughout the electoral process, the Central Election Commission (CEC) of Georgia has implemented a variety of women's leadership trainings. Working with the CEC, IFES has trained 40 female members of the election administration on leadership and human rights issues, enabling them to take on leadership roles in administering local self-government elections. These trainings also engaged on broader gender equality topics, including gender equality issues and challenges in Georgia, national legislation, and conflict resolution. Additionally, in spring 2014, the CEC announced a grant competition inviting civil society organization applicants to submit proposals to promote, among other areas, women's participation in the local self-government elections.



## Section 7.4 Voter Registration

Voter registration establishes a record of the voter eligibility of citizens and is pivotal to ensuring that all citizens, male and female, can exercise their democratic right to vote. Voter registration systems should be simple, transparent, accurate and inclusive. Beyond these guiding parameters, there is no one right way to compile and maintain a voter register. From a gender perspective, whichever type of system is used will have different drawbacks and benefits, as well as different implications regarding the participation of women. When selecting a system, each option needs to be carefully examined in the country context to ensure that the system does not disadvantage eligible female voters or further marginalize them from the opportunity to actively contribute to a more vibrant and inclusive political process.

*“To the extent that election management bodies determine procedures for voter registration, they should keep in mind that women are more likely to be registered under State-initiated systems, in which the Government automatically registers all eligible citizens to vote, provided the State has the skills and resources to make such a system work effectively. In systems in which individual voters must register themselves, election management bodies should ensure that the need to register is well-publicized, that voter registration stations are easily accessible, and that procedures are quick and simple. Special attention should be devoted to registering displaced persons, most of whom are women.”*

Source: Women and Elections: Guide promoting the participation of women in elections, pg. 69. UN

Depending on the country and the legal framework, an electoral management body (EMB) may or may not be responsible for voter registration, but it will certainly be responsible for ensuring that the data used for polling is accurate. In the case where an EMB has responsibility for voter registration, it must ensure that the system includes women, has measures in place to reduce the obstacles to women's registration and, through targeted campaigns, provides women with the necessary information and motivation to take part.



### **EMB Best Practice to Achieve Gender-Sensitive Voter Registration**

#### **a) Voter Registration System and Process**

- Design a simple, transparent and inclusive voter registration system and process that does not indirectly disadvantage and disenfranchise women.
- When deciding on a voter registration system or developing voter registration processes, carry out an analysis of what are the likely obstacles for women's participation. For example, barriers relating to time pressures due to work and childcare duties; literacy levels; religious, ethnic or cultural traditions; citizenship issues and other particular issues facing women with disabilities, as well as displaced women and women in post-conflict countries; and fear of intimidation. It is important that this analysis is done by creating mechanisms to ask women themselves what are the issues they face, rather than relying on assumptions or "common knowledge" as these can sometimes be false.



### Effective Voter Registration in Nepal

In an effort to register women to vote, especially marginalized women, the Election Commission of Nepal (ECN) worked with civil society organizations to implement 486 mobile voter registration camps in 32 IFES working districts. As part of this initiative, female community health volunteers and primary school teachers, the majority of whom were women, were enlisted to conduct door-to-door voter registration. This resulted in 1,677,743 women being informed and motivated to register to vote from September 2011 to October 2013. This is especially important in more marginalized areas, like Gaida Vedpur in the Mahottari District, where only a handful of women voted in the 2008 Constituent Assembly election. Due in part to the ECN's voter registration drive, over 77 percent of the women in Gaidha Vhedpur voted in the 2013 Constituent Assembly election, compared to 64 percent of male voters, reflecting their improved access to the voting process.

As a result of these and other initiatives, 6.16 million women representing 50.76 percent of total registered voters were registered to vote in the 2013 Constituent Assembly election, reducing barriers to past electoral participation.

- When deciding on a system, assess the different options from a gender perspective to see what the potential impact on women could be.
- If the EMB is not directly responsible for voter registration, liaise with the responsible body to advocate for a process that will help ensure the inclusion of women.
- For State-initiated systems, in which citizens are automatically registered by the government, make sure that mechanisms are in place to maintain and update the list. This is important in countries with weak civil registration maintenance, post-conflict countries where records may have been destroyed or manipulated, or in countries where there are many displaced people (the majority of whom are often women).
- For State-initiated systems, ensure the names of newly-married women are captured as women's names and take into consideration that places of residence can change when they get married. Consideration should also be given to divorced and widowed women if their registration status remains tied to their marital status.
- For State-initiated systems, capture the names of women dependents in countries where records are filed under the name of the male head of household.

