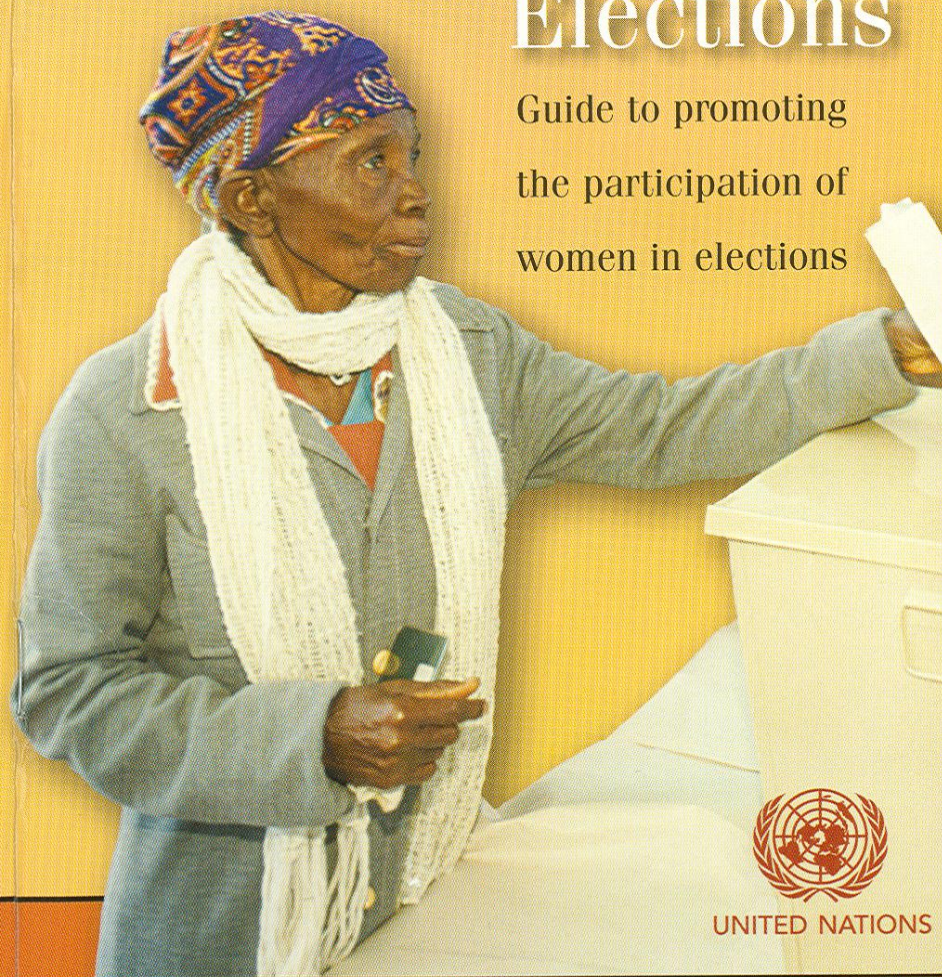




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Women & Elections

Guide to promoting
the participation of
women in elections



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Foreword

There is growing recognition that stable peace and national prosperity can only be achieved when institutions are democratic and representative of all groups of society. The United Nations' support for electoral processes now plays a pivotal role in many peace-keeping and peace-building activities. Enhancing women's participation in electoral processes in post-conflict countries is an integral part of these efforts. It is also in keeping with the many instruments and declarations that Member States have adopted to promote the situation of women worldwide.

The current handbook is intended to provide a quick reference guide to assist headquarters- and field-based actors from the United Nations, Governments and civil society working to promote greater participation of women in electoral processes in post-conflict countries. The handbook found its inspiration in the issues and findings of the Expert Group meeting held in Glen Cove, NY, in January 2004, organized jointly by the Office of the Special Adviser on Gender Issues and Advancement of Women

(OSAGI) and the Electoral Assistance Division of the Department of Political Affairs (EAD), as well as in the knowledge and experience accumulated by the United Nations in assisting countries that emerge from conflict. The handbook was prepared by OSAGI and EAD in consultation with a network of experts from within and outside the Organisation.

In presenting this handbook, I wish to express my full appreciation for the unstinting support that OSAGI extended to EAD during the process that led to its publication.

