



SADC GENDER MONITOR 2013



Tracking Progress on Implementation of the
SADC Protocol on Gender and Development

With Special Focus on
Part Three
Governance
Articles 12 and 13

**Women in Politics and
Decision-Making Positions**

Cover Photos

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FOREWORD

The adoption and signing of the *SADC Protocol on Gender and Development* by SADC Heads of State and Government at their 28th Summit on 17 August 2008 in Johannesburg, South Africa was a significant milestone for the gender agenda in SADC, and has increased the momentum towards effective implementation of SADC gender commitments. The *SADC Protocol on Gender and Development* has been signed by 13 SADC Member States and ratified by 10 Member States – which is more than the required two-thirds for the Protocol to enter into force, and the Protocol has since entered into force.



The *SADC Protocol on Gender and Development* is expected to provide for the empowerment of women, to eliminate discrimination and to achieve gender equality and equity through the development and implementation of gender responsive legislation, policies and programmes. The Protocol is also expected to harmonise the implementation at national level with regional, continental and international instruments on gender equality and equity, including the Beijing Declaration and its Platform For Action (1995), the Convention on the Elimination of all forms of Discrimination Against Women (1979), the Millennium Development Goals (2000), and the Protocol to the African Union Charter on Human and Peoples Rights on the Rights of Women in Africa (2003).

The *SADC Protocol on Gender and Development* will assist in realising specific goals as it contains 28 substantive and measurable targets. This will indeed strengthen our monitoring efforts to enhance accountability for the advancement of gender equality.

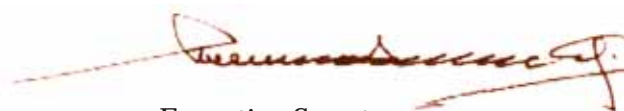
The SADC region has recorded achievements for gender equality and women's empowerment that include the increase in numbers of women in politics and decision-making positions. In health, some improvements have been reported in SADC Member States, especially in the reduction of maternal mortality rates and increase in ARV and PMTCT coverage. In education, most Member States have reached gender parity for the enrolment of boys and girls at primary school level, even though the retention of girls continues to be a problem, especially in late primary and early secondary school. SADC Member States have progressively incorporated gender perspectives into their education policies, programmes and curricula.

In spite of these positive achievements, profound contradictions remain, with some pervasive problems threatening to reverse the gains that have been made in gender equality and empowerment of women in SADC.

Violence against women is on the increase and manifesting in different forms, and in particular domestic violence and murder suicides are a concern in the SADC region. This has become an urgent priority that requires specific legislation, policy and programme development by SADC Member States. Other areas of concern include the feminisation of poverty, and the gendered nature of HIV infections and AIDS-related deaths.

There are concerns about women's representation in Political and Decision-Making Positions, including low representation and participation of women in leadership positions such as Cabinet, Parliament, Local government, the judiciary, and political party structures, among others. Access to decision-making by women is hindered by the absence of comprehensive affirmative action plans or quotas among other challenges. Furthermore, gender insensitive electoral policies, lack of resources, and prevailing gender stereotypes based on customs and traditions are among the factors that impede progress for equal representation by women and men in political and decision-making positions.

This publication will highlight useful information on opportunities, entry points, effective practices, lessons, and challenges to achieve gender equality, including the gender parity goal.



Executive Secretary
Dr. Tomáz Augusto Salomão
Gaborone, July 2013

PREFACE



SADC Secretariat Gender Unit is pleased to release the *SADC Gender Monitor 2013*. This has been compiled with support from SADC Member States and the Southern African Research and Documentation Centre (SARDC).

This Monitor presents an account of progress made towards implementation of the SADC Gender Commitments in line with the *SADC Protocol on Gender and Development*. It is important to note that information gathered through this process should serve as a crucial baseline as the Protocol enters into force.

This publication gives special attention to Part 3 on Governance – Articles 12 and 13 on Women in Political and Decision-Making Positions. This is very strategic as most SADC Member States will hold elections between 2013 and 2015. More advocacy and lobbying efforts for achieving the 50:50 Gender Parity goal are imperative.

It is our hope that this information will instigate more action, and collective conversations for effective implementation of the gender parity goal. Lessons and best practices will be widely disseminated with a view to apply best practices and accelerate action to achieve our targets by 2015.

A handwritten signature in brown ink, appearing to read 'M. Madibela'.

Magdeline Mathiba-Madibela
Head – SADC Gender Unit
Gaborone, July 2013

ACKNOWLEDGEMENTS

The SADC Secretariat would like to express its gratitude to the Swiss Agency for Development and Cooperation (SDC) and the *Deutsche Gesellschaft fuer Internationale Zusammenarbeit* (GIZ) for the generous financial assistance offered for the research and development of the contents of this publication, for the conference on the development of national implementation plans, and for the publication of the 2013 edition of the *SADC Gender Monitor*. This financial contribution demonstrates the commitment of SDC and GIZ towards gender equality and the empowerment of women in the SADC region and will go a long way in strengthening and consolidating this collaborative partnership with SADC.

The Secretariat would like to thank all the SADC Member States for their cooperation and valuable contribution towards the drafting and finalization of this publication through their timely submission of the National Progress Reports that have informed the *SADC Gender Monitor 2013*, and their participation in the collaborative discussion of national implementation plans at the SADC meeting on “Balancing the Scale towards 50:50 by 2015” held in Johannesburg, South Africa on 23-24 April 2012.

The process of developing the *SADC Gender Monitor* to track progress towards the realization of gender commitments in Southern Africa started with the United Nations Fourth World Conference on Women in 1995, which was held in Beijing, China under the guidance of a SADC national, Ambassador Gertrude Mongella from the United Republic of Tanzania who was Secretary-General of the Beijing Conference and later the first President of the Pan-African Parliament.

The development of the *SADC Gender Monitor 2013* was made possible through collaborative efforts of the SADC Secretariat Gender Unit, SADC Member States and SARDC. The SADC Secretariat would like to thank all experts, researchers and supporters who worked tirelessly to compile, analyse and edit the data for the *SADC Gender Monitor 2013*, namely: Magdeline Mathiba-Madibela and Elizabeth Kakukuru for the SADC Gender Unit; and Phyllis Johnson, Munetsi Madakufamba, Dambudzo Jambwa, Joseph Ngwawi, Mukundi Mutasa, Wanjiku Ngugi, Dorothy Mushayavanhu, Tanyaradzwa Chiwara, Tonely Ngwenya and Patience Ziramba on behalf of SARDC.

SADC Secretariat
Gaborone, Botswana
July, 2013

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ACRONYMS

| | |
|---------|--|
| AIDS | Acquired Immune Deficiency Syndrome |
| AU | African Union |
| BPFA | Beijing Declaration and Platform For Action |
| BV | Block Vote |
| CEDAW | Convention on the Elimination of all forms of Discrimination Against Women |
| CSO | Civil Society Organisation |
| FPTP | First Past The Post |
| GBV | Gender Based Violence |
| GDP | Gross Domestic Product |
| GIZ | <i>Deutsche Gesellschaft fuer Internationale Zusammenarbeit</i> |
| HIV | Human Immunodeficiency Virus |
| ICPD | International Conference on Population and Development |
| ILO | International Labour Organisation |
| IPU | Inter-Parliamentary Union |
| MDGs | Millennium Development Goals |
| MMP | Mixed Member Proportional |
| MPs | Members of Parliament |
| NAP | National Action Plan |
| NDP | National Development Plan |
| NGMT | National Gender Management Team |
| NGO | Non-Governmental Organisation |
| OAU | Organisation of African Unity |
| PR | Proportional Representation |
| RAC | Regional Advisory Committee |
| REC | Regional Economic Community |
| RISDP | Regional Indicative Strategic Development Plan |
| SADC | Southern African Development Community |
| SADC GU | SADC Gender Unit |
| SARDC | Southern African Research and Documentation Centre |
| SARUA | Southern African Regional Universities Association |
| SDC | Swiss Agency for Development and Cooperation |
| SDGEA | Solemn Declaration on Gender Equality in Africa |
| TGNP | Tanzania Gender Networking Programme |
| TAMWA | Tanzania Media Women's Association |
| UDHR | Universal Declaration of Human Rights |
| UNDP | United Nations Development Programme |
| UNECA | United Nations Economic Commission for Africa |
| WIDSAA | Women In Development Southern Africa Awareness |
| WEGE | Women's Empowerment and Gender Equality |

SADC PROTOCOL ON GENDER AND DEVELOPMENT

PART THREE GOVERNANCE

ARTICLE 12 REPRESENTATION

1. States Parties shall endeavour that, by 2015, at least fifty percent of decision-making positions in the public and private sectors are held by women including the use of affirmative action measures as provided for in Article 5.

2. States Parties shall ensure that all legislative and other measures are accompanied by public awareness campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision-making positions, democracy, good governance and citizen participation.

ARTICLE 13 PARTICIPATION

1. States Parties shall adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting.

2. States Parties shall ensure the equal participation of women and men in decision-making by putting in place policies, strategies and programmes for:

- (a) building the capacity of women to participate effectively through leadership and gender sensitivity training and mentoring;
- (b) providing support structures for women in decision-making positions;
- (c) the establishment and strengthening of structures to enhance gender mainstreaming; and
- (d) changing discriminatory attitudes and norms of decision-making structures and procedures.

3. States Parties shall ensure the inclusion of men in all gender-related activities, including gender training and community mobilisation.

INTRODUCTION

The *SADC Gender Monitor 2013* gives special attention to Governance, which is Part 3 of the Protocol on Gender and Development, and specifically to Article 12 Representation and Article 13 Participation. This is strategic since a number of SADC Member States are preparing for elections between 2013 and 2015.

It is our intention to highlight one provision within the Protocol every two years, and gather in-depth data on that provision for the purpose of deeper exploration and analysis in terms of status and progress. This is essential for the development of well-refined and clear recommendations for appropriate programming and implementation by Member States in their efforts to reach the set targets.

This edition of the *SADC Gender Monitor* reflects on the extent of representation and participation by women in political and decision-making processes and structures in Member States as well as the impediments to participation by women; and seeks to analyse the representation and participation of women and men in positions of leadership in politics and other key decision-making positions. A trend and situational analysis at regional and national levels as well as comparative analysis is used to locate the participation of women in national and local governance structures such as Parliaments, cabinet, judiciary, the security sector and institutions of higher learning.

The analysis based on the accompanying statistical tables and graphs illustrates the impact of quota systems and electoral systems in contributing towards equality of both opportunity and result. Gaps and opportunities are identified for the promotion of increased participation leading to equal representation of women in decision-making in both public and private sectors. Lessons learned and effective practices are drawn from East and Southern Africa as well as from outside Africa.

All SADC Member States show achievements towards gender parity in some part of the spectrum of governance, and Case Studies feature examples of effective practices used within and outside the region to move successfully towards equality of gender representation in some aspect of governance. However, the goal of reaching 50 percent representation and participation of women in political and decision-making structures by 2015 remains a major challenge in all SADC Member States.

This target was agreed by leaders of the African Union. That led to a decision by SADC Heads of States and Government at their 2005

Summit held in Gaborone, Botswana to upgrade the original target of 30 percent representation and participation of women in politics and decision-making positions contained in the SADC Declaration on Gender and Development in 1997. The 50:50 Gender Parity goal is a key component of the SADC Protocol on Gender and Development signed by SADC Heads of States and Government at their 28th Summit, held in Johannesburg, South Africa, on 17 August 2008.

Women in Politics and Decision-Making Positions

Box 1

Rationale for Representation and Participation

There are many reasons why women and men should be equally represented in politics and decision-making positions, but among these four main reasons are cited.

- ◆ The first and most commonly cited reason is the fact that women constitute the majority of the population in most SADC countries, and it is therefore good democratic practice that women are represented in proportion to numbers, or at least in equal proportion to men. In other words, equal representation of women and men in decision-making should be seen as an integral part of democracy.
- ◆ Second, and related to this, is that the right to representation in decision-making structures is recognised as a fundamental human right by the national, regional and global instruments to which most SADC Member States are parties to. Equality of representation is therefore a matter of fundamental human rights and justice.
- ◆ Third, it has been argued that the participation of women in leadership would make a qualitative difference to the governance of countries, and that women have special skills and unique experiences they would bring into these processes. Some have pointed out that, due to their socialisation, women leaders tend to take decisions that are conducive to improvement in the welfare of societies. These include voting in favour of increased attention and allocation of national resources to life quality issues such as health and education. To exclude women from Decision-making therefore deprives a country of a valuable contribution to the progress and welfare of the people, which are crucial for poverty eradication and the achievement of the MDG targets.
- ◆ Fourth, as a result of the attributes noted above, the participation of more women in decision-making can lead to a qualitative transformation of institutions, laws and policies

Source: SADC MP's Companion on Gender and Development in Southern Africa

OVERVIEW

Gender equality is firmly rooted in SADC's regional integration Agenda and Member States support the fundamental principle that both women and men must be equally engaged in decision-making at all levels and in all positions of leadership.

SADC thus recognises that the equal and meaningful participation and representation of women, who constitute more than half of the populations of Member States, is an important democratic advancement for the region. This is reflected in the SADC Protocol on Gender and Development signed and adopted by 12 SADC Heads of State and Government on 17 August 2008 in Johannesburg, South Africa. In this Protocol a commitment was made by Member States to achieve 50 percent women representation and participation in political and decision-making positions in the public and private sectors by 2015.

Women are under-represented at all levels of decision-making in the public and private sectors – in Cabinets, Parliaments, local government leadership, central government, central committees of political parties, private sector boards and management, and non-government sectors, special public service committees and other institutions in SADC Member States. The challenges range from patriarchy, cultural and social to economic and political factors that make it difficult for women to climb to the top echelons of political and decision-making positions at all levels. Other challenges include the existence of stereotypical attitudes, gender-blind legislation, rigid political party structures, and inequalities in terms of educational and family responsibilities.

However, there have been many positive developments over the past few years indicating the political will to advance women's representation in political and decision-making positions, not only in the numbers but also in changing perceptions about the ability of women to administer any position of leadership at political and other decision-making levels.

Performance continues to be mixed across the region with some countries doing well and others doing very badly in facilitating gender parity in political decision-making positions. For example, women representation in the Lower House of Parliament ranges from more than 40 percent in Seychelles and South Africa to around 10 percent in Botswana and DRC. Some Member States that have held elections since 2009 have regressed in the representation of women in Parliament and Cabinet positions.

Available statistics clearly illustrate the limited participation of women in structures of power and decision-making at all levels of society. The average percentage of women in Parliament in the region is 24.5 percent, which is well above the global average of 19.5 percent, but falls short of the desired target of 50 percent. Only five SADC Member States are significantly close to the target of parity in Parliament, *ie* Angola, Mozambique, Seychelles, South Africa and Tanzania. At the management level, women are seen only in middle and lower positions, with very few women in top management of the public service, parastatals and private sector.

Political will is a key factor responsible for these positive results as demonstrated by Seychelles which does not have any affirmative action or quotas but is close to reaching the target at Parliamentary level; and this trend is visible in other SADC Member States at different levels as shown in this report.

Most Member States now recognise that there can be no sustainable democracy without gender equality and women's empowerment. This is reflected in the Constitutions of most SADC Member States that provide a legal national framework for non-discrimination on the basis of gender differences. Some Member States that have recently reviewed their constitutions have included progressive clauses on gender equality with potential to enhance gender parity. There is optimism that other Member States will do the same.

A few SADC Member States have legislated affirmative action and quota systems that guarantee the participation and representation by women in Parliament and other positions, however implementation remains a challenge. Other Member States must consider legislated quotas and measures that require affirmative action as well as other measures necessary to accelerate gender parity. The introduction by some political parties of voluntary quotas has led to a rapid increase in the number of women elected to Parliament in some Member States yielding significant progress since the year 2000.

INTERNATIONAL AND CONTINENTAL POLICY AND LEGAL FRAMEWORK

SADC Member States have committed to various regional, continental and international agreements with regard to the promotion of gender equality and the empowerment of women. The regional policies, protocols and frameworks on women representation in political and decision-making positions are informed by international and continental instruments such as the following.

3.1 INTERNATIONAL LEVEL

- **Universal Declaration of Human Rights** of 1948 calls upon Member States to uphold the “security of all persons” and the “right to protection without discrimination.” It promotes the right of people to participate in the governance of their countries as well as the right to equal access to public services.
- **International Covenant on Civil and Political Rights** of 1966 promotes equality and non-discrimination of all persons before the law.
- **Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)** of 1979 states in its preamble that “the full and complete development of a country, the welfare of the world and the course of peace require maximum participation of women on equal terms with men in all fields.” To address gender inequalities that are perpetuated by legal, social and economic structures, Article 2 of CEDAW affirms the obligation of states to “pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women.” It requires state parties to undertake constitutional, legislative and socio-economic reforms aimed at eliminating discrimination against women in both the public and private spheres.
- **United Nations Declaration on the Elimination of Violence against Women** of 1993 recognises that violence against women affects peace, equality and development. It calls upon states to promote education aimed at eliminating gender prejudices and any customs which stem from unequal power relations.
- **Beijing Declaration and Platform For Action (BPFA)** of 1995 recognises that “women’s rights are human rights”. Two of the 12 critical areas identified are the participation of women in politics

and decision-making, and the economic empowerment of women. BPFA emphasises the impact of armed conflict on women, as well as the role women play in conflict prevention, conflict resolution and peace-building. The BPFA has been catalytic and influential in introducing a new fast-track discourse characterised by quotas.

The Beijing Declaration identified the problems faced by women to include the lack of representation in decision-making in the economic sector; unequal participation in the power structures of society; and, insufficient mechanisms to promote the advancement of women. These problems affect the personal, social, economic and political empowerment of women. The implication is that women are unable to participate effectively as leaders in all spheres of life.

- **UN Millennium Development Goals (MDGs).** The eight goals adopted by the international community in 2000 set targets for 2015 on eradicating poverty; achieving universal primary education; promoting gender equality and empowering women; reducing child mortality; improving maternal health; combating HIV and AIDS, and other diseases; ensuring environmental sustainability; and providing financing for development. All eight MDGs touch on essential aspects of the wellbeing of women, and in turn, women's empowerment is critical for achieving the goals.

- Goal 3 of the MDGs addresses the promotion of gender equality and the empowerment of women, and requires countries to work towards equal representation of women and men in political and other decision-making positions. Indicator 12 of the MDGs states that Member States and non-state actors should work towards the elimination of gender imbalances with regard to the proportion of seats held by women in national Parliaments.
- Although the right of women to participate in political life is guaranteed by several international conventions, women tend to be under-represented in positions of power while being over-represented at the grassroots level or in supporting roles.

- **UN Convention on the Rights of Persons with Disabilities** of 2008 requires UN Member States to adhere to the principles of non-discrimination; full and effective participation and inclusion in society; equality of opportunity; and equality between women and men. It recognises that women and girls with disabilities are sub-

jected to multiple discrimination and commits Member States to take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms. These include measures to ensure the full development, advancement and empowerment of women.

3.2 CONTINENTAL LEVEL

- **Article 4 (L) of the Constitutive Act of the African Union (AU).**

The AU Constitutive Act commits Member States to adhere to the principle of promoting gender equality in all spheres of development. This includes non-discrimination against particular groups, including women.

- **The Protocol to the African Charter on Human and Peoples' Rights and Rights of Women in Africa** of 2003 requires Member States to combat all forms of discrimination against women through appropriate legislative, institutional and other measures. The Protocol commits Member States to, among other things:

- include in their national constitutions and other legislative instruments the principle of equality between women and men and ensure its effective application;
- take corrective and positive action in those areas where discrimination against women in law and in fact continues to exist; and,
- support the local, national, regional and continental initiatives directed at eradicating all forms of discrimination against women.

- **The AU Gender Policy.** The African Union Gender Policy of 2009 summarises the decisions and declarations of AU Heads of State and Government and other global commitments on gender and women's empowerment. It demonstrates the continued leadership of the AU in advancing gender equality on the continent. The policy provides a mandate for operationalising AU leaders' commitments on gender and is accompanied by a comprehensive Action Plan that guides the implementation of these commitments by all AU organs.

- **The AU Solemn Declaration on Gender Equality in Africa (2004).** The AU promotes gender parity in decision-making at all levels and calls upon Member States to adopt it at the continental, sub-regional and national levels.

SADC FRAMEWORK FOR ACHIEVING GENDER PARITY IN POLITICAL AND DECISION-MAKING POSITIONS

The regional framework for achieving gender parity in SADC begins with the founding SADC Treaty and includes the following measures.

4.1 SADC TREATY

Article 4 of the SADC Treaty 1992 provides for the principles that inform and guide the Treaty. These are:

- ❖ sovereign equality of all Member States;
- ❖ solidarity, peace and security;
- ❖ human rights, democracy and the rule of law;
- ❖ equity, balance and mutual benefit; and,
- ❖ peaceful settlement of disputes.

Under Article 6, Member States “undertake to adopt adequate measures to promote the achievement of the objectives of SADC, and shall refrain from taking any measure likely to jeopardise the sustenance of its principles, the achievement of its objectives and the implementation of the provisions of this Treaty. SADC and Member States shall not discriminate against any person on grounds of gender, religion, political views, race, ethnic origin, culture, ill health, disability, or such other ground as may be determined by the Summit.”

4.2 SADC DECLARATION ON GENDER AND DEVELOPMENT (1997) and its 1998 Addendum on the Prevention and Eradication of Violence against Women and Children

The Declaration called upon State Parties to be committed to:

- ❖ achieving a target of at least 30 percent women in political and decision-making structures by 2005;
- ❖ promoting women’s control over productive resources, to reduce poverty;
- ❖ repealing and reforming laws, amending constitutions, and changing social practices that discriminate against women; and
- ❖ taking urgent steps to prevent and deal with violence against women and children.

4.3 REGIONAL INDICATIVE STRATEGIC DEVELOPMENT PLAN (RISDP)

The RISDP is SADC’s plan that indicates the region’s priority intervention areas, and presents general goals and targets for 15 years

(2005-2020), currently undergoing a mid-term review. One of the goals of the RISDP is to facilitate the achievement of substantive equality between women and men in the SADC region, through mainstreaming gender into all national and regional policies, programmes and activities, and the adoption of measures to accelerate progress in this regard. In the RISDP, gender has been defined as one of the “integration and development enablers” and a “cross-sectoral intervention area”.

The gender focus areas of the RISDP are:

- ❖ gender policy and institutional frameworks;
 - ❖ women's human and legal rights, including elimination of violence against women;
 - ❖ gender mainstreaming;
 - ❖ access to, and control of resources; and,
 - ❖ access to key political and decision-making positions.
-

4.3.1 Gender Strategies

The RISDP promotes the following strategies:

- Accelerate the development of explicit gender policies, establish and strengthen national gender coordination machineries, and develop a regional gender policy;
- Ratify international instruments on gender equality, incorporate their provisions into national laws through constitutional and legislative reforms, and set up appropriate enforcement mechanisms and institutions to deliver necessary services;
- Mainstream gender into all sectoral policies, programmes and activities at national and regional level through gender-responsive planning, policy development and implementation, gender capacity-building and training, and the collection of gender-disaggregated data;
- Adopt policies and strategies for women's economic empowerment to address inequalities in access to and control of resources;
- Adopt deliberate and positive measures such as affirmative action, with a view to accelerating gender equality in political and decision-making positions;
- Implement gender capacity-building and training programmes at national and regional levels, and disseminate best practices to ensure widespread diffusion; and
- Eradicate and reduce all forms of violence against women and children.