- If using a self-initiated system, in which individual voters are responsible for registering themselves, factor into planning and make provision for major information campaigns, as well as ensuring the voter registration process is as easy as possible to understand and access (see b. below).
- Remove overly stringent registration requirements, where women are likely to have difficulty getting identification documents or have limited identification (e.g., displaced women).
- Make sure displaced women and men are given the opportunity to register.
- Ensure the register indicates the gender of the registered voter and provide gender disaggregated data for registered voters.
- Make sure that the system is designed so that illiterate women and men, those who have difficulty communicating and persons with disabilities have knowledge of the registration program and are able to register.
- Ensure that procedures provide for sufficient notice to be given as to the dates and duration of the public scrutiny period, and the notice is provided in a form accessible to women, including those who in remote areas and/or homebound with young children.
- Monitor registration and take remedial action if too few women are registering.

#### **Promoting Women's Voter Registration in Pakistan**

The Election Commission of Pakistan (ECP) collaborated with civil society organizations and political parties to develop voter outreach messages aimed at encouraging women to register to vote. These included gender-sensitive messages about registration for computerized national identity cards and information on how to verify voter registration details through mobile services. These were distributed through television and radio announcements, posters, banners and social media. Working with IFES' PakVoter campaign to raise awareness of and knowledge about the local government elections, ECP-approved messages were disseminated to nearly 1.3 million Facebook accounts, over half of which belonged to women.

#### **b) Voter Education for Voter Registration**

- Develop and implement targeted electoral education campaigns to ensure women understand the meaning and importance of elections, making it clear to them the benefits of voter registration and provide information addressing the particular issues and needs women may have.
- Adopt a creative and integrated approach and maximize impact by working with other stakeholders such as civil society, community and religious groups, and the media to promote key messages.
- Use appropriate voter education methodology to most effectively reach women and cater to the needs of illiterate women, women with disabilities, women from ethnic minorities and first-time female voters.
- Ensure that women have information and time to lodge complaints regarding voter registration as well access to the complaints process.
- Where appropriate, provide targeted voter education to men to explain the importance of women registering.

#### **c) Staff and Logistics**

- Wherever possible provide gender-balanced teams for voter education, voter registration, complaints committees and security and make sure the teams are acceptable within the local community.



- Train voter registration teams on gender sensitivity, including awareness of the special needs of disabled women.
- Where appropriate provide female-only voter education and registration teams.
- Ensure that registration centers are easily and safely accessible for women and have flexible working hours to enable women to have access to registration before or after work and around their domestic commitments.
- Make sure voter registration centers are suitable and accessible for pregnant women, women with children, elderly women and all persons with disabilities.
- Provide mobile voter registration centers for remote areas.
- Schedule voter registration at a time in the year when women and men are most likely to be able to attend. For example, avoid the harvest season or the winter season in high, mountainous regions.
- Liaise with security forces to ensure adequate security during voter registration.

## Section 7.5 Electoral Campaign

The campaign phase of the electoral cycle is a period of intense political activity as parties and candidates compete with each other to promote their messages and attempt to win over voters. With tensions often running high between political parties, candidates and their supporters (as well as between political parties and candidates and the body responsible for monitoring and regulating campaign activities), this can be a challenging time for all concerned. However, it is often particularly challenging for female candidates with gender discrimination endemic on many levels.

Although international standards explicitly state the right of women to be able to contest elections on equal terms, and in many countries this is reflected in domestic legislation, the reality is that women face disproportionate obstacles and discrimination when compared to men. In many countries, gender stereotypes and social, religious and cultural factors can make it very difficult for women to enter into politics and to compete on a level playing field. Women often have greater family commitments, which can make it difficult for them to travel and spend time away from home. In emerging democracies, women are often less educated than men, less connected and have less access to information. In some countries and in post-conflict situations, women can face serious personal safety issues, and increased likelihood of being on the receiving end of intimidation and electoral violence. Finally, and often cited as being the biggest obstacle to women's participation, is that they typically have less access to vital resources. Most significantly, female candidates have less access to the political finance needed to effectively compete and run increasingly expensive electoral campaigns, as well as other necessary resources, including transportation, the media and campaign venues.

The role of an electoral management body (EMB) in regulating and monitoring campaign finance and activities is determined by the country's legal framework. In some countries, such as Australia, the EMB has a mandate to regulate and monitor the finance, methods and general conduct of political parties and candidates. In other countries such as Benin, Greece and Estonia, the responsibility lies with another government agency or agencies and the mandate of the EMB is more limited. Whatever the scope of the EMB

in this regard, it has a crucial function in ensuring the legal framework is fully utilized to promote equality and create equal conditions for all political parties and male and female candidates. Given the major challenges that women face, the EMB has a particular responsibility to do whatever it can within its mandate to foster an electoral environment where women can contest on an equal footing with their male counterparts.