All actors working in post conflict countries must place a high priority on promoting women's full participation in all aspects of electoral processes and lessons learned from such efforts must be shared.

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An annotated bibliography of resources on all aspects of women and elections can be found on (<http://www.un.org/womenwatch/osagi/feature/postconflict/index.htm>)

Chapter 1

A General Overview

Why focus on women and elections in post-conflict countries?

Democratic elections have become a central element of peace-building in post-conflict societies. This emphasis on elections acknowledges that popularly supported, legitimate institutions can be a key to lasting solutions to conflicts. Only when institutions are democratic and representative of all groups in society—women as well as men, minorities as well as majorities, the dispossessed as well as the affluent—are stable peace and national prosperity likely to be achieved.

Member States of the United Nations have recognized that achieving sustainable and durable peace requires the full involvement and equal participation of women in conflict resolution and subsequent peace-building. The United Nations Security Council, in its resolution 1325 (2000) of 31 October 2000, stresses the importance of integrating a gender perspective in the formulation and application of agreements aimed at establishing the foundations for a stable peace (see box 1.2). The Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women in 1995, expresses the conviction that peace is inextricably linked with the equality of women and men.

It is clear, given the acknowledged importance of both democratic elections and the role of women in peace-building, that enhancing women's participation in elections in post-conflict countries is essential to building peace and democracy and advancing the equality of women and men. Elections can provide the

best possible opportunity to ensure women's voices are heard, their concerns are addressed, and their potential contributions to peace and democracy are maximized.

Box 1.1. United Nations Security Council Resolution 1325 (2000) of 31 October 2000

“The Security Council

...

8. *Calls on* all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:

...

(c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary.”

Box 1.2. The underrepresentation of women in national parliaments

Women are underrepresented in virtually all national legislative bodies. A 130-country survey conducted by the Inter-Parliamentary Union (IPU) in 2004 indicates that women hold an average of only 15.4 per cent of the elected seats. A 1995 report issued by the United Nations Development Programme concluded that 30 per cent would be the minimum representation required for women as a group to exert a meaningful influence in legislative assemblies. Only 15 of the countries included in the IPU survey have achieved this level. Interestingly, though, 3 of the 15—Rwanda (48.8 per cent), South Africa (32.8 per cent) and Mozambique (30 per cent)—are post-conflict societies, demonstrating how electoral measures instituted as part of peace processes can improve women's representation.

Source: Inter-Parliamentary Union (www.ipu.org).

Post-conflict elections: obstacles and opportunities for women

Although the general principles governing women's full participation in elections and in peace-building are broadly accepted, their implementation is often inadequate (see box 1.3).

Box 1.3. Agreed conclusions of the Commission on the Status of Women

At its forty-eighth session, held on 14 March 2004, the Commission on the Status of Women adopted the following agreed conclusions concerning women's equal participation in elections as part of post-conflict peace-building:

"14. In regard to post-conflict peace-building ... the Commission on the Status of Women calls on Governments, as well as all other relevant participants in these processes, to ... concerning elections:

"a. Ensure equal access of women in all stages of the electoral process including to consider the adoption of measures for increasing women's participation in elections through, inter alia, individual voter registration, temporary gender-specific positive actions and access to information, representation in bodies administering elections and as election monitors and observers, as well as encouraging political parties to involve women fully and equally in all aspects of their operations;

"b. Ensure equal access for women to voter and civic education, provide women candidates with full support, training and financial resources, and eliminate discriminatory practices hampering women's participation either as voters or [as] candidates."

Source: Commission on the Status of Women, "Women's equal participation in conflict prevention, management and conflict resolution and in post-conflict peace-building: agreed conclusions", adopted at the Commission's forty-eighth session, held in New York from 1 to 12 March 2004.

There are many remaining obstacles to women's equal participation in elections, including gender stereotypes, psychological and traditional barriers, and inequalities in education, training and resources. Political parties, ethnic groups or clans may be dominated by a single, strong leader, usually a male, leaving little opportunity for women to enter the political process through established political groups. Other barriers may be built into political structures, including certain types of electoral systems or candidacy restrictions based on educational qualifications or other factors. Post-conflict societies often present additional obstacles to women's equal participation in elections, including the following:

- Entrenched military groups;
- Volatile security situations;
- Disproportionately large numbers of refugee and displaced women;
- Gender-based violence;
- Inadequate institutions for the protection and enforcement of women's political rights;
- The exclusion of women from the peace negotiations and consultations held to determine the type and details of the electoral process;
- A lack of international or domestic investment in bringing women together as political players around common agendas.