4.3.2 Gender Targets

Some of the gender targets set by the RISDP are as follows:

- ❖ **Target 3** Repeal of gender discriminatory provisions in Member States' constitutions, laws, policies and any other sources by mid-2005, and enactment of provisions guaranteeing substantive gender equality by the end of 2005;
- ❖ **Target 7** The achievement by all Member States of:
 - At least 30 percent women in decision-making positions in Local Government, Parliament, Cabinet and senior positions in the public sector by 2005, or affirmative action measures in place to accelerate the attainment of this target;
 - At least 40 percent women in decision-making positions in Local Government, Parliament, Cabinet and senior positions in the public sector by 2010, or affirmative action measures in place to accelerate the attainment of this target;
 - At least 50 percent women in decision-making positions in Local Government, Parliament, Cabinet and senior positions in the public sector by 2015, or affirmative action measures in place to accelerate the attainment of this target; and,
 - At least 20 percent women in decision-making positions in large private sector firms as defined by Member States by 2005, 30 percent by 2010 and 40 percent by 2015.

4.4 SADC COUNCIL AND SUMMIT DECISIONS 2005

In 2005 the SADC Summit of Heads of State and Government upgraded the earlier target of reaching 30 percent representation by women in politics and decision-making positions to 50 percent, in line with the African Union decision. Some Member States have adopted strategies and processes that ensure the achievement of gender parity (50/50) in decision-making by 2015. Some Member States have reviewed and reformed national constitutions to align with gender equality commitments. There has been selective domestication of these provisions.

4.5 SADC GENDER POLICY 2007, Thematic Area 4.11

The SADC Council of Ministers adopted a Regional Gender Policy in 2007. The Policy notes the lack of domestication of international human rights obligations that promote gender equality.

The Policy recognises the technical, socio-cultural and economic constraints that are encountered in promoting gender equality and equity, which include, among others:

- limited participation and representation of women in decision-making processes;
- little or no training or support offered to women parliamentarians;
- weak legal instruments and inadequate enforcement mechanisms; and,
- limited awareness among women of their constitutional and legal rights.

The specific objectives of the policy include the advancement of equal participation by women in decision-making; and influencing the ratification and domestication by SADC Member States of international and regional instruments related to gender equality and the empowerment of women and girls.

The policy framework also provides for the creation of an enabling environment for:

- promotion of peace-building in the region;
- prevention of human rights abuses during conflict; and,
- promotion of the participation of women in all peacekeeping initiatives.

4.6 SADC PROTOCOL ON GENDER & DEVELOPMENT

The SADC Protocol on Gender and Development recognises that women were historically disadvantaged and did not participate meaningfully in all spheres of life. In order to address the situation and eliminate barriers faced by women, all Member States are obliged to adopt necessary measures to ensure equal participation and representation of women in leadership positions.

Articles 5, 12, 13 and 28 of the Protocol commit the parties to the agreement to:

- ❖ endeavour that, by 2015, at least 50 percent of decision-making positions in the public and private sectors are held by women, including the use of affirmative action measures;
- ❖ ensure that all legislative and other measures are accompanied by public awareness campaigns that demonstrate the vital link between the equal representation and participation of women and men in decision-making positions, and democracy, good governance and citizen participation;
- ❖ adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes, including the administration of elections and voting;

- ❖ ensure equal participation of women and men in decision-making by putting in place policies, strategies and programmes for building the capacity of women to participate effectively through leadership and gender-sensitivity training and mentoring, and provide support structures for women in decision-making positions; and
- ❖ put in place measures to ensure that women have equal representation and participation in key decision-making positions in conflict resolution and peace-building processes by 2015, in accordance with United Nations Security Council Resolution 1325 on Women, Peace and Security.

4.7 SADC FRAMEWORK for Achieving Gender Parity in Political and Decision-making Positions by 2015

The Gender Parity Framework is aimed at providing guidelines and strengthening the implementation provision as outlined in Articles 4, 12 and 13 of the SADC Protocol on Gender and Development. The strategies proposed in the Framework are intended to ensure action is taken on the expressed commitments for equality and equity in representation and participation by women and men to ensure that by 2015, at least 50 percent of all decision-making positions at all levels will be held by women.

Key issues identified for consideration in developing these guidelines in a gender context are:

- Culture & Patriarchal Systems;
- Gender Inequality;
- Socio-economic Development;
- Institutional Capacity Building;
- Strengthening Capacity of Women; and
- Partnerships and Building Commitment.

The framework outlines proposed actions by Member States, Private Sector, Political Parties, and CSOs as well as national implementation guidelines. All SADC Member States have extracted components from these guidelines that are relevant to their national context and have compiled their national guidelines and roadmap towards 50:50 by 2015.

STATUS OF WOMEN IN POLITICS AND DECISION-MAKING POSITIONS IN SADC

SADC Member States have made progress towards ensuring equal representation by women and men in political and decision-making positions at various levels of government and the three institutions of State, which are the Legislature (Parliament), the Executive (Cabinet) and the Judiciary (Courts), but there is much to be done to reach the 50:50 target by 2015.

Performance continues to be mixed across the region with some Member States doing well in facilitating gender parity in decision-making positions, and others not so well. All Member States show achievements towards gender parity in some part of the spectrum of governance, however the goal of reaching 50 percent representation by women in political and decision-making structures by 2015 remains a major challenge in all SADC Member States.

A trend and situational analysis in this section shows the extent of participation by women in positions of leadership and decision-making in Member States; a comparative analysis is used to locate the participation of women in national and local governance structures such as Parliaments, cabinet, judiciary, local government, peacekeeping, and institutions of higher learning.

The tables and graphs of available statistics presented in this section illustrate the limited participation of women in structures of power and decision-making. At the management level, women are seen mainly in middle and lower positions, with very few women in top management of the public and private sectors.

Malawi is the only Member State with a woman President. The first woman President in the SADC region is Her Excellency, Mrs. Joyce Banda, President of Malawi, the former Vice President, who was sworn into office in April 2012 following the death of her predecessor.

Mauritius and Zimbabwe are the only two Member States with women Vice Presidents; while Zimbabwe is the only Member State with a woman Deputy Prime Minister.

Botswana, Mozambique and Tanzania have women Speakers of Parliament/National Assembly. Angola, Malawi, Namibia, South Africa, Swaziland and Zimbabwe have women Deputy Speakers. Zimbabwe and Swaziland have women Presidents of the Senate while Namibia has a Deputy Chairperson of the National Council.

5.1 PROGRESS ON SIGNING AND RATIFICATION OF THE SADC PROTOCOL ON GENDER AND DEVELOPMENT

Table 1
Signing and Ratification of SADC Protocol on Gender and Development

| Member State | Date of Signature | Date of Ratification | Deposited Instruments |
|--------------|-------------------|----------------------|-----------------------|
| Angola | 2008 | 2010 | ✓ |
| Botswana | Not yet signed | | |
| DRC | 2008 | 2010 | |
| Lesotho | 2008 | 2010 | ✓ |
| Madagascar | 2008 | | |
| Malawi | 2009 | 2013 | ✓ |
| Mauritius | Not yet signed | | |
| Mozambique | 2008 | 2010 | ✓ |
| Namibia | 2008 | 2009 | ✓ |
| Seychelles | 2008 | 2011 | ✓ |
| South Africa | 2008 | 2011 | ✓ |
| Swaziland | 2008 | 2012 | ✓ |
| Tanzania | 2008 | 2010 | ✓ |
| Zambia | 2008 | 2012 | ✓ |
| Zimbabwe | 2008 | 2009 | ✓ |

Source: National Progress Reports on Implementation of SADC Protocol on Gender and Development; SADC Secretariat

- ❖ Thirteen Member States have signed the Protocol, except Botswana and Mauritius.
- ❖ Eleven Member States have ratified the Protocol: Angola, Lesotho, Malawi, Mozambique, Namibia, Seychelles, South Africa, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe. Therefore, the Protocol has entered into force in line with Article 41 of the Protocol that requires two-thirds of SADC Member States to have deposited their instruments of ratification.
- ❖ Among the signatories, only Madagascar which is currently suspended, and the Democratic Republic of Congo, have not yet acceded to the Protocol.

5.2 WOMEN IN PARLIAMENT

Progress towards the equal participation of women in Parliament has been slow in some cases, but significant. The region has generally fared better in terms of representation by women in Parliament compared to women in Cabinet and local government, although this varies by country as there were some significant advances at local government level in 2012 (see 5.6 below).

Representation by women in the Lower House of Parliament, for example, ranges from more than 40 percent in Seychelles and South Africa to less than 10 percent in Botswana and Democratic Republic of Congo (DRC). (Figure 1)

With the 2015 deadline approaching for gender parity in Parliaments, only five SADC Member States are significantly close to the target of parity in Parliament having reached above the 30 percent threshold set previously by regional leaders for representation by women in Parliament. These are Seychelles, South Africa, Mozambique, Tanzania, and Angola. (Table 2)

These countries are ranked among the top 20 in the world with the highest number of women in Parliament. Rwanda is number one in Africa and the world with 56.3 percent women in the National Assembly. Seychelles is the second ranked country in Africa after Rwanda, and fifth in Inter-Parliamentary Union (IPU) global rankings, followed by South Africa in eighth place. (Table 3)

Women in Parliament in SADC Member States

Table 2

| Country | Women MPs 1997 (%) | Women MPs 2000 (%) | Women MPs 2006 (%) | Women MPs 2009 (%) | Women MPs 2012 (%) | Women MPs 2012 |
|--------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-------------------|
| Angola | 9.7 | 15.4 | 12.3 | 38.2 | 34.1 | 75 |
| Botswana | 9 | 18.2 | 11.3 | 7.9 | 9.5 | 6 |
| DRC | — | — | 12 | 8.4 (L) 4.6 (U) | 10.4 4.6 | 52 5 |
| Lesotho | 12 | 10.3 | 14 | 25 | 25.8 (L) 27.3 (U) | 31 9 |
| Madagascar | — | — | 24 | 7.87 | — | — |
| Malawi | 5.2 | 8.3 | 15 | 26 | 22.3 | 43 |
| Mauritius | 7.6 | 7.6 | 17.1 | 17.1 | 18.6 | 13 |
| Mozambique | 28.4 | 28.6 | 32.8 | 39.2 | 39.2 | 98 |
| Namibia | 19.4 | 19.2 | 31 | 24.4 | 24.4 (L) 26.9 (U) | 19 7 |
| Seychelles | 27.3 | 24 | 29.4 | 23.5 | 43.8 | 14 |
| South Africa | 27.8 | 29.8 | 32.8 | 42.3 | 42.3 (L) 32.1 (U) | 169 17 |
| Swaziland | 19 | 7.3 | 19 | 13.6 | 13.63 (L) 40.0 (U) | 9 12 |
| Tanzania | 16.3 | 21.2 | 30.4 | 30.4 | 36.0 | 126 |
| Zambia | 18.1 | 10 | 12 | 14 | 14 | 23 |
| Zimbabwe | 14 | 10.7 | 16 | 15.2 | 15.2 (L) 24.7 (U) | 32 23 |

L Lower House U Upper House

Source: National Progress Reports on the Implementation of the SADC Protocol on Gender and Development; National Parliaments; DRC National Gender Report 2011; WIP reports April 2012; SADC Gender Monitor 2001, 2006, 2009

Women in National Parliaments – Global Rankings for SADC Member States, July 2013

Table 3

| Regional Rank | Global Rank | Country | Lower or Single House | | | Upper House/ Senate/ National Council | | | | |
|---------------|-------------|---------------------------|-----------------------|-------------|-------|---------------------------------------|---------------|-------------|-------|---------|
| | | | Election Year | Total Seats | Women | % Women | Election Year | Total Seats | Women | % Women |
| 1 | 5 | Seychelles ^a | 09.2011 | 32 | 14 | 43.8 | -- | -- | -- | -- |
| 2 | 8 | South Africa ^b | 04.2009 | 400 | 169 | 42.3 | 04.2009 | 53 | 17 | 32.1 |
| 3 | 12 | Mozambique | 10.2009 | 250 | 98 | 39.2 | -- | -- | -- | -- |
| 4 | 20 | Tanzania ^c | 10.2010 | 350 | 126 | 36.0 | -- | -- | -- | -- |
| 5 | 22 | Angola | 08.2012 | 220 | 75 | 34.1 | -- | -- | -- | -- |
| 6 | 38 | Lesotho | 05.2012 | 120 | 32 | 26.7 | 06.2012 | 33 | 9 | 27.3 |
| 7 | 47 | Namibia | 11.2009 | 78 | 19 | 24.4 | 11.2010 | 26 | 7 | 26.9 |
| 8 | 57 | Malawi ^d | 05.2009 | 193 | 43 | 22.3 | -- | -- | -- | -- |
| 9 | 72 | Mauritius | 05.2010 | 69 | 13 | 18.8 | -- | -- | -- | -- |
| 10 | 89 | Zimbabwe | 03.2008 | 210 | 32 | 15.0 | 03.2008 | 99 | 24 | 24.2 |
| 11 | 97 | Swaziland ^e | 09.2008 | 66 | 9 | 13.6 | 10.2008 | 30 | 12 | 40.0 |
| 12 | 107 | Zambia | 09.2011 | 157 | 18 | 11.5 | -- | -- | -- | -- |
| 13 | 117 | DRC | 11.2011 | 492 | 44 | 8.9 | 01.2007 | 108 | 6 | 5.6 |
| 14 | 124 | Botswana | 10.2009 | 63 | 5 | 7.9 | -- | -- | -- | -- |

Source: Inter-Parliamentary Union (IPU) based on information provided by National Parliaments by 1 July 2013.

Figures correspond to the number of seats currently filled in Parliament.

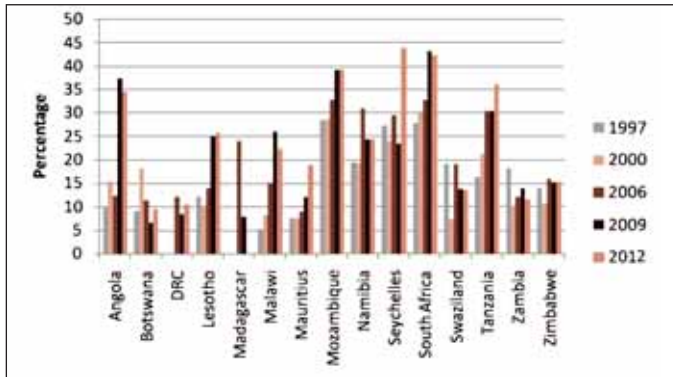
^a The National Assembly is composed of 34 Members -- 25 directly elected and 9 proportionately elected

^b The figure on the distribution of seats for the Upper House in South Africa does not include the 36 special rotating delegates appointed on an ad hoc basis, and all percentages given here are calculated on the basis of the 54 permanent seats.

^c Same global ranking as Spain. ^d Same global ranking as United Kingdom. ^e Same global ranking as Russian Federation.

Madagascar is suspended from SADC since 2009, and SADC is engaged in a mediation process.

Women in Parliament in SADC Member States Figure 1



Source: National Progress Reports on Implementation of SADC Protocol on Gender and Development; National Parliaments

The representation of women in Parliament in SADC reached an average of 25.8 percent by mid-2013 when 14 Member States are counted together. This is steadily improving from an average of 20.6 percent in 2005 to 23 percent in 2011, but still falls short of the target.

Women in National Parliaments World Classification, July 2013

| Country | Total Seats | Women | % Women |
|----------------|-------------|-------|---------|
| 1 Rwanda | 80 | 45 | 56.3 |
| 2 Andorra | 28 | 14 | 50.0 |
| 3 Cuba | 612 | 299 | 48.9 |
| 4 Sweden | 349 | 156 | 44.7 |
| 5 Seychelles | 32 | 14 | 43.8 |
| 6 Senegal | 150 | 64 | 42.7 |
| 7 Finland | 200 | 85 | 42.5 |
| 8 South Africa | 400 | 169 | 42.3 |
| 9 Nicaragua | 92 | 37 | 40.2 |

Parliament following recent elections held in some SADC Member States since 2008 proved a setback towards achieving the desired 50 percent goal in three years time. Angola dropped from 38.2 percent to 34.1 percent women in Parliament in the August 2012 elections, and fell behind Tanzania to fifth place in regional rankings.

About two-thirds of SADC Member States have one more election before the 2015 deadline to rectify the gender imbalances in elected structures. The DRC, Lesotho, Seychelles and Zambia do not have another election scheduled before 2015, which means they have missed the deadline, although Seychelles is very close to the target and Lesotho has been rapidly increasing women’s representation in Parliament. (Table 4)

The lower number of women in

Forthcoming Elections

Table 4

| Country | Type of Election | Last Election | Next Election |
|--------------|--|---------------|---------------|
| Angola | Parliamentary, Presidential (indirect) | 2012 | 2017 |
| Botswana | General Elections, Presidential (indirect) | 2009 | 2014 |
| DRC | National Assembly, Presidential | 2011 | 2016 |
| Lesotho* | Parliamentary | 2012 | 2017 |
| Malawi | General Elections, Presidential | 2009 | 2014 |
| Mauritius | Presidential (indirect) | 2012 | 2013 |
| | General Elections | 2010 | 2015 |
| Mozambique | Local Government | 2008 | 2013 |
| | National Assembly, Presidential | 2009 | 2014 |
| Namibia | General Elections, Presidential | 2009 | 2014 |
| Seychelles | Parliamentary, Presidential | 2011 | 2016 |
| South Africa | Local Government | 2011 | 2016 |
| | Parliamentary, Presidential (indirect) | 2009 | 2014 |
| Swaziland* | Parliamentary | 2008 | 2013 |
| Tanzania | General Elections, Presidential | 2010 | 2015 |
| Zambia | General Elections, Presidential | 2011 | 2016 |
| Zimbabwe | General elections, Presidential | 2008 | 2013 |

Source: Southern African Research & Documentation Centre (SARDC)

*Constitutional monarchy with King as Head of State

General Elections means national and local government.

Indirect means the President is elected by Parliament or is leader of the majority party.

Frequently, in the absence of formal legal quotas, representation by women has been advanced through the adoption of voluntary quotas by political parties to ensure the selection of women as candidates.

There is a correlation between the percentage of women in Parliament and the type of Electoral System that is used. Member States that use Proportional Representation, and those that use a combination of different electoral systems, have realised an incremental trend in the number of women in Parliament. However, Member States using the Constituency system of First Past The Post (FPTP) have not been able to maintain or increase the number of women in Parliament.

Angola

Angola increased the proportion of women members of the National Assembly from less than 10 percent in 1997 to 38.2 percent after 2008, with 84 women winning places in the 220-seat Parliament, despite the absence of a legislated quota. However, Angolans returned fewer women to Parliament in elections held in August 2012, when the proportion dropped to 34.1 percent, with 75 women elected to Parliament in the first national election under the new Constitution enacted in February 2010. Thus Angola has lost its ranking as fourth highest in the SADC region in this regard, and is now fifth. Angola's global ranking dropped out of the top 20, from number 16 to 22.

Angola uses an electoral system of Proportional Representation in which citizens vote for a party instead of individual candidates, using national and provincial representation. The country is considered as one national constituency for the election of 130 seats, while the other 90 members are elected in 18 provincial constituencies choosing five members each.

Five of the nine political parties or coalitions that participated in the 2012 elections had at least 30 percent women on their candidate lists, and all parties had 20 percent or above. The party in government, the MPLA, had 46 percent women candidates. No women were at the top of their party's list and therefore were not among the presidential candidates. The individual heading the national list of the party or coalition that receives the most votes in the general election becomes President of the Republic and Head of the Executive. The next national election is in 2017.

Botswana

Only two women won electoral seats in 2009 of a total of six women who contested in the 57 single-member constituencies, while two more were chosen through the four special seats selected by the majority party, for a total of four women in Parliament (6.6 percent) of 61 seats. The President and the Attorney General are ex-officio members of Parliament, thus the total is 63 seats. The current Speaker of the National Assembly is a woman MP. The Attorney General is a woman, bringing the proportion of women in Parliament to 5 out of 63 seats (7.9 percent) as shown in global rankings. However, another woman was appointed to Parliament in 2011, bringing the number to six and raising the proportion to 9.5 percent. This is still a decline in the proportion of women in Parliament from 11.3 percent in 2004 and 18.2 percent

in the year 2000. Women constitute 55 percent of registered voters – 403,000 women voters of the total 725,000 registered voters. The next national election is in 2014.

The House of Chiefs (*Ntlo ya Dikgosi*), which advises Parliament on customary matters as obliged by the Constitution, has 15 seats consisting of the chiefs of the eight traditional tribes set out in the Constitution and four sub-chiefs chosen from the four administrative districts by the eight chiefs. The other three members are elected by the 12 from among people who have not been actively engaged in politics for the past five years. The House of Chiefs has been traditionally male.

Democratic Republic of Congo

The DRC is one of two SADC Member States where women have very little representation in Parliament, with 8.9 percent in the lower house and 5.6 percent in the upper house. The DRC has 44 women among the 492 seats filled in the lower house at 1 July 2013, and six seats among the 108 seats in the upper house, according to data submitted to the IPU. The National Assembly has 500 seats elected from multimember plurality constituencies, and only 52 women were elected in the 2011 elections, now reduced to 44. The Senate has 108 seats elected by provincial assemblies through Proportional Representation, and just five women were elected, increased to six in 2013. The next national election is in 2016.

Three of the main political parties, including the party in government and two opposition parties, adopted a 30 percent quota for women candidates but these quotas were not implemented in the nomination of candidates, and women made up just 12 percent of 18,000 legislative candidates. There were no female presidential candidates in 2011, a reduction when compared with the 2006 elections when there were four women among 33 presidential candidates. About half of the 32 million registered voters were women. The Electoral Law 2006 requires that candidate lists should take into account the equal representation of men and women, but candidate lists are not rendered invalid by the Electoral Commission by a failure to attain parity.

Lesotho

Lesotho has no constitutional or legal quotas for the election of women to the National Assembly. However, women occupy 32 of the 120 seats (26.7 percent) following the 2012 election. Lesotho is

ranked sixth among SADC Member States for the proportion of women in Parliament, and has moved up to 38 in the IPU global rankings of July 2013. Members are elected by direct popular vote using the Mixed Member Proportional system in which 80 parliamentarians are elected in single-member constituencies while the remaining 40 are elected from one national constituency using Proportional Representation based on party lists.

The latter is used to determine the number of seats each party would receive if the system was fully proportional. The total number of votes cast on the party ballot is divided by the 120 seats at stake in the National Assembly to determine how many seats each party will receive. This number is then compared to the seats a party won on the constituency list to determine how many additional seats should be awarded. The next national election is in 2017.