### **Best Practice/EMB Actions to Ensure Equity in the Electoral Campaign Phase**

#### **a) Campaign Finance and Resources**

- If within the EMB's authority, consider advocating for a law or regulation that identifies a minimum amount of campaign funding to be spent on female candidates as well as a minimum number of activities or appearances led by female candidates. This is particularly relevant when there is a quota for female candidates.
- Depending on the EMB's powers, it should audit, review, issue administrative penalties, and recommend prosecution for noncompliance to help enforce campaign finance regulations and ensure that illegal or excessive contributions and spending are sanctioned.
- Ensure or advocate for female candidates to have equal access to campaign resources, including any public funding for campaign activities, airtime, access to venues, as well as party raised funding.

#### **b) Conduct of Campaign/Campaign Regulations**

- Work with the relevant stakeholder to develop clear and comprehensive electoral campaign regulations and codes of conduct with specific provisions relating to equality of opportunity and equal treatment of male and female candidates.
- Where EMBs allocate timeslots for each party's campaign activities, make sure that these are gender friendly.
- Ensure women are protected from harassment and intimidation through the inclusion of relevant provisions in electoral campaign regulations and codes of conduct.
- Make sure political parties are aware of the need for compliance relating to these provisions and of the repercussions of noncompliance. In the absence of a formal code of conduct, work with political parties to reach an informal agreement on behavior during the campaign period.
- Ensure or advocate for strict compliance with regulations and code of conduct, and consistent enforcement of penalties for noncompliance.

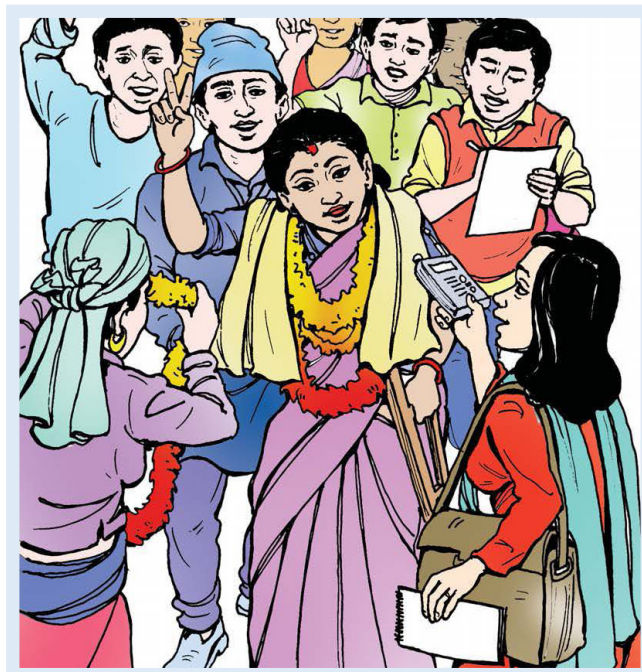


### c) Dispute Resolution

- Ensure that female contestants understand the electoral dispute resolution mechanism and that it is easily accessible to them.
- Ensure or advocate for the involvement of women in the dispute resolution mechanism.
- Ensure the dispute resolution mechanism doesn't discriminate against women.

### d) Media Access

- Include or advocate for provisions in the electoral law and other regulations in order to ensure equal access to the media for all candidates.



*This image was part of a voter education series in Nepal. It described the voting process using pictures that included women and people with disabilities.*

- Work with the media and the state broadcaster to ensure that female candidates receive equal coverage and that coverage is balanced, fair and nondiscriminatory.
- Ensure and advocate for strict compliance of media regulations and code of conduct during the campaign period and consistent enforcement of penalties for noncompliance.

#### **e) Security**

- Include protection of female candidates in election-security planning.
- Work with relevant stakeholders such as security forces and political parties to ensure that female candidates are protected from harassment and intimidation throughout the electoral process.
- In the event of cases of harassment, intimidation and violence against female candidates, ensure or advocate to the relevant authorities that the perpetrators are dealt with swiftly and in accordance with the law.

#### **f) Provision of Information and Confidence Building Activities**

- Establish and maintain contact with political parties throughout the electoral campaign period to build mutual understanding and foster a peaceful and fair campaign environment, one in which men and women are treated equally.
- Hold specific cross-party information sessions and activities for female candidates or potential candidates on the campaign framework.
- Consider having a female EMB staff member(s) as a contact point for campaign information and reports of violations or harassment against female candidates.
- Provide political parties and candidates with information on electoral operations, regulations and relevant codes of conduct. Highlight the importance of inclusion, gender equality and the need for compliance with the relevant legal provisions relating to this.
- Meet with female candidates to make sure they are fully aware of their rights under the electoral regulations and that the EMB is aware of and able to respond to any particular issues or challenges it faces.