On the positive side, post-conflict situations may provide a unique opportunity to introduce a more inclusive political framework and advance women's participation in democratic elections and other aspects of peace-building. What is achievable is largely determined by the situation on the ground. If women's groups can effectively organize themselves, they can play a major role in facilitating and sustaining increased political

participation among women. If peace negotiations in post-conflict countries include the development of new institutions or new laws, an unparalleled opportunity is provided to enshrine equality for women. Radical departures from tradition can sometimes be incorporated in new constitutions or electoral laws, including special measures to increase the political representation of women. With regard to the electoral process itself, steps can be taken to ensure adequate training, security and resources for women candidates and voters (see box 1.4). In short, the tools for advancing women's participation in post-conflict elections exist; their application, however, is a question of political will and adequate resources.

Box 1.4. Resources on women's participation in electoral processes in post-conflict countries

The expert group meeting on “Enhancing women's participation in electoral processes in post-conflict countries”, organized by the Office of the Special Adviser on Gender Issues and Advancement of Women and the Department of Political Affairs, was held in New York from 19 to 22 January 2004. A set of resources on women in electoral processes was compiled. This information and the meeting report are available at www.un.org/womenwatch/osagi/feature/postconflict/index.htm.

United Nations and regional organizations involved in post-conflict elections can play a pivotal role in ensuring that adequate attention is devoted to women's rights and to the issue of equality between men and women. Because international assistance is most effective when provided in support of nationally driven goals, international organizations should seek to identify local actors that possess the necessary political will and expertise and can provide the resources necessary for

capacity-building. There are many positive examples and best practices from around the world that may be drawn upon to enhance women's participation in post-conflict elections; a number of these options are described in the present series. When international organizations are involved in election activities in post-conflict countries, within peace missions or other contexts, it is important for them to exhibit gender sensitivity in the execution of their duties, to include gender experts on staff, and to provide gender training to their personnel.

Women's participation required for free and fair elections

The United Nations recognizes the need to protect and promote the right of women to participate in the electoral process, particularly in post-conflict countries (see box 1.2). It is important to keep in mind, however, that electoral rights mean much more than simply the right to vote. Freedom of expression, assembly and association, and the freedom to take part in the conduct of public affairs, hold public office at all levels of Government, and participate in the formulation of government policy are subsumed under this heading as well. United Nations international human rights instruments affirm that women are entitled to enjoy all these rights and freedoms on the same basis as men. Women's equal participation is therefore essential to the conduct of democratic elections. At the practical level, an election fails to comply with international obligations and standards unless the opportunity for full and equal participation by women is provided.

For elections to be truly free and fair, women must have the same opportunities as men to participate in all aspects of the electoral process. Women should have an equal chance to serve at all levels within local and national election management bodies. Women should be

engaged on an equal basis as election monitors or observers. Women should be able to participate fully in all aspects of political party operations. Women candidates and issues of special concern to women should be given fair and equal treatment in the media. Focusing on areas of the greatest potential impact can help ensure that women's participation in the electoral process is more than a pro forma exercise, and that free and fair elections fulfil their potential for contributing to the advancement of women, particularly in post-conflict situations.

Key elements of electoral processes

In examining the issue of women's participation in electoral processes in post-conflict countries, a number of important aspects of these processes must be considered. Each may pose significant challenges for women but, if properly managed, may also provide opportunities to facilitate and expand women's involvement. Several key components of elections and the electoral process that can enhance or detract from women's participation are outlined briefly below, and are elaborated in greater detail in the subsequent chapters of this handbook.

- **The legal framework.** A country's constitutional and legal framework should guarantee equal civil and political rights to every person on a non-discriminatory basis. If these rights are not explicitly affirmed in the national constitution or other laws, they may apply by virtue of their inclusion in international treaties a Government has ratified, including the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Discrimination against Women (see box 1.5). Peace agreements in post-conflict countries may stipulate the adoption of a new constitution or a new election law,

providing an opening for innovative practices to improve women's participation.