The Senate or upper house consists of 33 seats of which nine are women (27.3 percent). While 22 members are hereditary and 11 are nominated by the King, all serve 5-year terms. The Head of State is a hereditary monarch and, under traditional law, the College of Chiefs has the power to depose or invest a monarch.

Madagascar

Madagascar was suspended from SADC following a military coup that forced the former President to resign. The bicameral legislature, dismissed on 19 March 2009, was made up of 90 seats in the Senate and 160 seats in the National Assembly. Representation by women was less than eight percent. SADC is engaged in mediation with the parties in Madagascar for the avoidance of conflict and towards the holding of credible elections, planned for 2013.

Malawi

The proportion of women in Parliament in Malawi dropped from 9 percent in 1994 when the country first embraced a multi-party electoral system, to 5.2 percent and then 8.3 percent after the 1999 elections. This figure increased to 15 percent in 2004 and 26 percent in 2009 when a total of 150 women candidates contested the 193 parliamentary seats. Women now occupy 43 seats in Parliament (22.3 percent). Malawi ranks ninth in the SADC region for the number of women in Parliament, and number 57 in the world. The next national election is in 2014.

The growing number of women MPs is remarkable under a single-member constituency system where men and women com-

pete for their party's nomination, and is largely due to greater awareness generated through campaigns by the Ministry of Gender and Community Development and civil society to advance the representation by women. The main ethnic groups in Malawi are traditionally matriarchal, and while this does not translate directly into ownership of land and other resources, it does recognize a different role for women than a patriarchal system which is common throughout most of the region.

Mauritius

Mauritius has made steady progress from 7.6 percent in 1997, but the proportion of women members of the House of Assembly remains below 20 percent, with the next election in 2015. Only 10 women were elected to the 70-seat unicameral House of Assembly in the 2010 election, while two more women were among the eight members selected under the "best losers" system, making a total of 12 women (17.1 percent). This has increased to 13 women in 2013. At a proportion of 18.8 percent women representation in the lower house, Mauritius ranks ninth in the SADC region and number 72 in the world. The next parliamentary election is in 2015.

Sixty parliamentarians are elected in 20 constituencies by direct popular vote with ballots cast for three candidates in each constituency, plus the island of Rodrigues, which is a single constituency returning two members. The remaining eight parliamentarians are drawn from a list of "best losers" to ensure a fair representation of ethnic and religious communities. This voting method is not used to address the gender imbalance, yet women make up the largest number of voters and just over half of the population of the country.

Mauritius has introduced a new quota law for local government, specifying that at least one-third of the candidates must be women and one-third men, but there is no quota system at national level.

Mozambique

Mozambique is one of the top three countries in the region with a significant proportion of women in Parliament at 39.2 percent after the national election in 2009, and has 98 women in its 250-seat Assembly of the Republic (*Assembleia da República*).

A Proportional Representation system is used in Mozambique with 248 seats apportioned among the 11 provinces, which become multi-member constituencies for this purpose. Two single-

seat constituencies are elected by Mozambicans living abroad in Africa and outside Africa, but the electoral law recognizes both of these seats as based in Maputo. The electoral system relies on political parties to ensure gender representation in their list of nominees.

Mozambique has sustained an increasing number of women in Parliament since the first multi-party elections in 1994 (28.4 percent) and was one of the first countries in SADC to pass the previous target of 30 percent, in 2004, ahead of the 2005 deadline. The *Presidente* (Speaker) of the National Assembly is a woman, and Mozambique appointed the first woman Prime Minister in the region in 2004 until 2010.

Mozambique's global ranking in the proportion of women in Parliament is among the top 20 in the world, at number 12 (IPU, July 2013). The next national election is in 2014.

Namibia

The proportion of women in Parliament was 31 percent in Namibia after the 2004 elections, reaching the original target of 30 percent representation by women in Parliament before the 2005 deadline. However, this achievement was not sustained and the figure dropped to 24.4 percent in the 2009 polls. Namibia ranks seventh in the SADC region for the proportion of women in Parliament, and the global ranking is 47 (IPU, July 2013).

Since no legal quotas are applied at national level, the advancement of representation by women is dependent on the implementation of voluntary quotas by the political parties. Namibia now has 19 women (24.4 percent) in the 78-member National Assembly, in which 72 members are elected in a system of Proportional Representation by party list and the other six are appointed by the President. The next election is in 2014.

The 26 members of the upper house, the National Council, are elected indirectly by the 13 regional councils with two coming from each one. The President may appoint up to six additional, non-voting members. There are seven women in the upper house (26.9 percent), and the Deputy Chairperson of the National Council is a woman.

Seychelles

Seychelles ranks first in the SADC region and fifth globally as per the IPU rankings of July 2013, with 43.8 percent representation by women in *Lasanble Nasyonal Sesel*. The Parliament has a total of 32

seats and women won 11 of the 25 seats filled under the majority system in 2011, while three women were nominated under the compensatory seats. This marks a 20 percent increase since the 2008 elections when the proportion of women was 23.5 percent. The leader of government business in the National Assembly is a woman appointed in 2012, replacing another woman who held the post previously. The next election is in 2016.

Seychelles case is a good illustration of effective practices and political will towards gender parity through advancing and ensuring that women occupy key leadership and decision-making positions in the absence of affirmative action and legislated quotas.

South Africa

South Africa has maintained its upward trajectory in the proportion of women parliamentarians since the first democratic elections in 1994. Following the most recent election in April 2009, women account for 169 seats (42.3 percent) in the 400-member National Assembly. South Africa is ranked second in the SADC region, with a global ranking at number 8 (IPU, July 2013). The South African Parliament had a woman Speaker from 1994-2004 and again from 2004-2008.

Although the Constitution does not provide for quotas to ensure adequate representation of women in elected public bodies, representation by women in the National Assembly has increased steadily from 27.8 percent in 1994 to 32.8 percent in 2004 and 42.3 percent in 2009 due to the electoral system of Proportional Representation based on party lists. This places South Africa firmly on course to meet the SADC target of 50 percent women in political decision-making by 2015 as the next national elections are scheduled for 2014.

Swaziland

Swaziland has a bicameral Parliament (*Libandla*) and women representation in the upper house is significant, with 12 seats held by women (40 percent) by the end of 2007 and maintained after elections in 2011. The Senate has 30 non-partisan members, made up of 10 members elected by the House of Assembly of which half should be women, and 20 members appointed by the King of which at least 8 should be women.

The number of women elected to the lower house, the House of Assembly, remains low but the constitutional provisions and

awareness campaigns have expanded this representation. Constitutional clauses 94 and 95 stipulate minimum representation of 30 percent in decision-making bodies, and the policy of decentralization also favours the representation of women at various administrative levels.

In September 2008 elections, seven women were elected from 55 single-member constituencies corresponding to the *tinkhundlas* (local communities), from candidates nominated by the traditional councils. Two more women were appointed by the King, bringing the number of women to nine of the 66 elective seats (13.6 percent) which include the Attorney-General as an ex-officio member.

Section 95 of the Constitution empowers the King, acting on his own discretion but after consulting relevant stakeholders, to appoint 10 members to the House. Section 95 (2) (a) and (b) specifically states: “The nominated members of the House shall be appointed by the King so that at least half of them are female so as to represent interests, including marginalised groups, not already adequately represented in the House.” Swaziland is ranked 97 globally in terms of women in Parliament (IPU, July 2013), and 11 in the SADC region.

United Republic of Tanzania

The United Republic of Tanzania was the first SADC Member State to include a constitutional clause that specifies a minimum of 30 percent representation by women in Parliament (*Bunge*). The proportion of women in Parliament was 21.2 percent in 2000, rising to 30.4 in 2005 following the constitutional amendment. The proportion of women in Parliament is 36 percent following the 2010 elections, with 126 women in the 350-seat *Bunge*, of whom 20 women were elected from single-member constituencies. Tanzania is ranked number four in the region and 20th in world for representation by women in Parliament (IPU, July 2013).

Tanzania uses a single-member constituency system for parliamentary elections, and women can contest any parliamentary constituency in Zanzibar or the mainland. However, there are additional seats reserved for women on a proportional basis, according to number of votes gained by each political party.

There are 232 members elected from constituency seats plus 102 seats held by women through proportional representation. Five members are elected to the *Bunge* by the Zanzibar House of Representatives from among its members, the Attorney General has a seat, and the remaining 10 members are appointed by the

President to include representation from disadvantaged and marginalized groups, including people with disabilities. The *Bunge* has had a women Speaker since November 2010.

Zambia

Women representation in the Zambian Parliament following general elections in September 2011 fell short of the regional targets. The 2011 elections indicated a growing awareness by political parties of the need to nominate more women candidates, but the number increased only slightly.

Of the 113 women parliamentary candidates who contested single-member constituencies, only 17 were elected, accounting for just 11 percent of the constituency seats in Parliament. Presidential appointments increased the number of women in Parliament to 18 and later to 23, increasing the proportion to just over 14 percent, similar to that of Swaziland. In representation of women in Parliament, Zambia is ranked 12th of the 15 SADC Member States, ahead of DRC and Botswana. Zambia's world ranking is 107 (IPU, July 2013).

There were 21 women elected to the previous Parliament in 2006, hence a representation of 14 percent of elected seats, but 13 percent of total seats. The highest proportion of women in Parliament in Zambia was 18.1 percent in 1997. The Zambian Parliament is made up of 160 seats, including the 150 constituency members elected plus eight members nominated by the President. The other two members are the President and the Speaker of the National Assembly.

With the next general elections to be held in 2016, Zambia has missed the 2015 target of 50:50 women representation in politics and decision-making positions, but there remains scope to adopt positive measures for the 2016 election such as those that have brought results elsewhere. Most countries that have achieved significant increases in political participation by women have done so through the use of quota systems or special seats. Zambia is in the final stages of drafting a new Constitution, as process that includes consideration of these aspects.

Zimbabwe

The proportion of women in the lower house of Parliament has been constant at about 15 percent since 1995, despite relatively good progress for the upper house where women accounted for 33 percent after reintroduction of the Senate in 2005. However, this


dropped to 24.2 percent after 2008, with only 24 seats occupied by women out of 99 seats in the Senate. In the House of Assembly, there are 32 women out of 210 MPs (15.2 percent). Zimbabwe ranks 10 out of 15 in the SADC region for proportion of women in Parliament, and 89 in the IPU global rankings (July 2013). The President of the Senate is a woman since 2005. The next national elections are in 2013.

As with some other countries, the low representation of women in Parliament is attributed to an unfavourable legal and policy framework and structural rigidities in political party nomination systems, as well as electoral systems. However, the low representation of women in political decision-making has been addressed in the new Constitution which adopts special measures including a quota system to ensure that more women can be elected.


The lengthy process of the Parliamentary Select Committee on the Constitution (COPAC) has produced a new Constitution approved by 93 percent of voters in a national referendum, passed by both Houses of Parliament, and signed into law by the President on 22 May 2013. There is provision in the Constitution for a National Assembly of 210 members elected by single-member constituencies, plus an additional 60 women members, with six drawn from each of 10 provinces, elected through Proportional Representation based on votes cast for political parties in the parliamentary elections by province. This is applicable for the life of two Parliaments.


The provision for a Senate consists of 88 Senators, of which six are elected from each province through the same system of Proportional Representation based on the votes cast for political parties by province in the National Assembly election, using party lists “in which male and female candidates are listed alternately, every list being headed by a female candidate”.


5.2.1 Challenges to Achieving Gender Parity in Parliament


 **Culture and patriarchal systems.** The under-representation of women results from institutionalized patriarchy, which manifests itself through an entrenched culture and standards resulting in unequal power relations between women and men. Quotas intended to increase representation by women have not always delivered as expected. Adding women to unaltered social and political structures is likely to lead to frustration as women continue to suffer discrimination and exclusion in spite of their representation in decision-making. Reasons for the status quo include:

- male-dominated structures that nominate or appoint women with underlying expectations of compliant conduct;
- general impression on the part of appointed women that they have been handed a favour (not granted a right) and should not be viewed as antagonistic; and,
- non-transparent, gender-blind and insensitive nomination or appointment processes that often tap into a relatively small pool of women candidates.

 **Structural rigidities within the various political parties** in the region are sometimes a barrier to the participation and representation by women in elected structures. Party nominating committees are often blamed for their lack of confidence in women as “winning” candidates. While women mobilise for membership of political parties at community level, the lack of political support and leadership skills hamper their ability to climb the electoral ladder. Decision-making within most political parties is male-dominated and women are screened out through unclear criteria set by party hierarchies. As a result, women are absent in the political party district/provincial or regional leadership structures where possible male candidates emerge from while women hold low positions in such structures. The political environment is often driven by personality and voters tend to elect better-known male candidates rather than “unknown” women candidates.

 **Gender-blind legal and policy frameworks.** While the constitutions of most countries provide for equal participation of women and men in all aspects of the political process, they also affirm that all citizens of a country have a right to participate in the governance of the country directly or through their elected representative. There is need for all political parties to adhere to the constitutional provisions on equal participation and representation of men and women in politics.

 **Lack of political will** and bureaucratic processes have been cited among the main impediments to representation by women in Parliament and other elected structures. SADC Member States are signatories to various regional, continental and international instruments that promote gender equality and the empowerment of women, but most have not made progress in domesticating these commitments into national laws.

 **Gender inequality.** Despite significant progress made within the SADC region in the last two decades, gender inequality still persists in access to basic services and resources. Gaps still exist regarding the proportion of male and female representation in positions of decision-making within the public service and the private sector as well as in the structures of national and local governance. There is an alarming trend of feminization of deputy positions, which, while possibly giving women experience and signalling correct male/female proportions, provides limited power and control for women in these decision-making positions. Justification for gender equality and equity is based on the following arguments:

- Women make up half of the population and have the right to half of the decision-making positions, with equal right to be heard and for self-representation.
- Women have different experiences, based on biological factors and social construct, and women's unique experiences can be directly represented and articulated by women.
- The interests of women and men are often incompatible, rendering either group inappropriate to represent the other.
- There is need for role modelling by women in decision-making positions in order to encourage other women.
- Experience has shown that the inclusion of women in positions of power and decision-making adds value to specific policies to be addressed, as in the case of Scandinavian countries.

 **Socio-economic development**

- **Level of education.** Due to various social factors such as preference to educate male children, or teenage pregnancy or early marriages, women often have limited access to education. This has a bearing on access to representation because of the high credentials or experience required for political office.
- **Health care and welfare.** Limited health care facilities and undeveloped social welfare services often result in disproportionately heavy burdens on women regarding provision of care for children, the sick and aged, constraining women's representation and participation in development activities.
- **Employment and economic opportunities.** Average earnings of women are generally lower than those of men, and female-headed households are poorer than those of their male counterparts. Financial and political decisions in private sector are

generally made by men. Thus, women in competitive politics often lack resources, limiting their capacity to compete against their opponents. Given that most women are economically marginalized and own few resources, everything to do with money has gender implications. For example, election nomination deposits are usually cited as a barrier for many women candidates. Non-refundable deposit fees for parliamentary election candidates range from about US\$100 in Zambia to US\$700 in Malawi. Only Angola, Madagascar, Mauritius, Namibia and Swaziland do not impose the requirement of non-refundable deposit fees for House of Assembly candidates.

5.2.2 Electoral Systems and Women Representation

Electoral systems play an important role in facilitating the representation by women in politics. The colonial history of southern Africa and the concomitant political culture have had an impact on the nature of electoral systems that individual Member States have adopted after gaining their respective independence. A majority of the SADC Member States were under British colonial rule and upon

independence they adopted the Westminster constitution and political arrangements that go with it. Most traditional systems of representation and governance were disrupted or weakened during the colonial period, and traditional leaders (not always male) have been marginalized.

The First Past The Post (FPTP) single constituency electoral systems make it difficult for women to be elected for the reasons indicated above, particularly as there has been a tendency for political parties to field women candidates in constituencies where they are unlikely to win. Quotas are difficult to implement in FPTP electoral systems.

Some SADC Member States have made a deliberate effort to adopt electoral systems of their own choice, and several others have processes to consider their electoral systems and electoral laws, or have already adjusted them. (Table 5) Many political parties have successfully implemented voluntary party quotas without having to legislate them.

Electoral Systems

Table 5

| Country | Electoral System | Seats in Lower House | Seats in Upper House |
|--------------|------------------|----------------------|----------------------|
| Angola | List-PR | 220 | — |
| Botswana | FPTP | 63 | — |
| DRC | FPTP | 500 | 108 |
| Lesotho | MMP | 120 | 33 |
| Malawi | FPTP | 193 | — |
| Mauritius | BV | 70 | — |
| Mozambique | List-PR | 250 | — |
| Namibia | List-PR* | 78 | 26 |
| Seychelles | Parallel-FPTP | 32 | — |
| South Africa | List-PR | 400 | 54 |
| Swaziland | FPTP | 66 | 30 |
| Tanzania | FPTP-PR | 350 | — |
| Zambia | FPTP | 160 | — |
| Zimbabwe** | FPTP | 210 | 100 |

FPTP (First Past The Post), List PR (List Proportional Representation), MMP (Mixed Member Proportional), BV (Block Vote)

Note that the Upper Houses use a different electoral / selection system as indicated in country descriptions above.

* Namibia uses FPTP for presidential and regional elections and PR for the legislative elections

** Before new Constitution of 22 May 2013 in Zimbabwe which incorporates Lists in both Houses

5.3 WOMEN SPEAKERS/PRESIDING OFFICERS

Women have gained positions of influence in Parliament, either as Speaker of the House of Assembly or President of the Senate. There are five women Presiding Officers in the Parliaments of Botswana, Mozambique, Swaziland, Tanzania and Zimbabwe. These are the Speaker of Parliament of Botswana (since 2009); *Presidente* of the *Assembleia da República* of Mozambique (since 2010); and Speaker of the *Bunge* of Tanzania (since 2010). The President of the Senate in Zimbabwe has been a woman since 2005, and the President of the Senate in Swaziland since 2008. The Speaker of the National Assembly in Lesotho was a woman from November 1999 until June 2012. (Table 6)

| Women Presiding Officers of Parliament/Senate | | | | | | Table 6 |
|---|---|---|---|---|--|--|
| 1994 | 1999 | 2004 | 2005 | 2008 | 2009 | 2010 |
| South Africa Hon Frene Ginwala 1994-2004 | Lesotho Hon Ntlhoi Motsamai 10.1999 – 06.2012 | South Africa Hon Baleka Mbetse 2004-2008 | Zimbabwe Hon Edna Madzongwe 11.2005+ | Swaziland Hon Gelane Zwane 2008+ | Botswana Hon Dr Margaret Nasha 21.10.2009 | Mozambique Hon Veronica Macamo 12.01.2010 Tanzania Hon Anne Makinda 12.11.2010 |

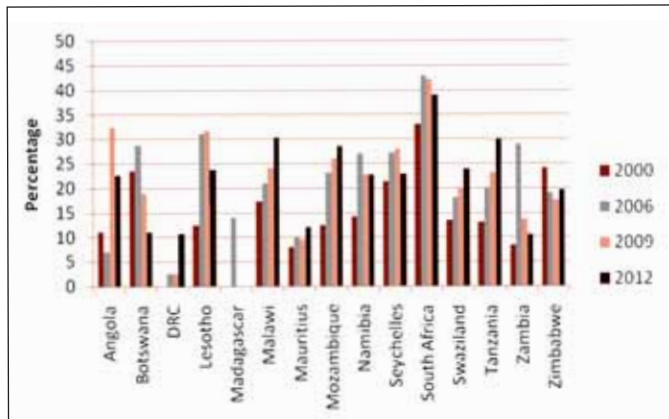
Source: National Parliaments

The following countries have deputy Speakers of Parliament who are women: Angola, Democratic Republic of Congo, Malawi, Namibia, South Africa, Swaziland, Zambia, and Zimbabwe.

Presiding officers have an influential role to play in the conduct of legislative debates and are able to highlight the perspectives and needs of women in Parliamentary debates. The involvement of more women in the administration of Parliament is also an important step forward for SADC.

5.4 WOMEN IN CABINET

There has been a steady and consistent upward trend in the proportion of women in Cabinet in Lesotho, Malawi, Mozambique, South Africa, Swaziland and Tanzania. However, the proportion of women in Cabinet in DRC, Botswana, Mauritius, Zambia and Zimbabwe has remained low. (Figure 2)



Source: Table 7

Only South Africa has surpassed the previous regional target of 30 percent representation in Cabinet (Table 7), but women in most countries are holding a wider range of ministerial portfolios such as foreign affairs, home affairs, defence, finance, education, health, tourism, environment, trade and industry, and local government. None of these cannot be considered “soft” portfolios given the influence they command and the sizeable budgets they receive.

| Country | 2000 - 2009 | | | 2012 | | |
|--------------|--------------------------|--------------------------|--------------------------|--------------------------|---------------------------------|--------------------------------|
| | Women Ministers 2000 (%) | Women Ministers 2006 (%) | Women Ministers 2009 (%) | Women Ministers 2012 (%) | Total Ministers in Cabinet 2012 | Number of Women Ministers 2012 |
| Angola | 11 (2002) | 7 | 32.3 | 22.9 | 35 | 8 |
| Botswana | 23.5(2002) | 28.6 | 18.8 | 12.5 | 16 | 2 |
| DRC | -- | 2.5 | 2.5 | 10.7 | 30 | 3 |
| Lesotho | 12.5(2002) | 31 | 31.6 | 23.8 | 21 | 5 |
| Malawi | 17.3 | 21 | 24 | 27.3 | 22 | 6 |
| Mauritius | 8 | 10 | 9.5 | 12 | 25 | 3 |
| Mozambique | 12.5 | 23 | 25.9 | 28.6 | 28 | 8 |
| Namibia | 14.2 | 27 | 22.7 | 22.7 | 22 | 5 |
| Seychelles | 21.4 | 27.2 | 28 | 23.1 | 13 | 3 |
| South Africa | 33 | 42.8 | 42 | 38.8 | 36 | 14 |
| Swaziland | 13.3 | 18 | 20 | 22.2 | 18 | 4 |
| Tanzania | 13 | 20 | 23.3 | 30 | 30 | 9 |
| Zambia | 8.3 | 28.8 | 13.6 | 15 | 20 | 3 |
| Zimbabwe | 24 | 19 | 17.5 | 17.5 | 34 | 6 |

Table 7

The figures shown exclude President, Vice President and Deputy Ministers, as they sit in Cabinet in some countries and not in others. Madagascar is suspended from SADC.
 Source: National Governments 2012; National Progress Reports on the Implementation of the SADC Protocol on Gender and Development 2011; DRC National Gender Report 2011; *Southern Africa Today*, SARDC/SADC, October 2011; *SADC Gender Monitor 2001, 2006, 2009*

Angola

Representation of women in Cabinet reached 32.3 percent in 2009 but dropped to 25.8 percent in 2010 following ministerial changes, with eight of the 31 ministries held by women. In the new Cabinet appointed following legislative elections in August 2012, there are eight women in a larger Cabinet of 35 ministers, thus reducing the proportion to 22.9 percent, although the number of women ministers remains the same. Among the portfolios held by women are science and technology, industry, and environment. At the level of Vice Ministers, in 2011 there were 31 men and 7 women of the total 38 (18.4 percent). There were two women among 18 provincial governors (11 percent).