## Section 7.6 Voting Operations and Election Day

The concept of democracy becomes most tangible to the public during Election Day and the voting process. The way that an electoral management body (EMB) manages voting operations is not only highly visible, but also likely to be highly scrutinized by the public, political parties, candidates, civil society, the media and the international community. A key aspect that will be under scrutiny is the degree to which women, and other marginalized groups such as women with disabilities and women from ethnic minorities, have been included in the process and are able to freely exercise their democratic right to vote in accordance with domestic legislation and international standards and obligations. The foundations for gender-sensitive voting operations should be laid in the planning and implementation stage of the electoral cycle, including any broader EMB gender strategies and policies.

### **Best Practice/EMB Actions to Ensure Gender Sensitive Voting Operations**

#### **All Female Observation Groups**

Marking the first initiative of its kind in Nepal, the Election Commission of Nepal (ECN) accredited women-only observation groups to observe the 2013 Constituent Assembly election. The observation groups, representing 30 different women's organizations, were deployed under the leadership of the National Women's Commission (NWC). Following their observation, the female observers completed a report that included lessons learned and recommendations for future elections, clearly identifying opportunities to address barriers to women's Election Day participation.

#### **Polling station staff**

- Establish guidelines and monitoring mechanisms for the recruitment of gender-balanced polling station staff.

- Ensure that women are recruited into senior positions such as Returning Officers, polling station Chairpersons and Deputy Chairpersons.
- Ensure that women receive the necessary support to work effectively and that their personal safety is taken into account. For example, putting in place security provision for transport to and from the polling station if female staff travel in the dark or through unsafe areas.
- Train staff present at the polling station to be gender sensitive and aware of voting practices such as proxy and family voting that can disadvantage women (see below).

### Security

- Work closely with security personnel to ensure a gender-sensitive approach to security and prevent intimidation of women at polling stations. From a security perspective, women in certain situations can be more vulnerable to intimidation than men. A lack of safety and dignity, whether in the public or private sphere, limits women's ability to vote, hold public office or participate in other electoral activities.
- Work with security forces to ensure that women are included as part of the security personnel.



### Management of voting process

- Polling station staff must be aware of and prevent family and proxy voting as both practices can disproportionately disadvantage women.

**Family voting** is a term used to describe a situation where two or more people enter the same polling and either vote together or, as is often the case, the head of the family casts the ballots on behalf of the group. The practice typically involves husbands and wives and constitutes a violation of international commitments relating to the secrecy of the vote. It is particularly prevalent in patriarchal societies where women do not have sufficient freedom to make independent choices.

**Proxy voting** is a term used to describe a situation where one person presents documents for several people and votes on behalf of all of them. This practice is often more common in rural, less-educated areas and can disadvantage women in particular. As with family voting, it compromises the secrecy of the vote and is a violation of international commitments and, in most countries, domestic legislation.

- Ensure priority access for pregnant women and women with children, persons with disabilities, as well as elderly women and men.
- Ensure polling times enable women to fit voting in with their work and family commitments.
- Provide assistance for illiterate voters and persons with disabilities.
- Design simple ballots so as not to discriminate against illiterate people (see section 7.2 – this must be considered in the planning and implementation phase).
- Introduce other gender-sensitive measures. For example, where appropriate, make female polling station staff responsible for inking fingers of female voters.

### Polling Station Logistics

- Locate polling stations in safe and accessible locations that women and persons with disabilities can easily get to.
- Ensure that there are adequate facilities at polling stations. For example, lack of ramps for wheelchair access and lack of toilets at polling stations may deter voters with disabilities and female voters.
- Ensure that there are sufficient polling stations so that voters don't have to wait in long queues or travel long distances. Long queues and distant polling stations

can discourage women from voting due to time pressures they may face because of their domestic and work responsibilities. Additionally, in countries where gender norms restrict women's freedom of movement, women are less likely to vote if a male family member must accompany them to a distant polling location.

- Use mobile polling stations for voters in remote parts of the country.
- Where appropriate, establish separate polling stations for women with female polling staff. This can be very helpful in countries where it is culturally appropriate and is also an effective measure to address proxy and family voting in countries where such practices are prevalent. In the case of separate polling stations, ensure that the location and layout is such that women do not feel unduly observed by men. This is particularly relevant in cultures where women do not usually show their face, but are required to do so as part of identity verification before voting. Further, consider mixing ballots cast in women-only polling stations with ballots cast by men before counting (but after reconciliation), to avoid any repercussion or fallout that might come from identifying voting patterns, if any, by a specific gender.

#### **Providing Separating Polling Stations for Women and Men**

In some countries, where social norms discourage interaction between men and women outside of family circles, **separate polling stations for men and women can increase** women's likelihood of voting. Dozens of countries worldwide have set up separate polling stations in targeted areas. Select examples include Afghanistan, India, Papua New Guinea, Libya, Nepal, Sri Lanka, Bangladesh, Yemen, Pakistan, Algeria and Zanzibar.