A wide variety of laws can affect women's prospects for full participation in all aspects of an election. The most important is the election law, but laws relating to political parties, gender equality, gender-based violence, citizenship, personal status, the family, identity documents for returnee and internally displaced persons, and other issues can also have a significant impact. Some laws may prompt indirect discrimination; for example, literacy requirements may disproportionately disadvantage women. Even sound laws will make little difference unless State institutions ensure they are effectively implemented and enforced. The legal system should be set up to provide prompt and effective remedies for women whose rights have not been upheld.

Electoral systems are not gender-neutral. The type of system in place can have a major impact on the number of women elected to office. More women are likely to be elected in countries with proportional representation (or party-list) systems than in countries with majority (or first-past-the-post) systems. This is an essential consideration in designing electoral systems in post-conflict countries. Other aspects of election systems—including types of candidate lists, district magnitude, and threshold levels—significantly affect women's electoral prospects as well.

Many countries have adopted special measures such as candidate quotas or reserved seats to increase the number of women elected. When properly implemented, these measures have been especially effective tools for promoting women's participation in electoral processes and for advancing women's equality in post-conflict countries.

- **Political participation.** Women can participate not only by voting, but also by becoming advocates, activists, political party members and candidates. Political parties often control decisions about who will be nominated to run for office, what positions candidates will be given on party lists, and who will receive support during the campaign and after the election. The role of political parties is therefore critical in determining the prospects for women aspiring to public office. Political parties may also determine the extent to which issues of special concern to women become part of the national political debate and are given serious consideration in the work of the legislature.

Generally, parties that practise internal democracy and have transparent nomination procedures offer the best prospects for women to emerge as candidates. In order to ensure more balanced representation, political parties in many countries have adopted voluntary targets or quotas specifying a minimum number or proportion of women on their candidate lists, and may even alternate women and men on the lists. In some countries, this has become a legal requirement. Many political parties have established “women’s wings”; in some cases these have constituted a useful tool for the advancement of women, while in others they have led to the compartmentalization or marginalization of women within the party. In many post-conflict situations, parties may be structured around military groups and leaders, leaving women seriously disadvantaged as political contestants.

Political participation extends beyond parties and their organizational structures. Women in post-conflict countries are often active participants in civil society, providing another entrée into the political arena. Government machineries, electoral management bodies, non-governmental organizations including women’s

groups and networks, the media, and trade unions and other associations can all provide avenues for women's political participation.

- **Voter registration.** In almost all countries, voters must be registered and appear on voter lists to be eligible to participate in elections. The accuracy and inclusiveness of the lists are central elements in ensuring women's full participation. Voter registration may be either "State-initiated", meaning that electors are automatically registered by local authorities on the basis of residence or other records, or "self-initiated", meaning that constituents must take individual responsibility for registering themselves. With State-initiated registration, women are less likely to be left off the registers, but this system must be carefully implemented to ensure that women are not removed from the lists if they change their name or address when they marry. Another important consideration is whether a country has dedicated electoral registers or relies on civil registers that are also used for purposes other than elections. Whatever system is used for voter registration, the lists should be compiled in a manner that is clear and transparent, and voters should have an easy way to check for mistakes and correct inaccuracies. In many post-conflict countries there are major problems with the voter lists because of the large numbers of refugees and internally displaced persons; special procedures are required to ensure these citizens are not disenfranchised. Since women tend to make up the large majority of displaced persons in most circumstances, they will be disproportionately disadvantaged if this problem is not addressed.

- **Voter education.** Voter education can be a critical factor in enhancing women's participation in elections, particularly in post-conflict countries in which women have not traditionally played an active role in the

electoral process. In the broadest sense, voter education includes the dissemination of basic information on voting rights, the political system, candidates and issues, as well as specific information on where and how to vote. It is especially important for voters to understand that each ballot must be marked secretly and privately. Situations in which one family member casts ballots for the entire family, or in which a husband and wife enter a voting booth together, are contrary to international standards, diminish individual independence, and negatively influence women voters.