Botswana

The proportion of women ministers in the Cabinet of Botswana has declined from 28.6 percent in 2006 to 12.5 percent in 2012. There are two women in the 16-member Cabinet. The Attorney

General and the Assistant Minister for Presidential Affairs and Public Administration are also women. Botswana was the first country in the region to have a woman foreign minister, Hon. Gaositwe Chiepe, MP, who was the first woman in Cabinet in 1974. She served as minister of trade and industry, and mines and natural resources, before becoming minister of foreign affairs for a decade from 1984-1994 and then education minister until 1999 when she retired after 30 years of government service.

Democratic Republic of Congo

The number of women Cabinet ministers appointed in DRC after the 2011 poll was three out of a total 30 ministers — 10 per cent representation by women. This was up from the 2009 figure of 2.5 per cent, the lowest in the SADC region. A Cabinet reshuffle in 2012 saw the percentage increase to 10.7 although the numbers remained the same. Three women were appointed ministers but constituted a higher percentage because the total Cabinet is slightly smaller. There are also three women deputy ministers of the total eight, making a higher figure of 37.5 per cent at that level.

Lesotho

The new Cabinet in Lesotho appointed following elections in May 2012 has 5 women and 16 men of the total 21 ministers (23.8 per cent). This is a significant drop from 31.6 per cent in the previous Cabinet in 2009, and leaves a wider gap to reach the 50:50 target by 2015 as there is not another election in this period. The portfolios held by women are health; tourism, environment and culture; public works and transport; education and training; and social development. There are seven deputy ministers of which 3 are women (42.9 per cent).

Madagascar

Available statistics showed that women constituted only 14 per cent of the cabinet in 2006. The “unity” government announced in 2011 following signature of a SADC-mediated agreement included 10 women among the 35 ministers announced, but not all ministers took up their posts. National elections are expected in 2013. Madagascar has been suspended from SADC activities since 2009 following an unconstitutional change of government by the military. SADC remains engaged in the mediation process.

Malawi

The new Malawian Cabinet announced by President Joyce Banda in April 2012 shows adherence to the target of 30 percent at ministerial and deputy ministerial levels. Six women were appointed ministers out of a total of 22 ministers (27.3 percent), and three women were appointed among the 10 deputies (30 percent). In the previous Cabinet, Malawi had three women ministers and six deputies in a 29-member Government, representing about 31 percent. The ministries include labour, environment, education, local government and rural development.

Mauritius

There are three women ministers in a 25-member Cabinet in Mauritius, accounting for just 12 percent of the total. This has been increasing slowly from eight percent in 2000 to 10 percent in 2006 and 9.5 percent in 2009. The adoption of a national quota system is not yet on the horizon, and the proportion of women elected and appointed remains low.

Mozambique

The Council of Ministers had eight women ministers of the total 28 in 2011, accounting for 28.6 percent, and these ministers were not changed in the reshuffle in October 2012. This proportion of women representation is up from 12.5 percent in 2000, and has shown a steady increase to 23 percent in 2006 and 26 percent in 2009, in line with Mozambique's commitments in this regard. There are five deputy ministers who are women of the total 26 (19 percent), and three provincial governors who are women of the total 11 (27.2 percent).

Namibia

Namibia has retained a proportion of 22.7 percent women in Cabinet following a Cabinet reshuffle in December 2012. There are five women ministers of the total 22, holding the portfolios of finance, foreign affairs, home affairs, gender equality, and labour and social welfare. Women representation in Cabinet in Namibia reached a high of 27 percent in 2006, up from 14 percent in 2000.

Seychelles

Despite the steady performance in increasing the percentage of women in Parliament, Seychelles has struggled to break the 30-percent barrier for women ministers in Cabinet, although the propor-

tion was already 21 percent in 2000. Representation of women in Cabinet has averaged 27 percent since 2006, although this dropped back to 23.1 percent in 2012 with just three of the 13 Cabinet portfolios held by women — education, health, and employment. Although the number of women in Cabinet increased from two, the drop in percentage is due to expansion of the Cabinet from 9 to 13 ministers, including the President who holds several portfolios.

South Africa

South Africa has shown commitment consistently since 1994 towards ensuring that women are represented in the highest decision-making structures in Government, with the proportion of woman Cabinet ministers remaining close to 40 percent over the past decade. South Africa has dropped below 40 percent in this regard but still leads the region in the proportion of women in Cabinet, at 38.8 percent in 2012. This figure has been sustained since 2010 including cabinet changes, but marks a drop from 42 percent in 2009 and 42.8 percent in 2006. There are 14 women Cabinet ministers of the total 36, and 12 women deputy ministers of the total 31, for a similar proportion of 38.7 percent. Cabinet changes in 2012 retained the same numbers of men and women.

Swaziland

There are four women among 18 Cabinet ministers in Swaziland, a proportion of 22.2 percent of Cabinet ministers in 2012, compared to 13.3 percent in 2000, 18 percent in 2006 and 20 percent in 2009. This proportion shows upward mobility consistent with several other countries in the region, and higher than some, and is in line with a constitutional clause regarding women in decision-making positions. A department for gender issues was established in the office of the Deputy Prime Minister to coordinate all programmes aimed at gender equality and equity, and a woman was appointed to serve as Deputy Prime Minister from 2003-2008.

United Republic of Tanzania

The percentage of women in Cabinet in Tanzania has more than doubled since 2000 when it was 13 percent, to the current figure of 30 percent in 2012. There are nine women in Cabinet of the total 30 ministers. The total figure includes 21 full ministers of which there are four women, plus ministers of state which include five women, in the office of the President (1/4), Vice President (2/2) and Prime Minister (2/3). These minister of state positions have

been used as affirmative action to increase the number of women in Cabinet, however in the Tanzanian system these are substantive portfolios including public service, union affairs, environment, investment and empowerment, and regional administration and local government.

The ministries held by women include labour and employment; lands, housing and human settlements; information, youth, culture and sports; community development, gender and children. There are four women deputy ministers of the total 18, which is 22 percent. All four of the top positions in the country are held by men, including the President of Zanzibar, although some women are well-placed to compete for top jobs in 2015.

Zambia

The number of women in the Zambian Cabinet has been erratic over the past decade, although it is still slightly up on the year 2000 percentage of 8.3 percent. Zambia had five women in a 21-member Cabinet after the 2006 election, a proportion of 23.8 percent, before dropping again to 13.6 percent in 2008. There was only one woman in the first Cabinet following the election in 2011, although there were three women deputies. Two more women were appointed in 2012 increasing representation to three of the total 20, including the new minister of tourism and arts. This is a proportion of 15 percent. The proportion of deputy ministers is 12 percent as there are five women of the total 41. The top three positions of President, Vice President and Deputy Vice President are held by men.

Zimbabwe

The proportion of women Cabinet ministers has declined from 24 percent in 2000 to 19 percent in 2006 and 17.5 percent in 2009 when the current Cabinet was appointed. Although there have been some changes in ministers, the proportion remains the same, with six women in Cabinet of the total 34 ministers. Women hold the portfolios of home affairs; regional integration and international cooperation; small and medium enterprises and cooperative development; public service; labour and social welfare; women's affairs, gender and community development. In addition, the Vice President is a woman, and under the Global Political Agreement that ushered in an inclusive government in 2009, the Prime Minister has two deputies, one of whom is a woman. Therefore the proportion of women in the top five positions in the leadership is 40 percent.

5.5 WOMEN IN THE JUDICIARY

Significant changes have been implemented in the judiciary in most SADC Member States in recent years with increasing numbers and seniority of women judges and magistrates, as well as at higher levels of representation, including the first women appointed as Chief Justice in Malawi and in Zambia, Public Protector in South Africa, Attorney General in Botswana and Judge President in Zimbabwe. In Tanzania, three of the five Court of Appeal judges are women (60 percent). In Lesotho, 65 percent of judges are women, 54 percent in Zambia, and almost 47 percent in Mauritius. In South Africa, 60 percent of magistrates are women, 56 percent in Botswana, and 50 percent in Mauritius. (Table 8)

Table 8

| Country | Supreme Court/Court of Appeal/High Court | | | | | | Magistrates' Court | |
|--------------|--|-------|-----------|-------|----------|--------|--------------------|--------|
| | Chief Justice | | President | | Judges % | | Magistrates % | |
| | Men | Women | Men | Women | Men% | Women% | Men% | Women% |
| Angola | * | * | * | * | 69 | 31 | 83 | 17 |
| Botswana | 1 | 0 | 1 | 0 | 94.4 | 5.6 | 44 | 56 |
| DRC | * | * | * | * | * | * | * | * |
| Lesotho | 1 | 0 | 1 | 0 | 34.8 | 65.2 | 58 | 42 |
| Malawi | 0 | 1 | 1 | 0 | 62.5 | 37.5 | 77 | 23 |
| Mauritius | 1 | 0 | 1 | 0 | 51.4 | 48.6 | 50 | 50 |
| Mozambique | * | * | * | * | 69.5 | 30.5 | 71 | 29 |
| Namibia | 2 | 0 | 1 | 0 | 83 | 17 | 55 | 45 |
| Seychelles | 1 | 0 | 1 | 0 | 80 | 20 | 33 | 67 |
| South Africa | 1 | 0 | 1 | 0 | 72 | 28 | 67 | 33 |
| Swaziland | 1 | 0 | 1 | 0 | 75 | 25 | 78 | 22 |
| Tanzania | 1 | 0 | 2 | 3 | 57 | 43 | 71 | 29 |
| Zambia | 0 | 2 | * | * | 46 | 54 | 73 | 27 |
| Zimbabwe | 1 | 0 | 0 | 1 | 71 | 29 | 59 | 41 |

Most data 2010-2012. Magistrates for Angola, Lesotho, Mauritius, Namibia, South Africa, Swaziland, Tanzania are 2009-No data

Madagascar is suspended from SADC.

Source: National Progress Reports on the implementation of the SADC Protocol on Gender and Development; SADC Gender Monitor 2009; other sources in Reference List

Angola

During the period under review, the judiciary was composed of 303 members of whom 209 were men (69 percent) and 94 were women (31 percent). These figures include national and provincial prosecutors and deputies, and municipal attorneys. The proportion of women magistrates is 17 percent.

Botswana

The President of the Court of Appeal and all Appeal Court judges are men. The Chief Justice is a man, and just one of the 17 High Court judges is a woman (5.9 percent). However, the balance improves among magistrates as follows: Regional Magistrates, 1 of 2 (50 percent); Chief Magistrate 1 of 6 (16.7 percent); Principal Magistrates, 9 of 11 (81.8 percent); Senior Magistrates, 6 of 13 (46.2 percent); and for Magistrates grades 1, 2 and 3 there are 17 women of 28 which is 61 percent. Botswana is the only SADC Member State with a woman Attorney General.

Democratic Republic of Congo

A review of the judicial system conducted by the International Bar Association concluded that “the DRC has greatly suffered in recent years and continues to feel the repercussions of ongoing conflicts. This has taken an important toll on the country’s institutions, including the justice system, which is struggling to meet the needs of the population.” In addition, very little of the national budget is allocated to the judicial system. Under the 2006 Constitution, the court system is divided into three separate jurisdictions: the judicial (civil and criminal); the administrative; and the military. There is no disaggregated data currently accessible on the gender make-up of the judicial system in DRC, but this has been dominated by men, with very few women at all levels.

Lesotho

The total number of women judges in Lesotho is significant at 65.2 percent. In addition, 42 percent of magistrates are women. The Chief Justice and Judge President of the Court of Appeal are men. However, the Office of the Ombudsman (*Monamoli*) is headed by a woman advocate whose role is to protect the public against infringement of their rights by public sector agencies.

Malawi

Of the 24 judges of the High Court and Supreme Court of Appeal, only four were women (16.6 percent) until the President appointed three more prominent women lawyers to be judges of the High Court in October 2012. This increased the proportion of women judges to 29 percent, while women magistrates were 23 percent. Four more judges were appointed to fill vacancies at the High Court in June 2013, two of whom are women, thus increasing the proportion to 37.5 percent. At the same time, a senior Supreme Court Judge, a woman, was appointed by the President as the new Chief Justice and was unanimously confirmed by the Parliament.

Mauritius

Mauritius has reached gender parity for magistrates with a balance of 50 women and 50 men. The proportion of women judges in Mauritius is also significant as it has reached almost 50:50 with 48.6 percent women and 51.4 men, although the Chief Justice of the Supreme Court and the President of the High Court are both men.

Mozambique

Mozambique has reached 30 percent women in the judiciary at almost all levels. Of a total of 255 judges, 78 are women (30.5 percent), while for magistrates the figure is 63 women of a total of 213 (29 percent). There are 140 women lawyers of the total 464 (30 percent). Provincial Chief Judges include two women of the total 11 (18.1 percent) and Provincial Chief Prosecutors are four women out of 11 (36.3 percent).

Namibia

Two judges of the Supreme Court including the Chief Justice are both men. The Judge President of the High Court is a man, and of the additional 12 High Court judges, 2 are women (17 percent). There are 31 women magistrates of the total of 69, making the proportion 45 percent, and 33 women prosecutors of the total of 76, which accounts for 43 percent.

Seychelles

The President of the Court of Appeal and three of the four Justices of Appeal are men, and one is a woman (25 percent). The Chief Justice of the Supreme Court is male, and no Supreme Court judges were women until early 2013 when the first woman was sworn in as one of 6 judges of the Supreme Court (17 percent). Now there are two women judges of the total 10 (20 percent). However, at the level of magistrates, four of the six magistrates are women, a proportion of 67 percent. The two senior magistrates are both women, while two of the four magistrates are women. The Ombudsman is also a woman.

South Africa

South Africa's Constitution says "the need for the judiciary to reflect broadly the racial and gender composition of South Africa must be considered when judicial appointments are made." However, the Judicial Service Commission (JSC) interviews in 2010 recommended only six women and 41 men for appointment to the courts. In November 2011, new judges were appointed to the Supreme Court of Appeal and various other High Courts. Of the 12 judges appointed at national and provincial levels, just one judge appointed to a provincial High Court was a woman. In October 2012, just 65 of the 233 judges were women (28 percent). Six of the 23 judges of the Supreme Court of Appeals were women (26 percent), and there were two women among the 11 judges in

the country's highest court, the Constitutional Court (18.2 percent). However, four of the nine Regional Court Presidents are women (44 percent) and 628 of the 1906 magistrates (33 percent) are women as well as 40 of the 63 registrars (63 percent).

Swaziland

The Superior Court of Judicature was introduced by the 2006 Constitution as the final court of appeal, comprising the Supreme Court and the High Court. The Chief Justice and the President of the High Court are both male. There were three women judges of the total of 12 judges (25 percent) in 2012, and women made up 22 percent of magistrates.

United Republic of Tanzania

There are 26 women among 62 High Court judges in Tanzania (42 percent), and three women of five judges of the Court of Appeal (60 percent). Thus the total number of women judges is 29 out of 67 (43.3 percent). The Chief Justice of the Court of Appeal, and the Principal Judge who heads the High Court, are both men. High Court registries are presided over by 13 judges of whom 4 are women (31 percent).

Zambia

Two women were appointed to senior positions in the judiciary in June 2012, as Acting Chief Justice and Deputy Chief Justice. Of 41 High Court and Supreme Court judges in 2011, there were 19 men and 22 women (54 percent). The Industrial Relations Court had 3 men and 2 women (40 percent). For magistrates, 9 were women of the total 33 (27 percent), and for Local Court justices there were 711 men and 97 women (12 percent).

Zimbabwe

While the position of Chief Justice is held by a man, the first woman Judge President was appointed in 2006. She is also Chairperson of the Judiciary Service Commission and says the Commission is working towards addressing the gender imbalance in the justice delivery system. Two more women judges were appointed to the High Court in September 2011. Prior to that, the percentage of women judges in the High Court and Supreme Court was 29 percent, and 41 percent of Magistrates. Women make up 50 percent of the Labour Court Presidents and 42 percent of the Administrative Court Presidents.

5.6 WOMEN IN LOCAL GOVERNMENT

Seychelles has the highest women representation in local government in the SADC region with 15 women of 23 district administrators (65 percent), although there are no elected local councils. Lesotho has the highest proportion of women elected to rural councils, with 49 percent, followed by Namibia and Tanzania. Representation by women in urban councils in Namibia and South Africa has reached 40 percent. Tanzania has 35 percent women in both rural and urban councils, and Mauritius crept closer following local government elections in December 2012 with 25 percent women rural councillors and 35 percent women councillors in urban areas. (Table 9) Angola and Zambia had the lowest representation of women in rural and urban councils respectively.

Women Councillors Elected in SADC Member States Table 9

| Country | % Rural | % Urban |
|--------------|---------|---------|
| Angola | 3.5 | 11 |
| Botswana | 19 | 20 |
| DRC | 7 | 10.9 |
| Lesotho | 49.1 | – |
| Malawi** | – | – |
| Mauritius | 25.5 | 35.5 |
| Mozambique | 20.3 | – |
| Namibia | 42 | 40 |
| Seychelles* | 65 | 65 |
| South Africa | 37 | 40 |
| Swaziland | 18.7 | 14 |
| Tanzania | 35.5 | 35 |
| Zambia | 9.5 | 6 |
| Zimbabwe | 19 | 18 |

*Seychelles district administrators are appointed
 ** Malawi last held local council elections in 2000.
 Source: National Progress Reports on implementation of the SADC Protocol on Gender and Development and other sources. Results of local elections in Mauritius in December 2012.

Angola

There are few Angolan women elected at local government level with just 3.5 percent in rural councils and 11 percent in urban councils in 2011, as shown in Table 9, although disaggregated figures were not accessible for all councils. Local government (provincial) is made up of 72 governors and vice-governors, of whom 58 are men (80.6 percent) and 14 are women (19.4 percent), according to the provincial directorate.

Botswana

The participation of women in local government leadership positions in Botswana is low, with the number of women councillors and mayors at just under 20 percent of the total. There are three women among the total 16 mayors (18.75 percent) and 119 women councillors of the total 603 (19.73 percent).

Democratic Republic of Congo

Challenges remain regarding the participation of women in decision-making at local level. Women remain vulnerable as long as violence continues, especially in the eastern part of the country, and this also disrupts local government structures. There is still much to be done for the empowerment of women at community and local government levels, and data collection. The available data show seven percent women in rural councils and 10.9 percent in urban councils.

Lesotho

Lesotho has 49 percent representation by women in local government since 2011, having surpassed the regional target for women representation in its first local government elections in 2005, when women councillors won 58 percent of the total seats. This was after the Local Government Elections (Amendment) Act (2004) provided for a quota system that reserved 30 percent of local government seats for women, although women were free to contest with men for the remaining 70 percent of the seats. This was the first time that women constituted the majority in elected positions of decision-making in SADC.

The Electoral Act initially provided for this system to rotate to different constituencies for at least three elections, followed by an assessment, but due to many challenges and complaints, this was reviewed and amended to a mixed system adopting aspects of the Tanzanian model for 2011, following a study visit to Tanzania.

Malawi

Local elections in Malawi scheduled for April 2011 were postponed to 2014. The previous local government elections were held in the year 2000, when 842 people were elected as councillors of whom 70 were women (8.3 percent). In addition, two women were deputy mayors of city councils. Following the end of the full five-year term in 2005, the councils were dissolved and there have been no elected councillors in Malawi since that time. Responsibility for local government rests with the Ministry of Local Government and Community Development.

Mauritius

The percentage of women elected to village councils climbed to 25.5 percent in December 2012 from 5.8 percent, and to 35.5 percent from 12.7 percent in municipal councils, due to a new Local Government Act requiring at least one-third of candidates in local elections to be women. The affirmative action adopted by the Local Government Act of January 2012 resulted in more women candidates contesting the elections and more women councillors elected. Mauritius, which now has more than 30 percent women elected to local government decision-making positions in total, reported that the *SADC Framework for Achieving Gender Parity in Political and Decision-Making Positions by 2015* has been essential to the recent achievements.

Mozambique

Three of the total 43 mayors are women (7 percent); three of the 11 provincial governors are women (27.2 percent); and 26 of the 128 district administrators are women (20.3 percent). There are 33 municipalities covering all 23 cities and 10 of the 116 towns. These are composed of the municipal assembly which acts as a legislature, and the municipal council, which holds executive powers. Members are elected to the municipal assemblies at 5-year intervals using a system of proportional representation. The last local government election was held in November 2008, and the next one is in November 2013. The Minister of State Administration is responsible for administration of the laws overseeing local government.

Namibia

At local government level, Namibia reached almost 40 percent women representation soon after Independence in 1990 and has sustained that level to date, using a party list system. The proportion of women in local government increased consistently from 37 percent in the first local authority elections in 1992, to 41.3 percent in 1998 and 43.4 percent in 2004, increasing slightly between elections to 45 percent in 2008. By 2009, women councillors made up 40 percent of Part I municipalities, 32 percent of Part II municipalities, 45 percent of town councils, and 55 percent of rural village councils. The proportion of women elected in 2010 local elections dropped slightly, but the women representation in local government remains at over 40 percent. Nine of the 33 mayors elected for municipal and town councils were women (27 percent) in 2009 and this proportion increased significantly in 2010.

The 13 regional councils are a different structure to local government and fall under the Regional Councils Act 1992, using single-member constituencies. Of the 13 regional governors, only three were women (23 percent) in 2009, and women made up only eight percent of regional councils, with fewer women contesting in 2010.

Seychelles

Councillors in local government are not elected, but they are nominated by the Minister as district administrators. Of a total of 23 district administrators in 2011, 15 were women and 8 were men, thus the proportion of women is 65.2 percent.

South Africa

After the Municipal Structures Act was put in place, the number of women councillors increased from 29.6 percent in 2000 to 40 percent in 2006. However, in 2011 local government elections, the proportion went down to 38 percent. South Africa uses a combined system of ward and proportional representation for local government elections. The Municipal Structures Act (1998) included guidelines stating that political parties should ensure that 50 percent of the candidates on their lists were women, with women and men candidates evenly distributed in a “zebra style” to ensure that women are not at the end of the list. The legislation also provides for equal representation of women and men on ward committees.

Swaziland

The Constitution of the Kingdom of Swaziland specifies a minimum representation by women of 30 percent in decision-making bodies, in accordance with section 94 and 95. As a result, the number of women in decision-making positions is increasing. Prior to this, the figures were 16 and 20 percent women, in rural and urban councils respectively. Women representation in urban councils was 18.75 percent after the 2008 elections, but only 10 women (14 percent) were elected in 2012, with an additional five seats appointed by the minister. Rural local elections will be held in 2013, at the same time as national elections. According to the Ministry of Housing and Urban Development, 19,800 Swazis are registered to vote, with 11,792 (60 percent) men and 8,008 (40 percent) women.