Source: Systems with Separate Polling Stations for Men and Women (ACE)



### **Working with the EMB to Increase the number of female polling officials in Cambodia**

In order to increase the number of female polling officials, the National Election Committee (NEC) in Cambodia provided invaluable support and input to an IFES/USAID-funded women's leadership program. The program trained 490 women from across Cambodia in electoral administration and leadership skills. NEC election officials attended the training as guest speakers and to help run polling and counting training. Following the training, local officials attended regional forums for the participants of the training to provide them with information and advice on how to apply for positions in the NEC, specifically for the 2012 Commune Council elections and the 2013 Presidential election. The combination of training, networking and NEC proactive engagement in the process resulted in 173 of the 196 participants being offered jobs for the 2012 elections and 209 out of 325 receiving job offers for the presidential election.



***"I believe that if these trainees participate as electoral administrators in the future, there will be more transparency in every election."***

Mr. Touch Setha, Deputy Chairperson of Kandal Provincial Election Commission



***"The program helped me understand why elections are so important and why women should be involved in the process. The training was invaluable in giving me a good understanding of the roles, responsibilities and procedures on Election Day. I plan to continue to be involved in elections in Cambodia."***

Douk Radaly took part in the women's leadership program and successfully got a position as a Deputy Chief of the Provincial Election Committee (PEC) for the 2012 commune council elections.

## Section 7.7 Verification of Results

Following closing of the polls, the electoral management body (EMB) must ensure that the counting and tabulation of results and the complaints and appeals process are gender sensitive.

### **Best Practice/EMB Actions to Ensure Gender-Sensitive Verification of Results**

#### **Counting and tabulation of results**

- Ensure rules on the validity of the ballot are not so strict that illiterate and uneducated people, many of whom will be women, are discriminated against. As a general rule, ballots should be accepted if the intent of the voter is clear.
- Ensure systems in place, including the training of polling station staff, to counteract instances of fraud that penalize women candidates.
- Ensure systems in place to collate and report on disaggregated data of voter turnout and men and women elected.

*“For the first time, the Election Commission of Pakistan (ECP) put in place measures for the general election on May 11, 2013 to gather gender-disaggregated voter turnout data through the separate counting of ballots from female booths at combined stations. However EU EOM [EU election observation mission] observers reported that in practice this counting typically didn’t take place and these questions weren’t completed on the results forms.”*

Source: EU Election Observation Mission (2013). Pakistan: Final Report. [http://www.eueom.eu/files/pressreleases/english/eu-eom-pakistan-2013-final-report\\_en.pdf](http://www.eueom.eu/files/pressreleases/english/eu-eom-pakistan-2013-final-report_en.pdf)

- Place post-election results in a format and place that are easily accessible to women and persons with disabilities.
- Monitor the collation of disaggregated data relating to the verification of results processes so that corrective action can be taken if the data is not being collected.

#### Complaints and appeals process

- Complaints and appeals processes should be clear and easy to use so as not to discriminate against uneducated, illiterate or women with disabilities.
- Investigate cases where elected female candidates have resigned to clarify why they resigned and to see if any intimidation has taken place.
- Ensure women participate as members of any administrative or judicial body considering election complaints.
- Ensure women are aware of the complaints and appeals process as part of the voter education campaign.
- Assess women's ability to equally access the complaints and appeals, including informal or alternative justice mechanisms.
- Provide support to women who file a complaint or appeal a decision, particularly those who may have special needs such as women with disabilities or illiterate women.
- Analyze data relating to the complaints made by women voters and candidates, for example, number of complaints, nature of complaint, or where the incident relating to the complaint occurred. This will provide invaluable feedback and inform policies and decisions relating to subsequent elections.

#### **Statistics on Electoral Participation in Georgia**

In 2014, for the first time in Georgia's electoral history, a photo and a designation of the voter's sex appeared next to his or her name on voter lists. This allowed the Central Election Commission (CEC) of Georgia to compile and release information on women's participation on Election Day. Sex-disaggregated voter lists revealed that women comprised 1,866,514 out of the 3,472,772 people registered in the voter registry (54 percent). Nationwide, 50.2 percent (1,485,350) of all votes were cast by women. The number rises to 55.94 percent in Georgia's capital city. The CEC issued a document following the 2014 elections that analyzed various data sets to compare differential levels of political participation between men and women.

## Section 7.8 Post-Election

The post-election period, which is often the most lengthy phase of the electoral cycle, provides an electoral management body (EMB) with an invaluable opportunity to analyze the election and the various electoral activities and processes from a gender perspective. Based on thorough analysis and the identification of lessons learned and recommendations, the EMB can use this time, when there is no immediate operational and political pressure, to plan for and take the necessary actions to further enhance its approach to achieving gender equality and the full participation of women in future elections. Liaising with key internal and external stakeholders is a crucial element of this process. It will help ensure a transparent and integrated approach as well as the buy-in and commitment from relevant stakeholders for future gender-related EMB policies and programs.