Voter education should include publicity encouraging people to vote, with campaigns targeted specifically at women as well as at men and women together. Any special factors should be taken into account, including high rates of illiteracy and the types and number of languages spoken in a particular locale. Emphasis should be placed on the right of women to be elected. Carefully targeted voter education can help alleviate “double discrimination”, which may occur when women are also members of disadvantaged ethnic minorities. Non-governmental groups and international organizations can often make a valuable contribution by helping to develop gender-sensitive voter education messages. This involves promoting a positive image of women as leaders and politicians in order to encourage women’s participation in the political process and challenge the traditional view of a society dominated by male leaders. In post-conflict societies, such messages can highlight the importance of women’s knowledge and expertise in the areas of reconstruction and national reconciliation. Women’s groups can make a significant contribution through activities such as advocating for gender balance among candidates, election administrators, observers and other electoral participants.

- **Election administration.** The practical aspects of administering an election can have an important impact on women's participation. Election management bodies should operate independently, impartially and transparently. Boards at all levels should include women as part of their membership and leadership. Where necessary, special training might be made available for women to ensure that they are qualified to assume such positions. Election management bodies should develop a clear policy on advancing women's electoral participation. They should take gender considerations into account in all aspects of their work and should strive to facilitate and increase women's participation.

Election administrators can enhance overall voter participation—and that of women in particular—by developing effective voter education campaigns, instituting simple procedures for voter registration, ensuring easy access to polling stations, establishing convenient polling hours, providing adequate security at polling locations, preventing intimidation, designing ballots and voting procedures that are clear and simple, making certain each person's vote is cast secretly, and providing balloting facilities for illiterate voters. To the extent possible, election management bodies should collect sex-disaggregated data on all aspects of the electoral process, including voter registration and voter turnout, in order to identify any discrepancies or weaknesses that might require attention.

- **Election observation.** Election observation is a valuable tool for enhancing the transparency of the electoral process and increasing public confidence in election results. It can be especially advantageous in post-conflict elections, in which the level of mistrust among contesting groups tends to be high. The presence of observers can serve as a deterrent to fraud and malpractice. Observation may be carried out by

international organizations, domestic groups or both. In some post-conflict situations, international administrators or international supervisors may even be given the power to certify results or invalidate elections. In general, international observers should be able to impartially assess the quality of elections and to provide suggestions on how practices can be improved.

Observation methodology should take into account how various aspects of the electoral process can have a different impact on women than they do on men. Observers should carefully assess the way in which the legal framework, political parties, election administration and other factors affect women's participation. Ideally, observer groups, and particularly national groups, should include equal numbers of women and men. Specialized election observation efforts can be designed to focus exclusively on the role of women in elections.

General recommendations

In post-conflict electoral processes all actors—including governmental, international and civil society organizations—should be guided by the following recommendations and best practices for enhancing women's participation:

- Adhere to international standards for the protection of women's civil and political rights;
- Include women as members of delegations to peace negotiations and in bodies created for the implementation of peace accords, including those responsible for the development of new electoral processes;
- Carefully design and implement new laws and electoral processes to ensure and enhance women's

participation and to effectively increase the possibility of women being elected;

- Make certain that the practical aspects and details of the electoral process do not indirectly discriminate against women;
- Consider adopting temporary special measures such as quotas;
- Require or encourage political parties to nominate and support women candidates, in part by placing them high enough on their candidate lists to be elected;
- Ensure that refugee and internally displaced women enjoy the right to vote;
- Create platforms to ensure women's voices and concerns are heard;
- Design and conduct voter registration and education campaigns targeting women.

There are many other ways that government, international and civil society actors can ensure women's full participation in the electoral process; some of these are addressed in greater detail in the following chapters. All individuals involved in designing and implementing elections need to continually bear in mind that women make up half of a country's population and to carefully consider how each of their decisions affects women as well as men. Only if women have the opportunity to participate equally will an electoral process comply with international standards and contribute fully to building peace.

Box 1.5. Women and elections: some United Nations standards and obligations

Universal Declaration of Human Rights^{a/}

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other

opinion, national or social origin, property, birth or other status.

...

Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law.

...

Article 21. (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives;

...

(3) The will of the people shall be the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

International Covenant on Civil and Political Rights^{b/}

Article 3. The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.

...

Article 25. Every citizen shall have the right and opportunity

...

1. To take part in the conduct of public affairs, directly or through freely chosen representatives;

2. To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors.

...