United Republic of Tanzania

A Constitutional provision requires that women occupy at least one-third of the seats in all local councils, and at least one-quarter of seats on village councils. The urban and district councils, and city councils are constituted from representatives at various levels, including MPs from the area, elected members and women appointed from party lists according to the proportion of votes by party for the elected seats. The number of women appointed to special seats in councils through proportional representation is “not less than one-third” of ward representatives and MPs combined. Of the current representatives, 35 percent are women, largely nominated under the women’s special seats arrangement, with a few directly elected.

The one-third quotas are adhered to and the representation varies around 35 percent on all councils, although the number of women councillors depends on the size and complexity of the local authority. The prescribed special seats increased the number of women councillors to almost 1,000 across all authorities, including those elected by ward. In addition, more than 20 percent of the council directors are women. Village councils have between 15 and 25 members of whom 25 percent must be women. The last local government elections were in 2010, and the next are in 2014.

Zambia

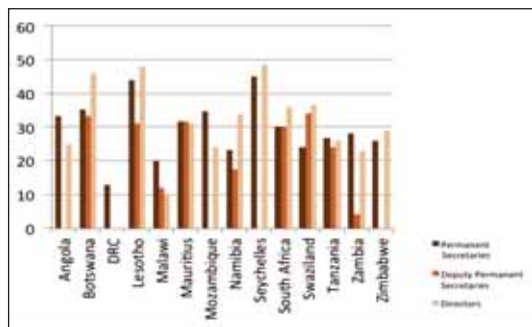
Women in Zambia comprise less than 10 percent of elected local government officials. Following local government elections in 2011, there are 387 women among 4,095 rural councillors (9.5 percent) and 83 women of 1,382 urban councillors (6 percent), down from 7.2 percent in the previous local election. In 2009, 57 men were district commissioners and 11 women (16 percent); and in 2010, there were no women mayors among the 18 men (0 percent). Neither the Constitution nor the Local Government Elections Act mention or provide for gender parity, and there are no quotas or mechanisms defined for this purpose. However, the constitutional review is almost complete, with a new Constitution expected in 2013.

Zimbabwe

The proportion of women in urban and rural councils in Zimbabwe following harmonized elections in 2008 was 18 percent and 19 percent respectively (2011). However, the new Constitution specifies gender parity at all levels of governance. Under the new Constitution adopted in May 2013, the State must promote “full gender balance” and ensure that men and women are equally represented in all agencies and institutions of government, including “all Commissions and other elective and appointed governmental bodies.” The electoral laws for the National Assembly and Senate have specific provisions for this purpose through guaranteed seats and party lists, as does the framework for provincial and metropolitan councils. However, local authorities made up of urban and rural councils continue to be elected by a ward system with no specific gender provisions or affirmative action. Further procedures will be decided by an Act of Parliament.

Women in Central Government in the SADC Region

Figure 3



5.7 WOMEN IN CENTRAL GOVERNMENT

Seychelles has reached almost 50 percent women in the top structures of the management of central government, with 45 percent women among permanent secretaries and 49 percent directors. There are more than 40 percent women directors in central government

in Lesotho and Botswana, with 48 percent and 45 percent, respectively. (Figure 3)

Several countries have passed the initial 30 percent target for permanent secretary/director general, including Angola, Botswana, Mauritius, Mozambique and South Africa. All SADC Member States have 20 percent or more women at this level, except DRC at 12.7 percent. (Table 10) South Africa has reached an average of 35.9 percent women across all senior positions in public service, including director general and deputies, chief directors, and directors. Women constitute 55.6 percent of employees in the South African Public Service, while women in senior positions total 34.3 percent. The Chief Secretary to Government in Malawi is a woman. The Central Bank Governors are women in Botswana, Lesotho and South Africa.

Women in SADC are prominent in representing their countries in the diplomatic service, and efforts are being made by most Member States to balance representation, with lower levels of the diplomatic service having reached gender parity in some countries. Botswana and Zimbabwe have reached 30 percent in diplomatic representation, although the proportion is constantly changing for all Member States with new appointments at ambassadorial level, and the number of women is increasing. Botswana has a small number of diplomats but the Ambassadors/High Commissioners are 31.2 percent women (Table 11), while the level of deputy and consul general reached 50:50 in 2011. In the diplomatic service in Angola, only 16 of 99 Ambassadors were women (16.2 percent) in 2011, but at the level of second and third secretaries women had reached parity with men at 50:50.

Women in Central Government in the SADC Region 2011

Table 10

| Country | Permanent Secretaries/DG % | Directors /HoDs % |
|--------------|----------------------------|-------------------|
| Angola | 33.3 | 24.9 |
| Botswana | 35.3 | 45.3 |
| DRC | 12.7 | -- |
| Lesotho | 23.8 | 48 |
| Malawi | 29 | 15 |
| Mauritius | 38 | 31.5 |
| Mozambique | 30.5 | 23 |
| Namibia | 23.1 | 31.8 |
| Seychelles | 45 | 48.6 |
| South Africa | 34 | 35.9 |
| Swaziland | 24 | 36.5 |
| Tanzania | 27 | 26 |
| Zambia | 29 | 22 |
| Zimbabwe | 26 | 33 |

*Permanent Secretary, Principal Secretary, Director General or Secretary General
 Madagascar is suspended from SADC.
 -- No data
 Source: National Progress Reports on Implementation of SADC Protocol on Gender and Development

Women in Diplomatic Service SADC Member States 2011

Table 11

| Country | Ambassador/High Commissioner % |
|--------------|--------------------------------|
| Angola | 16.2 |
| Botswana | 31.2 |
| DRC | -- |
| Lesotho | 24.2 |
| Malawi | -- |
| Mauritius | 15 |
| Mozambique | 23.3 |
| Namibia | 25 |
| Seychelles | 16.7 |
| South Africa | -- |
| Swaziland | -- |
| Tanzania | -- |
| Zambia | 22.7 |
| Zimbabwe | 30 |

Ambassadors to UK and Commonwealth are called High Commissioners
 -- No data Information incomplete for some Member States
 Source: National Progress Reports on implementation of SADC Protocol on Gender and Development

Women in Public/Civil Service Commissions Figure 4



5.8 WOMEN IN PUBLIC SERVICE COMMISSIONS

Women continue to be under-represented in Public Service Commissions that act as employment authorities for Government recruitment. With the exception of Zimbabwe, where women hold 57.1 percent of positions in the Public Service Commission, the rest of the region retains a majority of men in such bodies. (Figure 4) South Africa and Swaziland have reached over 40 percent women, and Namibia 28.6 percent, but in Mauritius all Public Service Commissioners are men. (Table 12) Although Mauritius does not have any women in the PSC, there are 40 percent women in the Disciplined Forces Service Commission, which is responsible for the Mauritius Police Force, Fire Services, and Prisons.

Gender Composition of Public/Civil Service Commissions 2011 Table 12

| Country | Men | Women | Total | Men % | Women % |
|--------------|-----|-------|-------|-------|---------|
| Mauritius | 7 | 0 | 7 | 100.0 | 0 |
| Namibia | 5 | 2 | 7 | 71.4 | 28.6 |
| South Africa | 7 | 5 | 12 | 58.3 | 41.7 |
| Swaziland | 3 | 2 | 5 | 60.0 | 40.0 |
| Tanzania | 5 | 1 | 6 | 83.3 | 16.7 |
| Zimbabwe | 3 | 4 | 7 | 42.9 | 57.1 |

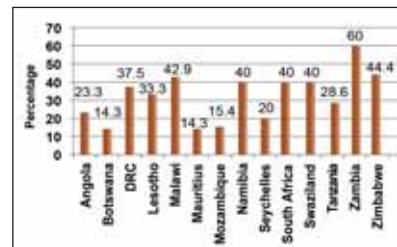
Source: SADC Member States and Public/Civil Service Commissions

5.9 WOMEN IN ELECTORAL COMMISSIONS

Women play a significant role in the leadership of national election commissions in most SADC Member States, often with a woman as the head or deputy. The Chairperson of the Independent Electoral Commission (IEC) in Lesotho is a woman, and in Zimbabwe, the Chairperson and Deputy of the Zimbabwe Electoral Commission are both women. The Chairperson of the IEC in South Africa is a woman who was previously the Chief Electoral Officer. The President of the Electoral Commissions Forum of SADC Countries (ECF-SADC) is a woman as the South African IEC was elected to chair the regional forum for the period 2012-2014.

Zambia has surpassed the regional target of 50:50 representation in electoral commissions as women made up 60 percent of commissioners at the Electoral Commission of Zambia in 2011. Zimbabwe is second at 44.4 percent, ahead of Malawi at 42.9 percent. (Figure 5) In Namibia, South Africa and Swaziland, women occupy two of the five positions on the IEC, thus 40 percent in 2011. DRC is close behind at 37.5 percent, in terms of women representation in electoral management bodies, although Botswana, Mauritius and Mozambique lag far behind. (Table 13)

Women in Electoral Commissions Figure 5



Gender Composition of Electoral Commissions in SADC 2011 Table 13

| Country | Women | Total | Women % |
|--------------|-------|-------|---------|
| Angola | 3 | 11 | 27.3 |
| Botswana | 1 | 7 | 14.3 |
| DRC | 3 | 8 | 37.5 |
| Lesotho | 1 | 3 | 33.3 |
| Madagascar* | 3 | 21 | 14.3 |
| Malawi | 3 | 7 | 42.9 |
| Mauritius | 1 | 7 | 14.3 |
| Mozambique | 2 | 13 | 15.4 |
| Namibia | 2 | 5 | 40.0 |
| Seychelles | 1 | 5 | 20.0 |
| South Africa | 2 | 5 | 40.0 |
| Swaziland | 2 | 5 | 40.0 |
| Tanzania | 2 | 7 | 28.6 |
| Zambia | 3 | 5 | 60.0 |
| Zanzibar | 1 | 7 | 14.3 |
| Zimbabwe | 4 | 9 | 44.4 |

* Independent National Electoral Commission of the Transition (CENI-T), established March 2012. Madagascar is suspended from SADC. Source National Electoral Commissions and ECF-SADC

5.10 PARTICIPATION OF WOMEN IN PEACE AND SECURITY MISSIONS

Women in SADC are participating in regional and United Nations peacekeeping in the police, military and civilian missions, and have trained for the SADC standby force, which is a component of the African Union standby force. As peacekeeping has evolved over the years to encompass a broader humanitarian approach, the role of women has become increasingly part of the agenda, with women also ready to take on combat roles as necessary. Women are deployed in all areas including the police, military and civilian peacekeeping, and have made a positive impact on peacekeeping environments, according to UN Peacekeeping.

In the SADC region, three countries lead in terms of assigning more women to participate in UN peacekeeping missions – Namibia, Tanzania and Zimbabwe. In the case of Namibia, more than 70 percent of the individual force contribution in 2011 was made up of women, and for Tanzania, 34.4 percent. Zimbabwe contributed in several areas, with 36.4 percent women in the individual force, 55.6 percent of the experts on mission, and the contingent troops were 50:50. (Table 14)

Summary of Troop Contribution to UN Operations at February 2012

Table 14

| Country | Individual Force | | | Experts on Mission | | | Contingent Troops | | | Country |
|--------------|------------------|------------|-------------|--------------------|-----------|------------|-------------------|-------------|---------------|---------|
| | Total | Women | Men | Total | Women | Men | Total | Women | Men | Total |
| DRC | 27 | 2 (7.4%) | 25 (92.6%) | - | - | - | - | - | - | 27 |
| Lesotho | - | - | - | 2 | 0 | 2 (100%) | 1 | 0 | 1 (100%) | 3 |
| Madagascar | 48 | 6 (12.5%) | 42 (87.5%) | - | - | - | - | - | - | 48 |
| Malawi | 62 | 20 (32.3%) | 42 (67.8%) | 21 | 0 | 21 (100%) | 861 | 17 (2%) | 844 (98%) | 944 |
| Mozambique | - | - | - | 1 | 0 | 1 (100%) | - | - | - | 1 |
| Namibia | 58 | 41 (70.7%) | 17 (29.3%) | 15 | 2 (13.3%) | 13 (86.7%) | 3 | 0 (0%) | 3 (100%) | 76 |
| South Africa | 58 | 12 (20.7%) | 46 (79.3%) | 30 | 7 (23.3%) | 23 (76.7%) | 2,017 | 351 (17.4%) | 1,666 (82.6%) | 2,105 |
| Tanzania | 131 | 45 (34.4%) | 86 (65.6%) | 26 | 3 (11.5%) | 23 (88.5%) | 1,050 | 52 (5.0%) | 998 (95%) | 1,207 |
| Zambia | 242 | 22 (9.1%) | 220 (90.9%) | 36 | 8 (22.2%) | 28 (77.8%) | 7 | 0 (0%) | 7 (100%) | 285 |
| Zimbabwe | 88 | 32 (36.4%) | 56 (63.6%) | 9 | 5 (55.6%) | 4 (44.4%) | 2 | 1 (50%) | 1 (50%) | 99 |

Source: United Nations Peacekeeping

No data was available for Angola, Botswana, Mauritius, Seychelles and Swaziland

5.11 WOMEN IN HIGHER AND TERTIARY EDUCATION

Among the barriers that impact on the participation by women at various levels of leadership is the limited access to education in some countries, especially higher and tertiary education. Other factors include discriminatory appointment and promotion practices; resistance to women in management positions; and absence of adequate policies and legislation.

The societal barriers to education of women are historical, socio-cultural, socio-economic, and structural or institutional. Other factors that affect women in higher education are stereotyped expectations that discourage women from enrolling in institutions of higher learning, and from heading these institutions. This is changing in most countries in the SADC region, though slowly. The goal of reaching 50:50 by 2015 is not only for elected structures, but other sectors that are important in the achievement of gender parity, such as education, private sector and peacekeeping (as shown in the previous section).

The participation of women as academic and research staff in institutions of higher learning is growing but remains lower than that of men, with women occupying 39 percent of the overall regional academic and research staff composition. The statistics improve when enrolment of students in higher education institutions is considered, with women comprising 49.9 percent of the overall enrolment. (Table 15, 16) If South Africa is excluded from the data, the figures are much lower, although this does not reflect an analysis by race, as black South Africans are still disadvantaged in the education sector. Further, while it is useful to review general higher education enrolment statistics, it is equally important that the statistics are disaggregated by specific areas of study, as the data show fewer women than men studying, and teaching, science and technology at tertiary level.

Gender parity should consider primary, secondary and higher education as well as leadership in these institutions. The statistics are more encouraging for primary school enrolment, as gender parity is almost attained throughout the region, with female pupils more than male in some countries. However, the under-representation of women in higher education and limited participation in decision-making has an impact on the overall contribution to knowledge production at all levels. (Table 17)

A snapshot of regional data should go beyond mere numbers, as some societal impediments might favour certain groups to make the decisions at the expense of others. Although women may form the majority in some cases, the decision-making might continue to be a privilege of the men, regardless of how few they might be. Thus women should be empowered, while men need to be partnered so as to encourage the partnership with women in decision making. This aligns with Article 13(3) of the SADC Protocol which encourages “the inclusion of men in all gender-related activities.”

Women Academic and Research Staff in Higher Education Institutions in SADC Table 15

| | Total Staff | Women % | Men % |
|-----------------------|-------------|---------|-------|
| All countries | 32 474 | 39.0 | 61.0 |
| South Africa excluded | 13 621 | 24.5 | 75.5 |

Higher Education Enrolment in SADC 2011 Table 16

| | Gender Analysis | |
|-----------------------|-----------------|-------|
| | Women % | Men % |
| All Countries | 49.9 | 50.1 |
| South Africa excluded | 36.8 | 63.2 |



Gender Analysis of Academic and Research Staff at Selected SADC Universities

Table 17

| Country | Institution | Total Staff | Women % | Men % |
|--------------|--|-------------|---------|-------|
| Angola | Universidade Agostinho Neto | 1 501 | 22.7 | 77.3 |
| Botswana | University of Botswana | 827 | 30.4 | 69.6 |
| DRC | Université de Kinshasa | 1 530 | 6.4 | 93.6 |
| | Université de Goma | 189 | 4.2 | 95.8 |
| | Université de Kisangani | 381 | 4.5 | 95.5 |
| | Université de Lubumbashi | 769 | 6.9 | 93.1 |
| Lesotho | National University of Lesotho | 374 | 43.3 | 56.7 |
| Madagascar | Université de Antananarivo | 662 | 34.4 | 65.6 |
| | Université de Antsiranana | 75 | 9.3 | 90.7 |
| | Université de Fianarantsoa | 72 | 25 | 75 |
| | Université de Mahajanga | 68 | 37 | 63 |
| | Université de Toamasina | 53 | 22.6 | 77.4 |
| | Université de Toliara | 35 | 20 | 80 |
| Malawi | Mzuzu University | 120 | 15.8 | 84.2 |
| | University of Malawi | 676 | 20.7 | 79.3 |
| Mauritius | University of Mauritius | 256 | 40.2 | 59.8 |
| | University of Technology | 42 | 40.5 | 59.5 |
| Mozambique | Higher Institute of International Relations | 84 | 13.1 | 86.9 |
| | Universidade Eduardo Mondlane | 1 112 | 24.2 | 75.8 |
| | Universidade Lúrio | 43 | 46.5 | 53.5 |
| | Universidade Pedagógica | 829 | * | * |
| Namibia | University of Namibia | 340 | 42.4 | 57.6 |
| South Africa | Nelson Mandela Metropolitan University | 510 | 40.8 | 59.2 |
| | North-West University | 905 | 38.5 | 61.5 |
| | Rhodes University | 323 | 35 | 65 |
| | Tshwane Univ. of Technology | 855 | 40.2 | 59.8 |
| | University of Cape Town | 1 658 | 44.3 | 55.7 |
| | University of Fort Hare | 261 | 35.6 | 64.4 |
| | University of Free State | 1 083 | 47.6 | 52.4 |
| | University of Johannesburg | 2 792 | 42.8 | 57.2 |
| | University of KwaZulu-Natal | 1 472 | 43.75 | 56.25 |
| | University of Limpopo | 1 984 | 37.9 | 62.1 |
| | University of Pretoria | 2 261 | 47.8 | 52.2 |
| | University of South Africa | 1 393 | 52 | 48 |
| | University of Stellenbosch | 786 | 41.3 | 58.7 |
| | University of Venda | 245 | 31 | 69 |
| | University of Western Cape | 476 | 45.4 | 54.6 |
| | University of Witwatersrand | 1 231 | 46.8 | 53.2 |
| Swaziland | University of Zululand | 239 | 46.4 | 53.6 |
| Tanzania | University of Swaziland | 229 | 34.9 | 65.1 |
| | Ardhi University | 174 | 23 | 77 |
| | Muhimbili University of Health and Allied Sciences | 316 | 29.1 | 70.9 |
| | Mzumbe University | 207 | 30 | 70 |
| | Open University of Tanzania | 206 | 27.7 | 72.3 |
| | Sokoine University of Agriculture | 333 | 16.2 | 83.8 |
| | University of Dar es Salaam | 1 323 | 24.5 | 75.5 |
| | University of Dodoma | 97 | 31 | 69 |
| Zambia | Copperbelt University | 193 | 13 | 87 |
| | University of Zambia | 472 | 18 | 82 |
| Zimbabwe | Bindura University of Science Education | 179 | 23 | 77 |
| | Chinhoyi University of Technology | 163 | 29.4 | 70.6 |
| | Harare Institute of Technology | 70 | 17.1 | 82.9 |
| | Lupane State University | 16 | 25 | 75 |
| | Midlands State University | 326 | 35.9 | 64.1 |
| | National University of Science and Technology | 182 | 23.6 | 76.4 |
| | University of Zimbabwe | 627 | * | * |
| | Zimbabwe Open University | 158 | 28.5 | 71.5 |

Most data is from the period 2006-2008

Madagascar is suspended from SADC.

Source: Southern African Regional Universities Association (SARUA) in Higher Education in the SADC

Region: Regional Country Profiles

LEGAL AND POLICY FRAMEWORK THAT PROMOTES GENDER EQUALITY AND EQUITY IN DECISION-MAKING IN SADC MEMBER STATES

Most SADC Member States have constitutional clauses on equality and non-discrimination, and some have put in place legislation, policies and programmes aimed at increasing the level of participation of women in political and decision-making positions in the public sector. All SADC Member States are party to international, continental and regional gender instruments, but many have not yet incorporated the relevant clauses into their national laws. Thirteen Member States have signed the SADC Protocol on Gender and Development, except for Botswana and Mauritius; while two Member States that have signed have not yet lodged instruments of ratification with the SADC Secretariat (DRC, Madagascar).

Angola

The new Constitution of the Republic of Angola 2010 is silent on the representation of women in decision-making, other than to say that the fundamental rights of the State include the promotion of equal rights without discrimination and the promotion of equality between men and women (Clause 21). Clause 23 states that fundamental rights include the equality of everyone under the law and that no one may be discriminated against on the basis of sex and other factors. Angola has increased the number of women members of the National Assembly from less than 10 percent in 1997 to 34.1 percent in 2012, with 75 women in Parliament, despite the absence of a legislated quota.

Angola signed the SADC Protocol on Gender and Development on 17 August 2008 and ratified two years later in 2010.

Botswana

The Constitution is gender-neutral as it contains no specific provisions except for a general statement on rights. There is no provision to ensure that women are represented in publicly elected bodies at any level. Adopted almost 50 years ago in 1965, prior to Independence the following year, the Constitution mentions sex only in section 3: "Whereas every person in Botswana is entitled to the fundamental rights and freedoms of the individual... whatever his race, place of origin, political opinions, colour, creed or sex..." In section 15(3) discrimination is prohibited against several categories, but not sex, giving rise to the argument, tested in court, that sex discrimination does not violate the Constitution in Botswana.

Botswana signed the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) in 1996, but has not yet signed or acceded to the SADC Protocol on Gender and Development. The system for domestication of ratified instruments under the Constitution is not automatic, thus the Convention does not automatically become part of domestic laws. If certain provisions of the Convention are to be domesticated into any specific Act of Parliament, that provision must be presented as a Bill in Parliament and subjected to debate before becoming part of the national legal system.

Botswana continues to implement some provisions of the SADC gender protocol and to submit reports showing progress in some areas. More women are moving into positions of power, and women are slowly taking a larger role in Central Government, as seen in the previous section. Consultations on the SADC Protocol on Gender and Development have been held with stakeholders nationwide, and with Parliament, the President, and the Ministry of Labour and Home Affairs. However, Government says the mandatory language in some articles of the Protocol raises legal and constitutional difficulties, as well as financial implications.

Democratic Republic of Congo

The Constitution (2006, Article 14) requires that the state ensures the equality of gender representation at all levels – national, provincial and local. The Electoral Law (Law 06/006 of March 2006, 13) requires that political party candidate lists should reflect the equal representation of men and women, but these are not rendered invalid by the failure to attain parity. No laws have been adopted to give effect to these measures, and the electoral system militates against adequate representation of women through the use of open party lists rather than closed lists.