### **Best Practice for Gender Related Post-Election Activities**

#### Post-Election Analysis and Reporting

- Prepare plan for post-election gender analysis, identifying key internal and external stakeholders to be consulted and issues to be reviewed. The plan should include dedicated meetings to investigate gender and access issues, as well as integrating a gender component into broader post-election stakeholder meetings.
- Bring together the relevant internal and external stakeholders at the national and local levels to look at the various electoral activities and processes through a “gender lens.” It is essential to make sure that women’s groups and observer groups are consulted as part of this process. Groups should include young women and women from marginalized groups, such as women with disabilities and ethnic minorities.
- Analyze cases of electoral violence targeted at women and the impact on women’s participation and electoral processes.
- Analyze compiled gender-disaggregated data (election results in terms of turnout of women; votes obtained by women; seats won by women; and participation of women as electoral staff, observers and agents) to confirm whether targets and indicators were met and if not, ascertain the reasons why.

- Consider holding focus group discussions with key female stakeholders – such as female voters, female candidates, or female electoral administration staff – to get their perspective on the election and related processes.



*This image box was part of a series used in the Democratic Republic of the Congo to educate the public on the voting process.*

- Make recommendations based on analysis and lessons learned regarding areas of legal reform and things that can be done to further enhance gender equality for future elections.
- Compile a “Gender and Elections” report with clear recommendations for future actions and make the report available to different stakeholders and post on the website.
- Include a component on gender impact in any EMB annual report.
- Meet with key stakeholders to report on results of the gender analysis, the lessons learned and recommendations.
- Archive and document key gender-related information in an easily accessible way.
- Develop contacts and relationships with national and local women and women’s groups or organizations who were involved in advocating for and facilitating the involvement of women in recent electoral activities.

#### Education, Capacity-Building and Organizational Development

##### **a) External**

- Continue to build public understanding and awareness of electoral processes through ongoing civic and voter education activities informed by the recent election and post-election analysis.



- Continue civil society organization capacity building to support the full participation of women in elections.
- Share experience and best practice with other EMBs.

#### **b) Internal**

- Carry out further gender-sensitization training for EMB staff.
- Continue to support the professional development of women through on-the-job capacity building, training and mentoring.
- Build the capacity of the EMB gender unit and/or focal point.
- Recruit women at all levels of the organization, particularly in mid- and senior management positions.
- Conduct women focused research, for example, on women's political participation, electoral dispute resolution, violence against women, women with disabilities and feed the findings into future planning.



- Review and further develop the gender strategy and organizational policies on gender in light of gender analysis.
- Carry out a gender-sensitive review of the EMB strategic plan and amend as necessary.

### Electoral Processes

- Plan and budget for activities to further promote gender equality in the various electoral processes and activities for future elections.
- If there are budgetary gaps, liaise with donors and develop funding proposals for gender-related activities.
- Begin implementation of activities to enhance electoral processes from a gender perspective.
- Liaise with relevant stakeholders to carry out any gender-related legal reform.
- Carry out voter list updates, integrating any new measures as identified in the post-election analysis to increase registration of female voters.

## Section 8 Gender and Disability

Women with disabilities often face double discrimination on account of their disability and gender status. Women with disabilities are also less likely to have access to comparable education or training; health care and rehabilitation; or employment opportunities than women without disabilities. As a result, they are more likely to live in poverty and isolation, removed from the political and social life of their communities.

According to USAID,<sup>12</sup> women with disabilities comprise nearly three-quarters of all persons with disabilities in low and middle-income countries. With such a large percentage of persons with disabilities facing additional barriers as women, it is important for the election management body (EMB) to understand gender-based challenges preventing their full participation in political and electoral processes.

The starting point for the EMB is to understand the key international and domestic legal instruments relating to persons with disabilities. From the international perspective, the most significant of these is the 2008 *United Nations Convention on the Rights of Persons with Disabilities* (CPRD). Article 6 on women with disabilities promotes the rights of women with disabilities and the responsibility of the State to fulfil them. Furthermore, Article 29 on political and public life promotes the fulfillment of the political rights of persons with disabilities. These articles are summarized below.

### **Article 6: Women with disabilities**

Women and girls with disabilities experience discrimination in multiple ways. Countries must take all appropriate measures to ensure that women with disabilities are able to fully enjoy the rights and freedoms set out in the Convention.

### **Article 29: Participation in political and public life**

People with disabilities have the right to participate in politics and in public affairs, as well as to vote and to be elected.

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<sup>12</sup> Women with Disabilities, United States Agency for International Development. [www.usaid.gov/what-we-do/gender-equality-and-womens-empowerment/women-disabilities](http://www.usaid.gov/what-we-do/gender-equality-and-womens-empowerment/women-disabilities).