Article 26. All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. ...

Convention on the Elimination of All Forms of Discrimination against Women^{c/}

Article 2. States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate

means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

...

Article 7. States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Source: The full texts of the instruments from which these excerpts were taken are available at <http://www.hrweb.org/legal/undocs.html>.

a/ Adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948.

b/ Adopted and opened for signature, ratification and accession by General Assembly resolution 2200 A (XXI) of 16 December 1966; entry into force 23 March 1976, in accordance with article 49.

c/ Adopted by the United Nations General Assembly on 18 December 1979 (resolution 34/180) and entered into force on 3 September 1981.

Chapter 2

The Legal Framework

Legal factors affecting women and elections in post-conflict countries

Non-discrimination and the equal rights of women and men are fundamental principles of international human rights law. Women's entitlement to full participation in electoral processes is recognized in United Nations and international instruments. In practice, however, women are often marginalized in elections as a result of gender discrimination and any number of social, economic and political factors. This marginalization is often more acute in post-conflict countries owing to volatile security situations, the prevalence of well-entrenched military factions, large numbers of women refugees and other circumstances. Post-conflict legal regimes may reinforce the marginalization of women, as follows:

- The rule of law and the human rights protections it affords women often break down during conflicts;
- Post-conflict countries are less likely to have strong judiciaries and other institutions to protect the rights of women;
- Peace agreements are designed primarily to end conflicts and may not include provisions to protect and advance the human rights of women;
- Interim administrations may devote little attention to women's rights;
- Parties in conflict States may seek to entrench their own positions in post-conflict settlements rather than supporting broader access to the political process for women or society in general.

Post-conflict countries often establish new political systems, constitutions and laws and are therefore given a

rare opportunity to institute fundamental changes that can advance the rights and electoral participation of women.

Basic elements of the legal framework for elections

In post-conflict countries, the *peace agreement* may stipulate conditions for elections. If so, it is important that the agreement be crafted and implemented with a gender perspective that ensures the protection of and respect for the human rights of women as they relate to the electoral system, as specified in United Nations Security Council resolution 1325 (2000) of 31 October 2000.

A country's *constitution* should explicitly guarantee equal human rights for women, including civil, political and electoral rights. If a constitution does not specifically include such language, this may ultimately prove to be a serious impediment to women's participation.

The constitution and other elements of the legal framework should conform with *international human rights instruments*, including the Universal Declaration of Human Rights and human rights treaties to which the country is a party, in particular the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Discrimination against Women. It is a best practice to incorporate such treaties as part of a country's constitution, or to specify in the constitution that the treaties take precedence over domestic law.

The *election law* should be clear, comprehensive and transparent. It should ensure that no element of the electoral process disadvantages women either directly or indirectly. For example, election laws requiring candidates to post large monetary deposits can work against women. Literacy or education requirements may give men an unfair advantage over women. Laws creating too few polling stations can lead to long lines and discourage

voting by women with small children. In contrast, gender-sensitive election laws can create an environment in which these and other problems may be avoided, and may even include special positive measures to ensure that women are elected to office. It is important to ensure conformity between the election law and any other national laws on non-discrimination or the equality of women and men.

Election laws often authorize election management bodies to issue ***legally binding regulations***, consistent with the law, on voter registration, campaigning, voting, vote counting, complaint procedures and other issues. These regulations are extremely important. If not carefully drafted, the regulations, like the law itself, may indirectly disadvantage women. When election management bodies are sensitive to gender considerations, regulations that facilitate women's participation may be issued.

Many ***other laws*** can have a bearing on women's participation in the electoral process. Since political parties play an enormous role in selecting candidates and setting the political agenda for election campaigns, national laws on political parties are often central to women's participation. Women will enjoy greater opportunities if a country's laws stipulate that the internal functioning of political parties must be transparent and democratic than if party operations are highly centralized and controlled by a few party leaders. Campaign finance laws can assist or disadvantage women, depending on their provisions. Laws relating to freedom of expression, assembly and association, as well as laws on personal status, the family, citizenship and other such issues can also influence women's political participation. For example, discriminatory citizenship laws may prevent women—but not men—from passing on their nationality to their children, thus depriving them of the right to vote once they reach the age of majority.