There were no women candidates for President in the last election as there were in the previous election, and only 44 women were elected to the National Assembly, just 8.9 percent of total members. Several organisations have lobbied unsuccessfully for party lists to be compiled 50:50, alternating male and female candidates on electoral lists for the national and provincial assemblies.

The Democratic Republic of Congo signed the SADC Protocol on Gender and Development on 17 August 2008 and ratified in 2010, but has not yet deposited instruments of ratification with the SADC Secretariat.

Kingdom of Lesotho

Lesotho is a constitutional monarchy with central and local spheres of governance. A number of laws have been enacted to enable the participation of

women in decision-making at both levels, including the National Assembly Elections (Amendment) Order (2001), and National Assembly Electoral Act (2011); Local Government Elections (Amendment) Act (2004), and Local Government Elections (Amendment) Act No.4 of 2011. A mixed system of FPTP and party list PR is used for national and local elections, and this has increased the representation by women at both levels.

The National Assembly Electoral Act (2011) Section 47(2)(b) requires all political parties contesting Proportional Representation (PR) seats to submit party lists that “arrange the candidates in order of preference from top to bottom, with a female or male candidate immediately followed by a candidate of the opposite sex; and (c) include equal numbers of women and men.” In 2012 elections, the PR system using this “zebra” listing of candidates resulted in 18 women elected out of 40 seats (45 percent) while the FPTP system resulted in 15 women elected out of 80 seats (18.7 percent), for a total of 33 women (27.5 percent) of 120 seats in the National Assembly, dropping later to 32 women (26.7 percent).

At local level, the Local Government Elections (Amendment) Act (2004) provided for a quota system that reserved 30 percent of local government seats for women, although women were free to contest with men for the remaining 70 percent of the seats under a FPTP system. As a result, the proportion of women elected was 58.2 percent in the first local elections in 2005, the first time that women constituted the majority in elected positions of decision-making in SADC.

The 2004 electoral act had initially provided for this quota system to rotate to different constituencies for at least three elections, followed by an assessment, but due to many challenges and complaints, this was reviewed and amended to a mixed system through the Local Government Elections (Amendment) Act No.4 of 2011, adopting aspects of the Tanzanian model in which the proportion of votes won by each party in FPTP constituencies determines the number of seats for each party under the PR part of the electoral system. Applied to 2011 local government elections, this system resulted in 49.1 percent women elected.

The Kingdom of Lesotho signed the SADC Protocol on Gender and Development on 17 August 2008 and ratified two years later on 23 July 2010.

Madagascar

Madagascar is currently suspended from SADC, and has not yet deposited instruments of ratification with the SADC Secretariat for the Protocol on Gender and Development.

Malawi

The Constitution of Malawi (1994), which came into effect in May 1995 and has been amended several times, offers equal protection to all the peoples of Malawi and prohibits discrimination on the basis of sex and other factors. Clause 13 commits the State to implement policies aimed at achieving specific goals. The first goal is gender equality, to be achieved through “full participation of women in all spheres of society on the basis of equality with men”.

However, the Constitution does not require the composition of the executive, legislature or judiciary to be representative of the population, and makes no provision for quotas to ensure participation by women in elective bodies, nor are there any other legal provisions. Chapter XIV on Local Government is silent on gender. Chapter VI on the Legislature contains no direct reference to gender representation but uses the gender-sensitive “he or she” and “their” throughout, in relation to MPs and officers of Parliament. Legislative Power is vested in Parliament consisting of the President and the National Assembly of 193 members representing constituencies, directly elected. The Senate was abolished by a constitutional amendment in 2001.

Among the relevant legislation to protect and empower women in Malawi is the Gender Equality Bill, passed by Parliament in February 2013 that seeks to promote the equality of women and men in all functions of the society and fulfil Malawi’s commitment to international law and policy.

Malawi signed the SADC Protocol on Gender and Development on 19 October 2009, ratified on 22 May 2013, and lodged instruments of ratification with the SADC Secretariat on 24 June 2013.

Mauritius

The Constitution Section 16(3) affords legal protection against discrimination, and defines “discriminatory” as “...affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, caste, place of origin, political opinion, colour, creed or sex.”

A new Local Government Act approved in January 2012 requires at least one-third of candidates in local elections to be women. This resulted in more women candidates contesting the local elections in December 2012 and more than 30 percent women elected to councils. Mauritius reported that the SADC *Framework for Achieving Gender Parity in Political and Decision Making Positions by 2015* has been essential to the recent achievements.

Mauritius has not signed the SADC Protocol on Gender and Development due to reservations about some clauses, notably Article 4 deemed to

be in conflict with the Constitution. However, the government remains committed to the principles of gender equality, advancing the role of women in decision-making, and participating actively through the Ministry of Gender Equality, Child Development and Family Welfare, including submission of progress reports. Relevant legislation includes the Sex Discrimination Act (2002) and the Equal Opportunities Act (2008). Mauritius was the first SADC Member State to pass a law against domestic violence 15 years ago, thus advancing respect and dignity for women.

Mozambique

There are no constitutional or legal provisions for quotas to ensure adequate representation of women in publicly elected bodies in Mozambique, although Articles 35 and 36 of the Constitution provide for the principles of equality of rights and gender equality. The achievement of more than 30 percent women in the National Assembly is the result of a voluntary quota system implemented through party lists under Proportional Representation, mainly by the governing political party which has the majority of seats elected to the National Assembly. Legislation that addresses some clauses of the SADC Protocol on Gender and Development includes the Family Law – Law 10/2004 (Art. 8 of Protocol); Land law – Law 19/79 (Art.18 Protocol); Labour Law – Law 23/2007 (Art. 19 Protocol); and the Law on Domestic Violence against Women – Law 29/2009 (Art. 20 Protocol). The Family Law, the Labour Law, and the Commercial Code (Law 11/2005) are examples of non-discriminatory legislation approved based on the Constitution.

Mozambique signed the SADC Protocol on Gender and Development on 17 August 2008 and ratified two years later on 29 June 2010.

Namibia

The Constitution of the Republic of Namibia contains provisions on gender equality, non-discrimination and affirmative action in Articles 8, 10, 14 and 23. Article 10 provides that all persons shall be equal before the law; and no persons may be discriminated against on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status.

Although the Constitution does not mandate quotas to ensure the adequate representation of women in elective bodies it creates a framework that recognises the marginalisation that women have experienced and the discrimination suffered, and enables and requires that substantive measures are taken to redress inequalities. Article 23(2) empowers Parliament to enact legislation that leads to the "advancement of persons within Namibia who have been socially, economically or educationally disadvantaged by past dis-

criminary laws or practices, or for the implementation of policies and programmes aimed at redressing social, economic or educational imbalances in the Namibian society arising out of past discriminatory laws or practices, or for achieving a balanced structuring of the public service, the police force, the defence force, and the prison service."

Article 23(3) of the Constitution advises that special steps should be taken to enable women to play an equal role with men in the public and private sectors. Several laws were enacted to comply with this Article, such as the Affirmative Action Act (29 of 1998) that tasks the State to enact legislation "to ensure equality of opportunity for women, to enable them to participate fully in all spheres of Namibian society..." (Article 95a).

An affirmative action provision was adopted in the first Local Authorities Act of 1992, and amended in 2004 to retain the party lists system of Proportional Representation. By 2008, women constituted a minimum of 40 percent of councillors in local authorities around the country. However, since no legal quotas are applied at national and regional levels, the advancement of women representation is dependent on the implementation of voluntary quotas by political parties. Some of the relevant legislation includes the Local Authorities Act (23 of 1992); Regional Councils Act (22 of 1992); Electoral Act (24 of 1992); and Affirmative Action (Employment) Act (1998).

Namibia signed the SADC Protocol on Gender and Development on 17 August 2008 and was the first Member State to ratify, one year later, on 7 October 2009.

Seychelles

The Constitution of Seychelles (1993) makes no provision for quotas to advance the representation of women in publicly elected bodies, nor are there any other legal provisions to do so. However, women have a significant role in political decision-making and administration of the country, including ministers, principal secretaries and chief executives of state enterprises, and have reached 50:50 parity with men in some sectors.

The proportion of women in the national assembly is the highest in the SADC region (and 5th highest in the world) at 43.8 percent since 2011 when women won 11 of the 25 seats filled under the majority system and three women were nominated, for a total of 14 of 32 seats. This marked a 20 percent increase over 2008 (23.5 percent). At local government level, the councilors are not elected, but of the 23 district administrators appointed in 2011, 15 were women and 8 were men, thus the proportion of women was 65.2 percent. Seven of the 15 principal secretaries in central government are women.

Principles of equality are enshrined in the Constitution, although gender equality or discrimination against women are not explicitly stated or defined.

Article 27 (1) states that every person has a right to equal protection of the law. There have been no legislative amendments to eliminate discriminatory laws or enact specific laws to provide equality between men and women.

Seychelles signed the SADC Protocol on Gender and Development on 17 August 2008 and ratified in 2011.

South Africa

The Constitution of the Republic of South Africa, Act 108 of 1996 asserts in its founding provisions in Chapter 1:1(a) that South Africa is founded on “Human dignity, the achievement of equality and the advancement of human rights and freedoms”; adding 1(b) “Non-racialism and non-sexism”. The Constitution affords protection against discrimination on the grounds of race, colour, ethnic or social origin, sex, religion, marital status, pregnancy, religion, disability or language. The Constitution also provides that “the need for the judiciary to reflect broadly the racial and gender composition of South Africa must be considered when judicial appointments are made.”

Cabinet adopted the National Policy Framework for Women’s Empowerment and Gender Equality in 2000 with a target of 30 percent representation of women in senior management positions, in line with SADC target of 2005. The target was reviewed in 2005 and was upgraded to 50 percent women in senior management positions in the Public Service by March 2009, in line with SADC target for gender parity by 2015.

The Electoral Act (73 of 1998) facilitates the full and equal participation of women in political activities. The Traditional Leadership and Governance Framework Act (41 of 2003) stipulates that at least 30 percent of members of the National House of Traditional Leaders must be women, and requires that these women should represent traditional leaders within a district or municipality. Other legislation for advancing women’s rights includes the Local Government Municipality Structures Act (117 of 1998); Promotion of Equality and Prevention of Unfair Discrimination Act (4 of 2000); Promotion of Administrative Justice Act (2001); and Skills Development Act (97 of 1998).

South Africa signed the SADC Protocol on Gender and Development on 17 August 2008 and ratified in 2011.

Swaziland

The Constitution Act No.001 of 2005 of the Kingdom of Swaziland contains legal provisions on gender equality, non-discrimination, and affirmative action. Section 28 of the Constitution specifies that women have the right to equal treatment and equal opportunities in political, economic and social activities, and commits government to provide, subject to availability of re-

sources, the facilities and opportunities to enable women to realise their full potential and advancement. Under section 28, a woman shall not be compelled to undergo or uphold a custom to which she is in conscience opposed.

The Constitution (2005, Article 84) states that "the women of Swaziland and other marginalised groups have a right to equitable representation in Parliament and other public structures." In accordance with this, special measures were taken to ensure the representation of women in both houses of Parliament. The Constitution further stipulates a minimum representation of women in decision-making bodies of at least 30 percent in accordance with Section 94 and 95. If women make up less than 30 percent of Parliament then four more women should be elected to the House of Assembly by the House. Women currently hold 9 of the 66 seats (13.6 percent). The Senate has 30 non-partisan members, made up of 10 members elected by the House of Assembly of which half should be women, and 20 members appointed by the King of which at least 8 should be women. The Senate currently has 12 women of 30 (40 percent).

The decentralization policy favours the representation of women at various administrative levels, and the Deputy Prime Minister's office has a Gender Coordination and Family Issues Unit to coordinate all programmes aimed at gender equality and equity. Current legislation being reviewed for gender provisions includes the Sexual Offences and Domestic Violence Bill; the Marriage Act No.47 of 1964; the Deeds Registry Act; the Administration of Estates Act; and the Interstate Succession Act No.3 of 1953.

The Kingdom of Swaziland signed the SADC Protocol on Gender and Development on 17 August 2008 and ratified in 2012.

United Republic of Tanzania

The United Republic of Tanzania was the first SADC Member State to include a constitutional clause that specifies a minimum of 30 percent representation by women in the National Assembly (Bunge), reserved as "special seats" allocated proportionally to women nominated by political parties that gain at least five percent of the votes in a general election. Men and women also contest elections in single-members constituencies. This also applies to the House of Representatives in Zanzibar. The number of women appointed to special seats in local councils through proportional representation is "not less than one-third" of ward representatives and MPs combined. This was in place for the 2005 and 2010 elections. This quota for women in Parliament has been increased through constitutional amendments from 7.5 percent in 1985, when special seats were introduced to incorporate the voices of citizens who may be at a disadvantage in the "normal" constituency election process.

The Tanzanian Constitution emphasises the equality of women and men, although it retains the non-inclusive language of "he" and "his" throughout.

Chapter 1 Part II on the principles of State policy says in clause 9(g) “that the Government and all its agencies accord equal opportunities to all citizens, men and women alike without regard to their colour, tribe, religion, or station in life.”

A Constitutional Review Commission was appointed in May 2012 and is due to complete its work, including drafts and consultations, by October 2013 with a new Constitution to be in place by April 2014. Among the gender issues under discussion are the equality of women and men in all aspects of life, including rights to own land and labour, citizenship, reproductive health, sexual violence, and equal representation in decision-making bodies.

The United Republic of Tanzania signed the SADC Protocol on Gender and Development on 17 August 2008 and ratified 18 months later on 3 February 2010.

Zambia

The Constitution of the Republic of Zambia 1991 (as Amended to 1996) contains a general equality clause that outlaws discrimination on the basis of sex, among other factors. Article 23 is entitled “Protection from Discrimination on the Ground of Race, etc.” Gender is part of “etc” as Article 23(3) defines “discriminatory” to mean “affording different treatment to different persons attributable, wholly or mainly to their respective descriptions by race, tribe, sex, place of origin, marital status, political opinions, colour or creed...” There are no specific clauses that promote equity of men and women in decision-making. The language of “he” and “his” is used throughout, with the inference from requirements to be a candidate for President or Parliament that this is a male domain.

A constitutional review is underway and a Technical Committee on Drafting the Zambian Constitution was appointed in 2011. The draft presented in April 2012 for public discussion contains a range of traditional clauses adopted from various sources. The equality clause in 27(1) states that a person cannot be discriminated against on any grounds including sex, pregnancy and marital status. Equality before the law is specified. Two new clauses (51, 52) in the Bill of Rights refer specifically to the rights of both women and men to have “equal opportunities in cultural, political, economic and social activities”. However, the current draft is very complex with only token attention to gender equality in decision-making.

A clause that caused considerable public debate is the proposal to have an Open List PR system of election to Parliament, very different from the current system that is solely FPTP. Many submissions indicate a preference for a mixed system where some seats are determined using PR, while the

majority are elected directly, similar to Tanzania, Lesotho and the new constitution in Zimbabwe.

The draft presents formations that are very complex, for example, two deputy Speakers of Parliament, “not members of the same political party and of the same gender.” There is provision for a part-time Parliamentary Service Commission chaired by the Speaker, and made up of 10 other MPs, three from the political party forming the government “at least one of whom shall be of the opposite gender” and “two members of the opposite gender nominated by the other political parties holding seats in the National Assembly.” In addition, “two members of the opposite gender appointed by the Speaker, who are not Members of Parliament but are experienced in public affairs.” This appears to guarantee three women of the total 11, although there could be women among the other members appointed by their positions, such as the Speaker or leader of government business.

Political parties are directed to, among other things, “promote and respect human rights and gender equality and equity,” but there is no indication of how this would be defined or enforced. There is provision for a Gender Equality Commission responsible for ensuring that gender equality is attained and mainstreamed in public and private structures. There is no specific provision for women representation on this or other commissions, including the electoral commission. The make-up of commissions is left to Parliament to decide.

There are no specific guidelines for appointment of the judiciary, although the presence of judges who are women is implied in the make-up of the Judicial Service Commission, which notes that among the 15 members appointed should be “one member representing female judges elected by other female judges.”

Zambia signed the SADC Protocol on Gender and Development on 17 August 2008 and instruments of ratification were deposited with SADC in 2012.

Zimbabwe

The Constitution of Zimbabwe (1980), known as the Independence (Lancaster House) Constitution, was negotiated in London for the purpose of achieving independence, has been amended 19 times, and subject to various processes of drafting a replacement over the past two decades. Other than general equality clauses, and equality before the law, the original Constitution makes no specific provision to advance the representation of women in publicly elected bodies, or gender balance in appointments to public bodies or commissions, although in practice, the appointments now include women at senior levels, such as the Human Rights Commission which is 50:50, and the Zimbabwe Electoral Commission, which is headed by two women (one of them a judge) as Chairperson and deputy. Parliament has put in place the

Women's Parliamentary Caucus, and the Portfolio Committee on Gender monitors all gender-related instruments.

Some provisions of the Protocol have been incorporated into the new Constitution that was overwhelmingly approved by more than 93 percent of voters in a national referendum on 16 March 2013 and signed into law on 22 May.

Among key provisions in the new Constitution that address the targets for women in decision-making are the following, which apply in the harmonized elections on 31 July 2013 to elect the President, Parliament (National Assembly and Senate), provincial assemblies and local councils:

- ❖ For the life of the first two Parliaments, 60 seats in the National Assembly will be reserved for women (6 for each of the 10 provinces), elected on a PR system based on the votes cast for candidates of political parties contesting the general election for constituency members by province. This is in addition to women who may be elected in single-member constituencies through the FPTP system for 210 seats, a total of 270 seats in the Assembly.
- ❖ The Senate is made up of 80 senators, being six elected from each of the 10 provinces under a PR party list system, in which "male and female candidates are listed alternately, every list being headed by a female candidate". The remaining members are chiefs elected through provincial and national structures; and two senators elected to represent persons with disabilities.
- ❖ Appointments to the judiciary "must reflect broadly the diversity and gender composition of Zimbabwe." Women will constitute at least half of the membership of all commissions (as achieved for the Public Service Commission) and other elective and appointed governmental bodies; a Zimbabwe Gender Commission will be established; and the State will take measures to rectify gender imbalances resulting from past practices.

The preamble to the new Constitution is explicit in its support for freedom and equality. Founding values and principles recognize gender equality separately from the equality of all human beings, and recognition of the rights of women, the elderly, youths and children is specified. The language of the Constitution is inclusive, using "he" and "she", or "his" and "her" throughout.

Women were actively involved in the Constitution-making process across political parties, beginning with a national women's consultative conference; participation in the parliamentary select committee on the Constitution; mobilization of grassroots women, men and traditional leaders for the 50:50 campaign; lobbying political parties; drafting language on gender; and monitoring the drafting process. Relevant legislation includes the Electoral Act of 1990 which allows women to participate in elections as voters or candidates without discrimination.

Zimbabwe signed the SADC Protocol on Gender and Development on 17 August 2008, and was the second Member State to ratify, one year later, on 22 October 2009.

EFFECTIVE PRACTICES

SADC Member States have adopted various practices including “special measures” to reach the objectives of gender equality and equity in decision-making. While each one is unique to its national circumstances, there are essentially three categories of effective practices deployed by Member States for the purpose of increasing the representation by women in Parliament and local government.

1. A Proportional Representation (PR) electoral system at national or local level based on party lists, with legislated quota specifying the proportion of women to be included through any electoral system. This may be combined with First Past the Post (FPTP) in a Mixed Member electoral system in countries that prefer to retain constituencies.
2. A FPTP or List PR electoral system that relies on voluntary quotas by political parties.
3. FPTP with Presidential or government appointments to increase the number of women in decision-making positions, both usual and “special”.

These methods have been adopted by various Member States, primarily as follows, although some have combined elements and all are unique.

1. Lesotho, Mauritius, Swaziland, Tanzania, Zimbabwe.
2. Angola, DRC, Mozambique, Namibia, South Africa.
3. Botswana, Malawi, Seychelles, Zambia.

These are effective “best” practices that have had a significant impact on the empowerment of women and gender equality in the region. Although political will is necessary in achieving the gender targets, it is not enough on its own, and the gender commitments must be legislated and incorporated into national constitutions.

It can be concluded from previous sections of this report that all 14 active Member States (other than Madagascar which is suspended) are committed and making progress at various levels to increase the participation of women in decision-making. Women who are already involved at this level are taking a leading and active role.

It can also be concluded that gender equality in decision-making must be legislated and entrenched in the systems of selection at all levels, including electoral systems. The political will that is present in top leadership, may not permeate to other levels. Voluntary quotas are better than no quotas, and have been important in some Member States reaching 30 percent representation, but in general, voluntary quotas will not deliver 50:50 unless agreed and implemented by all contesting parties, and legislated, preferably using a “zebra” system.

In this section, we will examine the effective use of these methods by SADC Member States.

The SADC Protocol on Gender and Development, Article 5 on Affirmative Action, says, “States Parties shall put in place affirmative action measures with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation.”

According to Article 4 of the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), “adoption by States Parties of temporary special measures aimed at accelerating *de facto* equality between men and women shall not be considered discrimination ...”

7.1 Special Seats and Legislated Quotas

Several Member States have instituted the practice of reserving a specified proportion of seats to ensure that women constitute a larger number of representatives in various elected bodies. Quotas are an effective method to address underrepresentation of women in politics and other decision-making structures. As highlighted in Section 5 of this report, the use of gender quota laws has had a positive impact on the percentage of women elected to decision-making positions in many countries in SADC. Five SADC Member States – Lesotho, Mauritius, Swaziland, Tanzania and Zimbabwe – have legislated quotas at different levels of governance. Experiences from SADC and other regions have also shown that the use of party lists has a significant influence on the efficacy of gender quota laws in increasing the percentage of women elected into political and decision-making positions.

Quota systems compensate for the direct or structural discrimination against women, and facilitate Member States to achieve gender balance in political institutions by offering different types of equality, including equality of opportunity and equality of result.

Equality of opportunity entails the removal of unfair barriers so that the electoral process becomes competitive for the candidates. It also promotes the adoption of affirmative action policies and measures or positive discrimination in favour of women.

The equality of result might not be achieved as a result of the quota system itself. This is because where there is a discrepancy between quota provisions and the actual number of women nominated. At times the result is not achieved due to non-compliance to quota laws. To note is the fact that, generally quota systems do not guarantee the representation of the target group unless it is a reserved-seat quota system.

Opponents of quota systems argue that quota provisions will result in a “glass ceiling” that will prevent women from being nominated and elected beyond the requirements of a quota regime. However, there is a strong body of evidence now to show that the entry of women into decision-making positions through the quota system facilitates significant opportunities and experience for leadership that would not be accessible otherwise. There is need to move beyond the views of proponents and opponents of the quota systems and focus on the impact of quotas and comparative research.

7.1.1 Lesotho’s Mixed Member PR with legislated quotas for local government

There are no constitutional or legal quotas for the election of women to the National Assembly yet women occupy 32 of the 120 seats (26.7 percent) and Lesotho is ranked sixth among SADC Member States for the proportion of women in Parliament. The next parliamentary election is in 2017.