### Integrating CPRD Provisions in Nepal

Having ratified the CPRD in May 2010, the provisions in the CPRD apply to Nepal. Some provisions are already reflected in domestic legislation and directives. For example, in 2012 the Government of Nepal endorsed a “Directive on Physical Accessibility and Communication Services for Persons with Disabilities” which supplements the current Building Code to better address accessibility of persons with disabilities.

Following this directive, persons with disabilities will have better access to public infrastructures such as school buildings, hospitals and government buildings. Such public infrastructures can be primary locations for polling stations as well as places for civic education and voter registration.

As Section 4 of this booklet highlights, women’s political participation can be hindered by a variety of institutional, social or cultural obstacles that are often compounded by disability. For example:

- Citizenship or documentation requirements for voter registration are often more difficult to obtain for women than men because of discriminatory citizenship laws. This problem can be exacerbated for women and girls with disabilities.
- Registering to vote can often involve waiting in long lines and travelling distances to get to polling stations. Both of these factors can be difficult for disabled women, particularly considering that 65-70 percent of women with disabilities live in rural areas.<sup>13</sup>
- Gender-based electoral violence can deter women’s political participation. Women with disabilities are three times more likely to experience physical or sexual violence than women without disabilities.<sup>14</sup>
- Women often lack civil and political awareness caused by low levels of literacy and education among women. For women with disabilities the problem is often compounded as the global literacy rate for persons with disabilities is extremely low.<sup>15</sup> Additionally, at a global average of 42 percent for girls compared to 51 percent for boys, girls with disabilities are far less likely to complete primary school than boys with disabilities.<sup>16</sup> This has a number of implications on the

13 “Factsheet: Violence against Women and Girls with Disabilities” Women Watch. United Nations.

14 The World Bank/Yale University (April 2004). “HIV/AIDS and Disability: Capturing Hidden Voices.”

15 UN Enable. “UN Enable Factsheet on Persons with Disabilities.” United Nations.

16 Leonard Cheshire Disability (March 2014). “Realizing the Rights of Women and Girls with Disabilities.”

ability of women with disabilities to participate in elections, ranging from their understanding of their right to vote and make independent choices to their ability to access dispute resolution mechanisms.

- Cultural traditions that restrict women's independence or intimidate women from exercising their individual choices can result in proxy and family voting. In the cases of women with disabilities who are often more dependent on family support, this risk is even higher.
- Women continue to be significantly under-represented in political and decision-making processes and the representation of women with disabilities is even lower.

The World Health Organization (WHO) estimates that around 15 percent of the world's population has some form of disability. Based on this, the estimated number of disabled persons in Nepal is nearly 4 million (using Central Bureau of Statistics Nepal 2012 census figures). With women representing half of the population, the number of women with disabilities in Nepal can be estimated as 2,046,700.

Throughout the booklet, the importance of recognizing the particular needs of women with disabilities has been highlighted. Using the framework of the electoral cycle, below is a summary of EMB best practice to help ensure the full participation of women with disabilities.

### **Model Good Practice within the EMB**

- Ensure the EMB building is accessible with the necessary facilities for persons with disabilities.
- Display positive images and posters of persons with disabilities in the EMB building and offices.
- Employ women with disabilities: Identify jobs that can be carried out by women with disabilities and recruit accordingly.

#### **1. Legal Framework**

- As part of the overall review of legislation from a gender perspective, ensure that it is line with international and domestic legal instruments relating to women with disabilities, such as CPRD.



- Eliminate legal capacity restrictions on the right to vote.
- Involve disabled persons organizations in development disability friendly electoral legislation, including codes of conduct.



***“I am one of the top seven leaders of the Philippines’ Commission on Elections and the only woman. I hope that every time women with disabilities see me, they have a clear visual aid that there is no reason why they can’t realize their own potentials. The challenges are greater, but not insurmountable. One big first step is exercising their right to be part of the country’s decision-making process through elections. This is why I am working to have persons with disabilities (PWD) as partners, not merely beneficiaries, of our electoral programs and reforms. I have pushed for the integration of PWD concerns in our resolutions and decisions so they will not turn out to be just supplemental or additional matters.***

***Our committee was responsible for the drafting of the Implementing Rules and Regulations of the new law that will provide accessible voting precincts for both persons with disabilities and senior citizens. We made sure to get the inputs and approval of PWD leaders. There is a long way to go but I am making sure that the ideas and contributions of women with disabilities will always be sought because this is the best way to ensure the sector’s ownership and support of our programs, long after my limited tenure in the Commission.”***

Commissioner Grace Padaca, Philippines Commission on Elections

## **2. Planning and Implementation**

- As part of the gender analysis of electoral processes, review provisions and activities from the perspective of women with disabilities. Identify obstacles to their participation and ways that these can be addressed. Involve women with disabilities in the analysis and solution development.
- Develop operational plans, processes and related instructions that take into account the needs of women with disabilities.
- Develop policy on priority voting.
- Develop policies on alternative voting methods such as voting in advance or mobile ballot boxes.
- Design layout of polling stations in an accessible manner.
- Procure magnifying glasses, voting booths accessible to wheelchair-users, tactile stickers for ballot boxes, large grip pens and other materials that will assist persons with disabilities.
- Develop tactile ballot guide.
- Avoid complicated ballot design so as not to discriminate against persons with disabilities.
- Accredite observers with disabilities.
- Review, monitor and evaluate activities from a women with disabilities perspective.
- Collate gender-disaggregated data for persons with disabilities.

## **3. Education and Training**

- Analyze the specific voter education needs of women with disabilities.
- Develop targeted messages, materials and suitable voter education methodology to reach women with disabilities, highlighting any special measures that will facilitate their participation.
- Ensure that voter education materials contain positive images of women with disabilities.
- Work closely with groups and organizations that work with persons with disabilities to maximize the impact of voter education campaigns.
- Train trainers in Nepali sign language.
- Produce educational materials in braille and large font.

- Hold multi-stakeholder disability sensitization training, such as the BRIDGE disability module, to raise awareness of the needs of persons with disabilities and ensure the needs of women with disabilities is part of this training.
- Build capacity of EMB staff to deliver training sessions that take the needs of persons with disabilities into account when planning, delivering and evaluating a training.
- Include issues related to disability in poll workers manual and train poll workers on administering the vote to persons with disabilities.
- Ensure that women with disabilities are invited to EMB trainings.



#### 4. Voter Registration

- In consultation with DPOs, determine if disability should be on voter ID cards.
- As part of the development and implementation of the voter registration process, identify and analyze the barriers women with disabilities face when registering as voters. For example, in many countries women with disabilities can face particular difficulties in getting citizenship and identification documents.

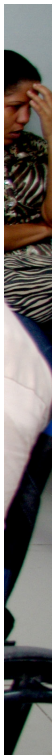
- Ensure persons with disabilities have access to necessary ID documents for voting.
- Develop and implement processes that will facilitate the participation of women with disabilities in the voter registration process.
- Ensure the voter registration process collates gender-disaggregated data for persons with disabilities.
- Develop and implement targeted voter education campaigns using appropriate methodology to ensure that women with disabilities know why it is important to register and how they can do so.
- Include positive images of women with disabilities in voter registration materials.
- Make sure that women with disabilities know about their rights to lodge a complaint about the voter registration process and provide them with the necessary support should they have a complaint to make.
- Train voter registration teams to be sensitive to needs of persons with disabilities.
- Select accessible voter registration for persons with disabilities.

## **5. Electoral Campaign**

- Ensure that women with disabilities have information on and understand the dispute resolution mechanism and that it is easily accessible to them.

## **6. Voting Operations, Election Day and Verification of Results**

- Ensure polling stations are accessible and have appropriate facilities for disabled persons such as ramps, wheelchair friendly toilets, etc.
- Identify staff positions that are suitable for women with disabilities in polling stations and recruit accordingly.
- Ensure that security staff are aware of the particular security needs for women with disabilities and that sufficient security is provided.
- Ensure priority access for women with disabilities and provide assistance where necessary.
- Collate disaggregated voter data for persons with disabilities.
- Ensure that election results are in an accessible format and posted where persons with disabilities can easily access them.
- Ensure the complaints and appeals process is accessible to persons with disabilities and that the necessary support is provided should they wish to make a complaint.



## 7. Post Election

- Ensure that the issue of access is part of the post-election review process.
- Ensure that disabled persons organizations are involved in the post-election review process.
- Make sure that recommendations to improve access for persons with disabilities and the particular needs of women with disabilities are taken into account in planning for future elections.
- Develop relationships with DPOs.

### **Myanmar Union Election Commission**

#### **Working Towards Gender and Disability Inclusive Elections**

After five decades of military rule, Myanmar has made significant democratic progress as it prepares for the 2015 parliamentary elections. At the heart of these preparations are the efforts of the Union Election Commission (UEC) to promote gender- and disability-inclusive elections.

When drafting its new Strategic Plan, members of the UEC Strategic Planning Committee, Strategic Planning Working Group and UEC Commissioners met for the first time with representatives of women's groups and DPOs – including female DPO representatives – to incorporate measures that aim to strengthen the inclusiveness of the election process. Through these consultations, the UEC was able to identify barriers that women, especially women with disabilities, encounter in priority areas of voter registration, voter education, Election Day procedures and political party representation. Working with these stakeholders, the UEC developed a plan to address these challenges. The UEC is also holding monthly coordination meetings with women's groups and DPOs to enhance the accessibility and gender sensitivity of electoral materials. The ongoing partnership between the UEC and civil society organizations has advanced the electoral focus on human rights and inclusion.



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