A Mixed Member System with quotas works in getting more women elected to local government in Lesotho.

- Members are elected by direct popular vote using the Mixed Member Proportional system in which 80 parliamentarians are elected in single-member constituencies FPTP, while the remaining 40 are elected from one national constituency using PR based on party lists.
- The latter is used to determine the number of seats each party would receive if the system was fully proportional. The total number of votes cast on the party ballot is divided by the 120 seats at stake in the National Assembly to determine how many seats each party will receive. This number is then compared to the seats a party won on the constituency list to determine how many additional seats should be awarded.

Local government uses a Mixed Member System similar to Tanzania with constituencies using FPTP plus 30 per cent special seats for women, selected from party lists based on the proportion of votes gained by each party in the constituency election.

- Women candidates contested and won several constituencies among the remaining 70 seats, in addition to the guaranteed seats, resulting in 49.1 percent women representation in local government, the highest proportion in the SADC region.
- Initially implemented as a FPTP quota system restricting some constituencies for women only, this caused an outcry when women candidates won 58.2 percent of the seats in the previous election, and was adjusted as above, following a study trip to Tanzania.

Effective Practices

- A Mixed Member System with quotas works in getting more women elected in Lesotho, and the proportion is increased if women also contest in the constituencies.
- The system introduced must be understood by all candidates and voters.
- Exchange visits between countries and shared experiences are important in this regard.
- The proportion of women judges in Lesotho is significant at 65 percent, and a woman advocate heads the Office of the Ombudsman (*Monamoli*), an independent institution enshrined in the Constitution to protect the public against infringement of their rights by public sector agencies.

7.1.2 Mauritius has a unique system of block voting, and a gender quota for local elections requires one-third of candidates to be women and one-third men

The proportion of women members of the House of Assembly remains below 20 percent. Only 10 women were elected to the 70-seat unicameral House of Assembly in the 2010 election, while two more women were among the eight members selected under the “best losers” system, making a total

of 12 women, increased later to 13 (18.8 percent). Mauritius ranks ninth in the SADC region for the number of women in Parliament. The next parliamentary election is in 2015.

- Mauritius has a unique electoral system intended to be inclusive of its diverse society. Sixty parliamentarians are elected in 20 constituencies by direct popular vote with ballots cast for three candidates in each constituency. The remaining eight parliamentarians are “best losers” who are appointed from a list of unsuccessful candidates to provide a balanced representation of ethnic and political communities. This voting method is not used to address the gender imbalance, yet women make up the largest number of voters and just over half of the population of the country.
- Mauritius has introduced a new quota law for local government, specifying that at least one-third of the candidates must be women and one-third men. As a direct result of this quota introduced in 2012, the proportion of women elected to village councils climbed to 25.5 percent from 5.8 percent, and to 35.5 percent from 12.7 percent in municipal councils. There is no quota system at national level.
- Mauritius has not yet signed the SADC Protocol on Gender and Development but has taken action toward implementation of some of the clauses.

Mauritius has a new quota law for local government, specifying that at least one-third of the candidates must be women and one-third men.

Effective Practices

- The affirmative action adopted by the Local Government Act of January 2012, specifying that one-third of candidates must be women and one-third men, resulted in more women candidates contesting the elections and more women councillors elected.
- Internal advocacy and lobbying, and gender awareness-raising within government and the society are essential to milestones achieved and yet to be achieved.

7.1.3 Swaziland uses FPTP with legislated quota

Swaziland has a bicameral Parliament (*Libandla*) and, while women representation in the Senate is significant (40 percent), women occupy just nine seats in the House of Assembly (13.6 percent). Swaziland ranks eleventh in the SADC region for the proportion of women in Parliament. The next parliamentary election is set for 20 September 2013.

- Twelve seats in the upper house, the Senate, are held by women (40 percent). The Senate has 30 non-partisan members, made up of 10 members elected by the House of Assembly of which half should be women, and 20 members appointed by the King of which at least 8 should be women.
- The proportion of women elected to the lower house, the House of Assembly, remains low but constitutional provisions and awareness campaigns have

increased this representation. In September 2008 elections, seven women were elected from among the 55 single-member constituencies corresponding to the *tinkhundlas* (local communities), from candidates nominated by the traditional councils. Two more women were appointed by the King, bringing the number of women to nine of the 66 elective seats (13.6 percent).

- Constitutional clauses 94 and 95 stipulate minimum representation of 30 percent in decision-making bodies, and empower the King to appoint 10 members to the House “so that at least half of them are female so as to represent interests, including marginalised groups, not already adequately represented in the House.”

Effective Practices

- Constitutional provisions help to increase the representation of women in decision-making but must be fully implemented.
- Awareness campaigns within countries are essential as it is important to build on traditional systems and structures, incorporating these new dimensions, to ensure that the objectives are understood as a positive development.

7.1.4 The Tanzanian experience of electoral quota systems

The United Republic of Tanzania was the first SADC Member State to include a constitutional clause that specifies a minimum of 30 percent representation by women in Parliament (*Bunge*), and the List-PR system used to implement this quota has become a model for other SADC Member States. Women now occupy 126 seats (36 percent) in the 350-seat *Bunge* of whom 20 women were elected from single-member constituencies. Tanzania ranks fourth in the SADC region for the proportion of women in Parliament. The next parliamentary election is in 2015.

- Tanzania uses a single-member constituency FPTP system for parliamentary elections, and women can contest in any constituency. Additional seats are reserved for women on a proportional basis, according to the proportion of votes gained by each political party in the constituency elections. There are 232 members elected from constituency seats plus 102 seats held by women through List-PR. Five members are elected to the *Bunge* by the Zanzibar House of Representatives from among its members, the Attorney General has a seat, and the remaining 10 members are appointed by the President to include representation from disadvantaged and marginalized groups. Some women are among these categories.
- The Quota for women in Parliament has been increased through constitutional amendments from 7.5 percent in 1985 when “special seats” were first introduced, to 15 percent in 1997, 20 percent in 2000, 30 percent in 2005, and 35 percent in 2010 elections.

Tanzania was the first SADC Member State to include a constitutional clause that specifies a minimum of 30 percent representation by women in Parliament (*Bunge*).

- The result of these amendments was that the proportion of women in Parliament increased to 21.2 percent in 2000, rising to 30.4 in 2005, and 36 percent in 2010.
- The number of women contesting for seats in parliamentary and local government elections increased from 70 in 2005 to 557 in 2010, of whom 190 contested at constituency level.
- A constitutional provision requires that women occupy at least one-third of seats in local councils, and at least one-quarter of village council seats. Urban and district councils, and city councils include MPs from the area, elected members and women appointed from party lists according to the proportion of votes by party for the elected seats. The number of women appointed to special seats in councils is “not less than one-third” of ward representatives and MPs combined. Of the current representatives, 35 percent are women, largely nominated under the special seats, with a few directly elected.

Effective Practices

- A mixed system of FPTP and PR with a constitutional quota for women is workable and effective when fully implemented and supported.
- Tanzania was the first SADC Member State to implement this system, and has proved that quota systems actually work.
- A key factor in Tanzania’s ability to sustain an increase in the number of women in political decision-making positions is the Constitution which emphasises the equality of women and men, thus providing the basis for women’s involvement in every sphere of life.
- Although political will is necessary in achieving the gender targets, it is not enough on its own, and gender commitments must be incorporated into the Constitution.
- There is a strong women’s lobby in Tanzania that continues to strengthen gender awareness, working in partnership with communities and with Government, and providing another conduit for perspectives on the representation of women in decision-making.
- Exchange visits between countries are important to share experiences and study the application of alternative electoral systems. Lesotho and Zimbabwe have studied the Tanzanian experience and have adopted similar mixed systems at different levels.

A mixed system of FPTP and PR with a constitutional quota for women is workable and effective when fully implemented and supported.

7.1.5 Zimbabwe Mixed Member FPTP and List PR

Women occupied 32 seats (15.2 percent) in the last Parliament elected in 2008 using the FPTP system of single-member constituencies, and Zimbabwe ranked tenth in the SADC region for the proportion of women in Parliament. That is set to change dramatically with the List-PR system of special seats for women adopted by the new Constitution and implemented for elections on 31 July 2013.

The low representation of women in political decision-making in Zimbabwe has been addressed in the new Constitution which adopts special measures including a quota system for women under List-PR.

- The low representation of women in political decision-making has been addressed in the new Constitution which adopts special measures including a quota system for women under List-PR. However, this may increase the number of women in Parliament only to around 30 percent, depending on how many women win constituency seats.
- There is provision in the new Constitution signed into law on 22 May 2013 for a National Assembly of 210 members elected by single-member constituencies, plus an additional 60 women members with six drawn from each of 10 provinces, elected through List-PR based on the proportion of votes cast for political parties in the parliamentary elections by province. This is applicable for the life of two Parliaments.
- The Senate consists of 80 Senators, of which six are elected from each province through List-PR based on the votes cast for political parties by province in the National Assembly election, using party lists “in which male and female candidates are listed alternately, every list being headed by a female candidate”. This should result in a significant increase of women in the Senate, reaching well over 40 percent to near parity.

Effective Practices

- Adoption of the Tanzanian system of special seats for women based on List-PR has doubled the proportion of women in the House of Assembly, although this may not reach much over 30 percent due to the lower numbers of women elected in constituencies and the fact that the proportion of special seats (60) comprises only 22 percent of the total 270 seats. In the Tanzanian system, the percentage reflects the proportion of the total number of seats, including special seats.
- The positive effect of the “zebra” system of alternating names of women and men in List-PR is seen in the proportion of women elected to the Senate, notably increased due to the constitutional provision that each party list by province must be headed by a woman candidate. Therefore, if any party has 1 or 3 or 5 seats, the majority of those selected from the list would be women, while 2, 4 or 6 seats would result in equal numbers of women and men. The result is 37 women of 80 Senators (46.2 percent).
- Constitutional clauses are effective in this regard, but the life of two Parliaments may be too short a period, unless reviewed and strengthened.

7.2 Voluntary Quotas

Several Member States have introduced the practice of voluntary quotas for political parties to place a specific number of women on their party lists under the PR system to ensure that women constitute a proportion of representatives in

various elected bodies. Although the voluntary quotas were usually 30 percent in previous elections, the lists for forthcoming elections are expected to reach parity at 50:50. This system has been very effective in countries with a dominant political party and usually a former liberation movement in which men and women worked closely together, such as Angola, Mozambique, Namibia and South Africa. However, in practice this voluntary quota is adopted by bigger political parties but not by the smaller ones.

7.2.1 Angola uses List PR with Voluntary Quotas

Women occupy 75 seats in Parliament (34.1 percent), and Angola ranks fifth in the SADC region for the number of women in Parliament. Next parliamentary elections are in 2017.

- Citizens vote for a party instead of individual candidates, using national and provincial representation. The country is considered as one national constituency for the election of 130 seats, while the other 90 members are elected in 18 provincial constituencies choosing five members each.
- The new Constitution enacted in February 2010 does not contain any quotas or specific reference to women representation in decision-making. Quotas adopted by political parties are voluntary.
- The party in government has the largest number of women in Parliament, followed by the main opposition party. The other parties have only male MPs.

Effective Practices

- Five of the nine political parties or coalitions that participated in the 2012 elections had at least 30 percent women on their candidate lists, and all parties had 20 percent or above, which suggests increasing awareness. The party in government had 46 percent women candidates.
- Angola increased the proportion of women members of the National Assembly from less than 10 percent in 1997 to 38.2 percent after 2008, despite the absence of a legislated quota, but returned fewer women to Parliament in 2012 elections, when the proportion dropped to 34.1 percent, suggesting that voluntary quotas may not be sustainable.

Five of the nine political parties or coalitions that participated in 2012 elections in Angola had at least 30 percent women on their candidate lists.

7.2.2 DRC has multi-member plurality constituencies using FPTP

Women occupy 52 seats in Parliament (10.4 percent). DRC ranks thirteenth in the SADC region for the number of women in Parliament. Next parliamentary elections are in 2016.

- Quotas are voluntary and were not implemented in the last election. Three of the main political parties, including the party in government and two opposition parties, adopted a 30 percent quota for women candidates but this was not implemented in the nomination of candidates, and women made up just 12 percent of 18,000 legislative candidates. As the proportion

elected was 10.4 percent, this suggests a correlation with the proportion of women candidates contesting.

- Senate has 108 seats elected by provincial assemblies through Proportional Representation, and just five women were elected, increased to six in 2013

Effective Practices

- Voluntary quotas can result in an increase in the number of women in decision-making positions, but only if implemented.

7.2.3 Mozambique uses List-PR with voluntary quotas

Mozambique ranks third in the SADC region for the number of women in Parliament. Women occupy 98 seats (39.2 percent) in the 250-seat Assembly of the Republic (*Assembleia da República*). The next parliamentary election is in 2014.

- Mozambique has sustained an increasing number of women in Parliament since 1994 (28.4 percent) and was one of the first countries in SADC to pass the previous target of 30 percent, in 2004, ahead of the 2005 deadline.
- A List-PR system is used in Mozambique with 248 seats apportioned among the 11 provinces, which become multi-member constituencies for this purpose.
- The electoral system relies on political parties to ensure gender representation in their list of nominees, but in practice it is the majority party that ensures the list of its candidates contains more than 30 percent women.

Voluntary quotas are effective if fully implemented by the main political parties, but should be legislated to apply to all parties contesting elections.

Effective Practices

- Voluntary quotas are effective if fully implemented by the main political parties, but should be legislated to apply to all parties contesting elections.
- The voluntary quota combined with political will has made Mozambique a leader for the past 20 years in meeting the agreed targets toward gender parity in 2015.
- The party in government has developed a unique system of ensuring the involvement by women in the party leadership, using a system of proportional quotas and separate ballots to ensure representation by women and youth, and to incorporate new members.

7.2.4 Namibia uses List-PR and FPTP at different levels

Women occupy 19 seats in Parliament (24.4 percent), and Namibia ranks seventh in the SADC region for the proportion of women in Parliament. The next election is in 2014.

- Namibia has 19 women (24.4 percent) in the 78-member National Assembly, in which 72 members are elected in a PR system by party lists and the other six are appointed by the President. Since no legal quotas are applied at national level, the advancement of representation by women is dependent on the implementation of voluntary quotas by political parties.
- The proportion of women in Parliament was 31 percent after the 2004 elections, reaching the original target of 30 percent before the 2005 deadline. However, this achievement was not sustained and the figure dropped to 24.4 percent in the 2009 polls.
- The 26 members of the upper house, the National Council, are elected indirectly by the 13 regional councils with two from each one. The President may appoint up to six additional, non-voting members. There are seven women in the upper house (26.9 percent).
- The Local Authorities Act adopted an affirmative action provision based on party lists, resulting in 43.5 percent women among the 283 seats in 2004 local elections; and by 2008, women constituted 45 percent of all councilors in local authorities around the country.
- The reason for not reaching gender parity in local councils was “because not all parties submitted ‘zebra-lists’ alternating male and female candidates, and generally more men than women occupied the first position on the lists, so when small parties won a single seat, it was usually a male seat.”
- The Constitution does not mandate quotas to ensure the adequate representation of women in elective bodies but it creates a framework that recognises the marginalisation that women have experienced and the discrimination suffered, thus enabling and requiring that measures be taken to redress these substantive inequalities.

The Local Authorities Act requires the party lists to alternate the names of men and women candidates using the “zebra system”

Effective Practices

- Voluntary quotas may be useful to rapidly increase the number of women in decision-making but a voluntary level of commitment is not necessarily sustainable from election to election, and should be legislated or included in the Constitution to ensure that all political parties comply.
- The Local Authorities Act requires the party lists to alternate the names of men and women candidates using the “zebra system”, but the placing of male candidates at the top of the lists ensures that men are in the majority.
- The Ministry of Gender and Child Welfare has submitted recommendations to the Law Reform and Development Commission to amend several Acts of Parliament to conform to gender targets, such as those contained in the SADC Protocol on Gender and Development, which the Republic of Namibia signed on 17 August 2008 and was the first Member State to submit instruments of ratification to SADC in 2009.

The political party in government put gender parity into the party constitution, for its own structures and for the selection of representatives in government.

7.2.5 The South African experience of voluntary quotas

Women occupy 169 seats in Parliament (42.3 percent), and South Africa ranks second in the SADC region for the proportion of women in Parliament. The next parliamentary election is in 2014.

- Although the Constitution does not provide for quotas to ensure adequate representation of women in elected public bodies, representation by women in the National Assembly has increased steadily from 27.8 percent in 1994 to 32.8 percent in 2004 and 42.3 percent in 2009 due to the electoral system of List-PR and political will to implement voluntary targets.
- The political party in government amended the party constitution in 2007 to include gender parity in leadership structures, and another party did so at its formation in 2008. Other opposition parties did not commit to quotas, but the proportion of opposition women representatives also rose rapidly, from a base of 14.2 percent in 1994 to 18.7 percent in 1999, 22.3 percent in 2004, and in 2009 reached 30.9 percent.
- Half of local government councillors are elected from single-member wards by plurality and the other half through List-PR. The Municipal Structures Act (1998) states that political parties should ensure that 50 percent of the candidates on their lists are women, evenly distributed in a “zebra style” to ensure that women are not at the end of the list. The legislation also provides for equal representation of women and men on ward committees. However there is no penalty if this is not adhered to.
- Despite the absence of effective quota legislation, women’s representation in local government climbed from 19 percent in 1995 local elections to 29.6 percent in 2000, and to 40 percent in the 2006 elections, before dropping to 38 percent in 2011.

Effective Practices

- The political party in government put gender parity into its party constitution in 2007, for its own structures and for the selection of representatives in government, thus replacing its previous commitment to 30 percent implemented since 1994.
- Although the national Constitution does not provide for quotas to ensure adequate representation of women in elected public bodies, representation by women in the National Assembly has increased from 27.8 percent in 1994 to 42.3 percent in 2009.
- When the majority party committed itself to attaining gender parity at local government level in the 2006 election, this proved to be an ambitious goal that provoked practical difficulties and resistance within the party. Overall a figure of 46.1 percent was achieved on the PR lists, but only 40 percent of women councillors were elected from wards.

- The Traditional Leadership and Governance Framework Act (41 of 2003) specifies that at least 30 percent of members of the National House of Traditional Leaders must be women, and requires that these women should represent traditional leaders within a district or municipality.
- Cabinet adopted the National Policy Framework for Women's Empowerment and Gender Equality in 2000 with a target of 30 percent women in senior management positions in the Public Service. The target was reviewed and upgraded in 2005 to 50 percent women in senior management positions.
- South Africa has reached an average of almost 40 percent women across all senior positions in public service, including director-general and deputies, chief directors, and directors.
- The Constitution does not provide for quotas to ensure adequate representation of women in elected public bodies, nor are any legal quotas established for national or provincial elections. However, the Constitution provides a strong legal framework for gender parity to be an integral part of the leadership of the country and its public and private institutions.

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7.3 Direct Appointments

All SADC Member States mentioned here have shown political will through increasing the number of women in decision-making positions, including the appointment of more women to public service and other commissions, but this varies from country to country.

7.3.1 Botswana uses a single-member constituency FPTP

Women occupy six seats in Parliament (9.5 percent). Botswana ranks fourteenth in the SADC region for the number of women in Parliament. Next parliamentary elections are in 2014.

- There are no quotas and the election of women depends on the candidate selection process of political parties.
- Preparations for elections in 2014 indicate that more women candidates are preparing to seek party nominations.
- Botswana has not signed the SADC Protocol on Gender and Development but has taken action toward implementation of some of the clauses.
- Women hold influential positions including Speaker of Parliament, Attorney General, and Governor of the Central Bank.

Women in Botswana hold influential positions as Speaker of Parliament, Attorney General, and Governor of the Central Bank.

Effective Practices

- Presidential and government appointments have increased the proportion of women in Parliament, Cabinet and the Public Service.

- Role models help to encourage women to run for office, and so do strategic presidential appointments.

7.3.2 Malawi uses single-member constituencies FPTP

Women occupy 43 seats in Parliament (22.3 percent), and Malawi ranks eighth in the SADC region for the number of women in Parliament. The next parliamentary election is in 2014.

- Malawi had only 5.2 percent women in Parliament in 1997, and 8.3 percent in 2000, rising to 15 percent in 2006 and 26 percent after elections in 2009.
- More women candidates are preparing to contest for their party's nomination in 2014, largely due to awareness generated through campaigns by the Ministry of Gender and Community Development and civil society to advance the representation and visibility of women.
- The popularisation of the SADC Protocol on Gender and Development was another activity that was deemed necessary to make sure that the various stakeholders and the public are aware of the provisions of the protocol. Women parliamentarians are also engaged in developing and implementing meaningful gender-sensitive policy formulation.
- Among the relevant legislation to protect and empower women in Malawi is the Gender Equality Act, passed by Parliament in February 2013.
- The President and the Chief Justice are both women, and therefore two of the three pillars of Government (the Executive and the Judiciary) are headed by women.

The new Gender Equality Act seeks to promote the equality of women and men in all functions of the society and to fulfil Malawi's commitment to international law and policy.

Effective Practices

- Role models help to encourage women to run for office, and so do strategic presidential appointments.
- Awareness campaigns within countries are important.
- The new Gender Equality Act seeks to promote the equality of women and men in all functions of the society and to fulfil Malawi's commitment to international law and policy.

7.3.3 Seychelles uses a Parallel FPTP electoral system

Women occupy 14 seats (43.8 percent) in Parliament (*Lasanble Nasyonal Sesel*), and Seychelles ranks first in the SADC region for the proportion of women in Parliament. The next parliamentary election is in 2016.

- Seychelles uses a mixed member parallel system for electing members of the National Assembly, in which 25 members are elected in single-member constituency elections using FPTP and up to 10 members by List-PR. Women won 11 of the 25 seats filled under the majority system in 2011, while three women were nominated for a total of 14 of the 32 seats (43.8 percent), almost doubling the 23.5 percent proportion of women in 2008.

- Local government councillors are not elected, but are nominated by the Minister as district administrators. Of a total of 23 district administrators in 2011, 15 were women (65.2 percent) and eight were men.
- Since the recent restructuring, there has been an active decision that presidential appointments will place more women in decision-making positions. Women now occupy three cabinet positions as ministers, as well as the Central Bank governor, the Mayor of the capital city, and three chief executives of state enterprises, while seven the 15 principal secretaries are women.
- The Constitution of the Seychelles (1993) makes no provision for quotas to advance the representation of women in publicly elected bodies, nor are there any other legal provisions to do so. However, women are appointed and elected in political and decision-making positions and play a significant role in political decision-making and administration of the country, and have reached almost 50:50 parity with men at the different levels.

Effective Practices

- Seychelles has adopted a policy of advocacy and awareness-raising to promote greater involvement of women, although there are no affirmative action laws that set quotas.
- Local government is made up of 65.2 percent women and the proportion of women in the National Assembly is 43.8 percent, yet there are no quotas.
- Women occupy key decision-making positions in politics, government and the judiciary.
- The Seychelles case is a good illustration of effective practices together with political will and commitment towards gender parity through ensuring that women are appointed or promoted to key leadership and decision-making positions in the absence of affirmative action or legislated quotas.

The Seychelles case is a good illustration of effective practices together with political will and commitment to gender parity through ensuring that women are appointed or promoted to key leadership and decision-making positions in the absence of affirmative action or legislated quotas.

7.3.4 Zambia FPTP

Women occupy 18 seats in Parliament (11.5 percent), and Zambia ranks twelfth in the SADC region for the proportion of women in Parliament. The next parliamentary election is in 2016.

- Women representation in the Zambian Parliament following general elections in September 2011 fell short of the regional targets, despite a growing awareness by political parties of the need to nominate more women candidates.
- Of the 113 women parliamentary candidates who contested single-member constituencies, only 17 were elected, accounting for just 11 percent of the constituency seats in Parliament. Presidential appointments increased the number of women in Parliament to 18 and later to 23, increasing the proportion to just over 14 percent, similar to that of Swaziland.

- The highest proportion of women in Parliament in Zambia was 18.1 percent in 1997. The Zambian Parliament is made up of 160 seats, including the 150 constituency members elected plus eight members nominated by the President. The other two members are the President and the Speaker of the National Assembly.

Effective Practices

- With the next general elections only in 2016, Zambia has missed the 2015 target of 50:50 women representation in politics and decision-making positions, but there remains scope to adopt positive measures for the 2016 election such as those that have brought results elsewhere. Most countries that have achieved significant increases in political participation by women have done so through the use of quota systems or special seats.
- Zambia is in the final stages of drafting a new Constitution, as process that includes consideration of these aspects of increasing the representation by women in decision-making.

Zambia is in the final stages of drafting a new Constitution.

SADC Women in Decision Making Positions in Africa and the World

Box 2

Women from southern Africa are taking their place in leadership positions on the continent and worldwide.

The Chairperson of the African Union Commission, Dr. Nkosazana Dlamini-Zuma, former Minister of Home Affairs of South Africa and previously Minister of Foreign Affairs, was sworn into office on 15 October 2012. She said her election “poses a greater responsibility on women in general”, noting that this is the first time a woman has been elected to the position in 49 years since the formation of the continental body, and the first time the incumbent is from Southern Africa.

In a lecture following her acceptance, she traced the rich history of Africa in which women played an important role in economic and governance structures, and more recently in the struggle for liberation from colonial rule and apartheid. She pledged to advance the African Union’s vision of “an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena.”

The Commission she heads contains 50-50 representation of women and men by decision of the African Union Summit of Heads of State and Government.

A SADC national, Ambassador Gertrude Mongella from the United Republic of Tanzania, was the first President of the Pan-African Parliament and previously Secretary-General of the UN Fourth World Conference on Women held in Beijing in 1995. Two other Tanzanian women have risen near the top of the UN system as the highest-ranking African women. Asha Rose Migiro served as Deputy Secretary-General of the United Nations 2007-2012, then as the Secretary-General’s Special Envoy for HIV and AIDS in Africa. Migiro was Tanzania’s first woman foreign minister after entering Parliament through special seats, and is now party Secretary for Foreign Relations. Dr. Anna Tibaijuka was the first woman elected by the UN General Assembly as Under Secretary-General of a UN Programme and served from 2002-2010 as Executive Director of UN Habitat. She is now a Member of Parliament and Minister for Human Settlements, Housing and Urban Affairs.

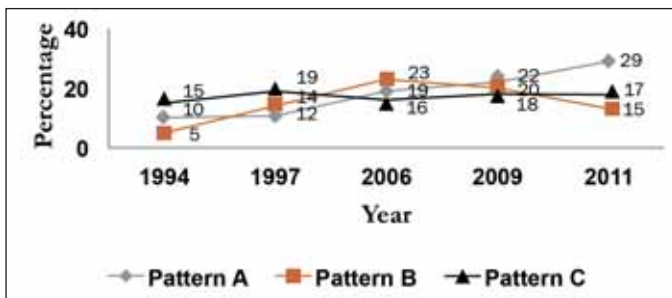
Hon. Phumzile Mlambo-Ngcuka, who was Deputy President of South Africa from 2005-2008, former Cabinet Minister and MP, has been appointed in mid-2013 as Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women -- UN Women. In June 2012, Namibia’s Deputy Speaker of the National Assembly, Loide Kasingo, was elected Third Vice-President of the Pan-African Parliament.

NATIONAL ACTION PLANS

Against the background of mixed performance in accelerating the representation by women to positions in politics and decision-making, there is need for a regional initiative to galvanise governments and national gender machineries towards achievement of gender parity. Figure 6 illustrates progress, showing the patterns that need to be addressed. Some Member States have shown a steady increase in the representation by women in decision-making positions (Pattern A), while for others this increase has not been sustained (Pattern B) or the level of women representation has not changed much (Pattern C).

Patterns in the Progress towards Women Representation in Politics and Decision-making

Figure 6



One way of achieving progress towards parity is through the development and implementation of national action plans or roadmaps to ensure equal representation and participation of women in political and decision-making positions by 2015. This process has already started, with Member States producing roadmaps that aim to secure commitments for implementation of regional targets.

Strategic objectives are to identify key stakeholders and relevant resources, as well as outputs and targets, and to develop implementation and monitoring tools. Periodic monitoring and evaluation is needed, especially at mid-term and end of term, to determine the next stage of the plan. In addition to these objectives and identification of activities, the national roadmaps include planning for who is responsible, the timeframe, resources and outputs/indicators. It is important that the national action plans/roadmaps contain specific, measurable outputs, and that they are resourced and owned by the respective countries. Section 8 reviews some of the targets set by the national gender machineries in Member States.

Angola has developed an action plan that aims to strengthen the local gender machinery over five years. This will involve a rigorous programme of awareness-raising on the benefits of gender parity, training activities for women's groups and policy makers and initiatives to empower women. It has set a target of monitoring and evaluating progress annually for the first two years.

Botswana has given priority to consulting stakeholders including civil society and the Women Parliamentary Caucus to lobby for a constitutional re-

view and a review of electoral systems to facilitate the inclusion of more women in decision-making positions, and to lobby for the ratification and domestication of international agreements, including the SADC Protocol on Gender and Development. Another advocacy target is to increase the representation by women to 50 percent through nomination.

Democratic Republic of Congo has noted that there are still challenges regarding the participation of women in politics, notably in the fact that DRC is a post-conflict country where violence during conflict has been and is high, especially against women. Despite the breakthrough made in other areas, there is still a lot to be done regarding the empowerment of women, and a key activity is to visit countries such as South Africa and Tanzania to share their experiences in improving the status of women in political and decision-making structures.

Lesotho government has started to develop information, education and communication, and advocacy materials on gender parity in political and decision-making positions to help in creating public awareness, particularly targeted at rural women and young women with disabilities. It has also set a target of holding sensitisation workshops for women parliamentarians on gender issues and gender parity.

Malawi has developed a comprehensive Plan of Action to ensure the country meets the 2015 gender parity target. The Ministry of Gender, Children and Community Development is working with civil society organizations to implement an Advocacy and Lobby Strategy targeting policy makers and other stakeholders as well as communities and the public on the 50:50 by 2015 target, as well as finalising the review of the National Gender Policy and National Gender Programme by 2013.

Mauritius has shown progress through its national action plan to engender various policies after realizing that each ministry needed an engendered policy. The process to engender these policies was launched by the Prime Minister and adopted by the Cabinet, showing political commitment by the top leadership. The roadmap includes plans to train at least 300 women in political governance and gender issues by the end of 2013 in order to increase the number of women leaders, and to periodically monitor and address gender parity gaps between 2013 and 2015.

Mozambique has developed plans and strategies to improve the proportion of women in politics and decision-making structures, and gender units have been created in all sectors, although work is still needed in raising the aware-

ness of gender equality and equity. The gender department provides capacity-building programmes for women to be part of the national assembly and other political institutions, and works together with the other ministries, political parties, women in the political structures, and media, among other stakeholders, to streamline gender in all work. The department cooperates with civil society which is mandated with the lobbying and advocacy activities at all levels.

Namibia

Activities included in Namibia's comprehensive National Roadmap include a constitutional amendment to reserve a quota for women representation in all decision-making positions and a revision of the Affirmative Action Act to be in line with the SADC Protocol on Gender and Development. The proposed amendments to the laws are scheduled to take place before 2014, allowing the Electoral Commission to enforce compliance of the quota systems in the party lists submitted for the next elections. A review is planned in advance to ensure that all political party manifestos are engendered by 2014.

Seychelles

Seychelles has resolved to set up a National Gender Management Team (NGMT) as a mechanism to bring on board all stakeholders. The NGMT will be coordinated by the Department of Social Affairs within the Ministry of Social Affairs, Community Development and Sports. There are also plans to put in place a gender committee within the Parliament, to act as the focal point for driving the gender parity programme among legislators. To increase the number of women who participate in business activities, the government plans to lobby the private sector to contribute towards a Seychelles Women's Trust Fund.

South Africa

A Women's Empowerment and Gender Equality (WEGE) Draft Law was promulgated for public consultation, before presentation to Cabinet and Parliament. A national policy framework on WEGE has been reviewed and an implementation plan drafted. There are plans to establish a national gender mainstreaming coordination committee to raise awareness on 50:50 across all sectors. The main objective is to realign existing policies, systems, legislation, strategies and charters with the regional 50:50 target. Communication was identified as playing a key role in social mobilisation in the communities.

Swaziland

The main thrust of Swaziland's national gender parity Plan of Action was its successful lobbying for the ratification of the SADC Protocol on Gender and

Development. In this regard, the national gender machinery plans to embark on an awareness-raising programme for politicians, traditional leaders and communities on gender and constitutional provisions. The Swaziland National Gender Policy and Plan of Action was approved in 2010, and a gender audit is being done for all the Acts in Swaziland to find out how much they are gender sensitive.

United Republic of Tanzania

The national roadmap includes initiatives to contribute to the proposed new Constitution currently under review. Identified activities have included the training of gender experts who would participate in ensuring the inclusion of gender concerns and targets for women in politics and decision-making positions in the new Constitution.

Zambia

A new Constitution is being drafted to update and modernize the national legal framework, including revision of Article 23 (4) which permits discriminatory laws to exist in the area of personal law in contradiction with Article 11 that guarantees the equal status of women. The ministry has embarked on an advocacy and outreach programme to lobby for the adoption of a quota system for women representation in elected positions. There are plans to establish an inter-party platform for women politicians that would assist in lobbying for the adoption of a quota system. The gender division has been upgraded into a full ministry, the Ministry of Gender and Child Development, headed by a woman Minister, and a top priority for the new ministry is the domestication of international protocols on gender equality.

Zimbabwe

Zimbabwe's gender machinery has embarked on a programme to popularise effective implementation of the 50:50 strategies to ensure national buy-in. This will involve mobilisation of economic, social and political resources for use by women politicians, individuals, including lobbying for the Political Parties Finances Act to give more resources for the promotion of women's participation in politics and decision-making processes. One of the strategies being pursued is a mentoring programme where women already in top positions would groom and mentor young female aspirants in politics. The new Constitution, adopted in May 2013, includes quotas and other mechanisms to increase the proportion of women representation in politics and decision-making. The Ministry of Women Affairs, Gender and Community Development, together with the Women Parliamentary Caucus and civil society mobilised women and traditional leaders to support the gender issues during drafting of the new Constitution.

RECOMMENDATIONS

Balancing the Scale Towards 50:50 by 2015

SADC Member States met at a regional workshop in 2008 to develop the Framework to accelerate the 50:50 representation of women in decision-making positions by 2015. Progress on implementation of the Framework was reviewed by Member States at a regional workshop in 2012. Many of the actions contained in the Framework agreed by National Gender Machineries have been implemented by most Member States, including the priority action of ratification of the SADC Protocol on Gender and Development, which has now entered into force. However, while some governments have made significant progress with transformative policy measures and legislation, and constitutional measures to engage more women in mainstream decision-making, and some political parties have achieved a significant proportion of women in their leadership, other sectors of society are lagging behind in reforming their own decision-making structures, including private sector, tertiary educational institutions, the media, and civil society, although the latter have been active and supportive in generating awareness of the issues.

While the state has a major role to play in providing the vision and direction for development initiatives, especially through the establishment of legislative and administrative frameworks, including monitoring and evaluation, the involvement of strategic partners remains crucial to the achievement of intended outcomes. These would include the private sector, civil society organizations, women's lobby and advocacy organizations/groups and community-based organizations, and traditional and political party leadership.

Below are recommendations based on those that emerged from the 2012 Regional Workshop to Strategize on the Implementation of the SADC

❖ *Member States to:*

1. Institutionalise and domesticate regional and international instruments that recognize the entitlement of women to full participation and representation in the society, including in electoral processes and decision-making structures.
2. Meet the 50:50 target as stipulated by the SADC Protocol on Gender and Development for women in political and decision-making positions; and develop and implement national action plans to ensure equal representation and participation of women in political and decision-making positions by 2015.
3. Adopt far-reaching measures within the framework of the elections unfolding in the region over the next 18 months, to fulfil the commitment of reaching the regional targets for women in strategic political and decision-making positions by 2015.

4. Adopt affirmative action to support women and enshrine this in national legislation, including conducive legislated electoral systems, quotas and any other appropriate strategies and policies necessary for the acceleration of equal representation and participation of women in all structures and institutions in the public and private sectors.
5. Undertake electoral reform to include proportional representation in political decision-making positions, accompanied by operational guidelines.
6. Take deliberate measures to implement a legislated quota and zebra system as well as other affirmative action measures in order to promote equal participation of women and men in politics and decision-making positions at all levels.
7. Monitor the conduct of elections to ensure that they permit the full and equal participation of women as voters and as candidates, and be accountable for implementation of the commitments to gender equality targets.
8. Redefine the political playing field to ensure that good leadership, national democracy and governance reflect the specific concerns, values, experiences and needs of women.
9. Engage emerging political parties to adopt gender parity strategies including affirmative action policies necessary for advancing the involvement of women in politics and decision-making processes.
10. Strengthen the linkages between governance and poverty alleviation strategies to enable equal participation of women and men in politics and decision-making positions at all levels of governance.
11. Generate awareness through civic education that aims to eliminate discriminatory attitudes and practices that discourage women from holding decision-making positions, especially in the public sector, and actively generate awareness among men and women to overcome the attitudinal barriers with respect to supporting and voting for effective women candidates.
12. Raise awareness about the importance of ensuring that women are part of the decision-making structures and processes, and sensitise society on the significance of equal representation of women and men in politics and decision-making positions, intensify voter education and civic education programmes with the aim of increasing the number of women entering politics.
13. Demonstrate strong political will and concerted efforts to change the attitudes, values, practices and mindset that view political leadership and decision-making as the domain of men.
14. Enact special measures to increase the participation by women in structures and policy-making processes at all levels from the village, to the national and regional levels.

15. Put in place strong mechanisms to support new entrants into leadership and management positions; and develop the skills of women currently in leadership.
16. Strengthen capacity-building programmes for women in politics and decision-making at all levels (Cabinet, Parliaments, Government, private sector, local authorities, and non-state entities).

❖ ***National Gender Machineries (Ministries/Departments of Gender) to:***

17. Advocate for the domestication and effective implementation of the SADC Protocol on Gender and Development, and monitor progress.
18. Lobby and advocate for support by key national leaders (President, Cabinet, Legislature, political party leaders, youth, etc); and strengthen facilitation to ensure that all stakeholders (women's caucus, government sectors, civil society, political parties, and private sector) are involved and better coordinated towards one common goal.
19. Build capacity with all key influential structures and institutions (cabinet, legislature, political parties, women's wings, etc) on the importance of gender parity and gender equality and development; and advocate for effective concrete actions for increasing women's representation and participation in political and decision-making positions at all levels.
20. Strengthen and establish new partnerships with key stakeholders to accelerate the achievement of gender parity in politics and decision-making structures by 2015, including traditional leadership, media, academic and research institutions, and civil society organizations including male support networks, women's fora, faith-based organisations, women's wings of political parties, trade unions, etc.
21. Ensure that all public and private institutions are familiar with gender and organizational development models to review institutional structures and values in order to operate in a gender-responsive manner, and to permit the fair and full participation of women.
22. Conduct studies that illustrate qualitatively and quantitatively the differential impacts women bring to decision making and power sharing.
23. Promote the sharing of good practices, experiences, and lessons learnt on progressive models and systems that facilitate efforts towards the gender parity goal within and outside the SADC region, and organise exchange visits to share experiences in this regard.
24. Intensify communication, social and community mobilisation for awareness-raising for various target groups on gender equality and women's

empowerment; as well as media and other campaigns for achieving the gender parity goal of 50:50 by 2015.

25. Provide timely and accurate reports to fill the data gaps identified, and ensure the data is reliable and a true reflection of the representation and participation of women in politics and decision-making structures.
26. Strengthen Monitoring and Evaluation of national efforts by all stakeholders.

❖ ***SADC Secretariat to:***

27. Continue to facilitate, coordinate, and monitor progress made in the implementation of the framework for achieving the 50:50 gender parity goal in political and decision-making positions at all levels.
28. Strengthen the data collection tool with a view to ensure systematic collection, collation, analysis and presentation of data on women in political and decision-making positions.
29. Regularize the collection and accessibility of data, and widen the scope of research to address the attitudinal and structural impediments to women's full and equal participation in political and decision-making positions.
30. Intensify efforts on research with a view to share good practices and experiences among Member States, and monitor impact of the Protocol.
31. Strengthen partnerships and collaboration to advance the agenda.

❖ ***In addition:***

32. ***Political parties*** should be sensitive to gender issues and review their own leadership structures to reach the gender parity goal; mentor women candidates through effective training and financial support; and establish a support fund for women in politics before and during elections, while strengthening capacities in communication and negotiations.
33. ***Civil society*** should actively seek to work with MS, who should put in place programmes to coordinate and support NGOs that have advocacy initiatives to support women who stand for elections and document the challenges that confront them. Civil society should work with MS on initiatives to generate awareness and build capacity.
34. ***The media*** should be sensitive to gender issues and well-informed in their coverage, and actively seek reliable information and capacity-building in this regard; and media houses should develop and implement a gender policy.

CONCLUSION

The *SADC Gender Monitor 2013* has shown that the road to gender equality in the SADC region is characterized by contrasting performances by Member States. Some have made commendable progress in ensuring that women are adequately represented in positions of decision-making, while other Member States have a distance to go in this regard. The report highlights the urgent need for a review of the national laws and policy environment to galvanise the adoption of national strategies that accelerate the achievement of gender parity by 2015.

Challenges were identified as gender-blind legal and policy frameworks, systemic gender inequality, socio-economic development models that often feed stereotypical attitudes towards the role of women in society as well as perpetuate gender inequalities, structural rigidities within the various political parties, and generally patriarchal systems of decision-making. The nature of the barriers to full and equal participation and representation by women, therefore, requires a holistic approach to solutions. This calls for joint effort by all stakeholders – women’s groups, political parties, government ministries, traditional leaders, men’s groups, parliamentarians, etc – to ensure there is national buy-in as Member States accelerate initiatives towards the goal of 50:50 by 2015. The significant progress in some Member States shows that this is possible.

One of the main challenges in meeting the gender parity target has been the slow pace by Member States to ratify and domesticate the SADC Protocol on Gender and Development. This ensured that the Protocol remained non-binding for several years after it was signed. However, now that it has entered into force, there is urgent need for national gender machineries to give priority to the domestication and effective implementation of the Protocol.

Despite the fact that women form the majority of the electorate in most SADC Member States and that gender equality is enshrined in most national constitutions, women still occupy less than a quarter of top positions in politics and other decision-making positions. However, the adoption of legislative and policy frameworks to facilitate gender parity have been instrumental in improving the status of women in political and decision-making positions. Affirmative action measures such as quota systems were identified as one of the strategies available to countries as they move towards meeting the target. This will assist in maintaining the gains made in the number of women in elected positions and counteract regression in number of women represented in political and decision-making positions as has been witnessed in some Member States where the number of women has been declining after national elections.

It can be concluded from previous sections of this report that all 14 active Member States (Madagascar remains suspended) are committed and making progress at various levels to increase the role of women in decision-making.

Women who are already involved at this level are taking a leading and active role. It can also be concluded that gender equality in decision-making must be legislated and entrenched in the systems of selection at all levels, including electoral systems. The political will that is present in top leadership, may not permeate to other levels. Voluntary quotas are better than no quotas, and have been important in some Member States in reaching 30 percent representation quickly, but in general, voluntary quotas will not deliver 50:50 unless agreed and implemented by all contesting parties using an electoral system that facilitates this, such as incorporating the “zebra” system of alternating the names of women and men, with a woman at the top of the list.

Several Member States are engaged in constitutional review and this presents opportunities to legislate for quotas or proportional representation for women. There is need for coordination of relevant government ministries, women’s parliamentary caucuses, women’s groups, electoral bodies, political parties, traditional leaders, and constitutional parliamentary select committees to ensure that new constitutions include appropriate clauses on quotas for women. The processes around the review of policies and constitutions provide an opportunity to ensure that gender parity is legislated accordingly.

The participation of women in positions of leadership and management, as well as involvement in decision-making at various levels is still far from equal despite efforts by governments and other stakeholders to promote equality between women and men.

All policies and programmes should incorporate a gender perspective in order to contribute to the reduction of gender inequalities and promote the gradual change of attitudes of both men and women, awakening and creating sensitivities required in both regarding the situation of inequality in the treatment of social, economic, political and cultural realities.

Pertinent questions are:

- ❖ How can **50:50** representation and participation in politics and decision-making be **achieved** and **sustained**? The target is not just to achieve 50:50 by 2015, if after that the representation and participation of women in politics and decision-making regresses again.
- ❖ How did some countries achieve 30 percent representation by women in some structures? It may be necessary to learn from the action taken to achieve the 30 percent target, and identify measures that can contribute to the efforts to meet the **50 percent** target by 2015.
- ❖ What are the **shared experiences** from SADC Member States? Some countries in the region have performed better than others. These experiences can be shared so that challenges are a learning process, while interventions that have a positive effect can be replicated.

Specific activities that need to be undertaken at national level and regional level are shown in the adjoining chart.

| National and Regional Activities Towards Gender Parity by 2015 | |
|--|---|
| Activities at Member State Level | Activities at Regional Level by SADC Secretariat |
| <ul style="list-style-type: none"> ❖ Domestication/implementation of the SADC Protocol on Gender and Development ❖ Consultations with key stakeholders ❖ Finalize National Roadmaps with outputs and targets ❖ Enrolment of stakeholders (role allocation, definition of responsibilities, identification of entry points, strategic positioning) ❖ Resource mobilisation and allocation ❖ Implementation, action, dialogue, engagements, campaigns, etc. ❖ Develop implementation and monitoring tools ❖ Periodically evaluate and report | <ul style="list-style-type: none"> ❖ Facilitate, coordinate and support Member States ❖ Build and strengthen partnerships with other stakeholders and partners ❖ Mobilize resources ❖ Report to Council of Ministers ❖ Monitoring and evaluation |