Basic elements of election systems

Democratic election systems are not necessarily gender-neutral. Both the general type of electoral system used by a country and the details of election procedures can have a significant effect on how many women are elected to office. When new election systems are being developed in post-conflict situations, careful account should be taken of these considerations.

Most countries have electoral systems based on either majority vote or proportional representation; more women tend to be elected under the latter system. ***Proportional systems*** are those in which political parties present lists of candidates, and voters must choose among competing party lists. Parties receiving sufficient votes are allocated a certain number of seats in proportion to their share of the vote, and the members at the top of those parties' lists are elected. This is the type of system most commonly used in post-conflict countries. In proportional systems there is a greater incentive for parties to draw up a diversified list of candidates—including women—in order to appeal to a wider base of voters. If women are placed high enough on the party lists, in which candidates are ranked in order of party preference, they will probably win seats in parliament.

In contrast, ***majority systems*** generally operate on a winner-take-all basis, with a single seat in each constituency awarded to the candidate securing the most votes. With only one seat available in a constituency, parties are less likely to nominate women as their candidates. New parties, which are sometimes more progressive and may include more women, are also less likely to win seats in majority systems. Incumbents, who are usually men, tend to enjoy an extra advantage in such systems.

A number of countries have adopted variants of the two main systems, and others use mixed systems that combine

elements of proportional and majority systems. In one such system, the “single non-transferable vote”, there are several seats to be filled in each constituency, and the candidates with the highest numbers of votes are elected. This system has led to the election of greater numbers of women in at least one new democracy. In general, post-conflict situations offer countries the opportunity to be innovative and to change their electoral systems and adopt procedures that can lead to greater equality for women.

The way in which proportional or majority systems are implemented can also have a major impact on the number of women elected. Examples are as follows:

- In proportional systems, party lists may be “open” or “closed”. Open lists allow voters to mark their preferences for individuals on a list, while closed lists require the voter to select the entire list in the order in which it appears. Closed lists usually improve women’s chances of being elected, provided the women candidates are placed high enough on the lists.
- In some proportional systems, parties must obtain a certain percentage of the total votes cast—say, 3 or 5 per cent—in order to participate in the distribution of seats; this is called the “threshold”. A low threshold works to the advantage of small parties, which may include women’s parties. A system encouraging a proliferation of small parties often works against women, however, because the top places on party lists tend to be filled by men. As a rule, therefore, a higher threshold is likely to result in the election of a somewhat larger number of women.
- In both proportional and majority systems, the country may be divided into electoral districts. In proportional systems, large districts are more advantageous to women, as the larger the district is, the longer the party list will be. When the entire country is regarded as a single district, larger numbers of women are likely to be elected as

representatives, provided they are placed high enough on the party lists. In majority systems, however, smaller districts translate into a higher overall number of representatives elected to the legislature, creating more opportunities for women to stand as candidates.

- The geographical distribution of available seats is also an important issue. If rural areas are over-represented in a parliament, as is often the case, this may place women at a serious disadvantage, since more urban women may adopt non-traditional roles and run for office.

Special measures

According to article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, “adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination ...”. Such measures have been applied in a number of electoral systems and have proved to be the most effective short-term means of increasing the number of women elected to office (see box 2.1).

Box 2.1. Parallel women’s elections in Rwanda

Post-conflict Rwanda adopted unusually innovative measures to advance women’s representation, demonstrating how creativity in post-conflict electoral systems can greatly enhance women’s political participation.

At the local level, each voter in Rwanda receives three ballots, one of which includes only women candidates. Indirect elections to the next higher levels are structured to ensure that at least 20 per cent of those elected are women. Through this procedure of multiple ballots and indirect elections to each higher level, 24 of the 80 seats in the lower house of parliament are reserved for women. In September 2003, a total of 39 women were elected to serve in the legislature, making Rwanda a world leader with its National Assembly made up of 49 per cent women.

In addition, Rwanda has instituted a system of all-women councils at the grass-roots level. The head of each women's council also holds a reserved seat on the general local council, forging a connection between the two bodies and ensuring that the concerns of the women's council can be communicated to the members of the general council.

Source: Juliana Kantengwa, "Women's participation in electoral processes in post-conflict countries: the case of Rwanda" (<http://www.un.org/womenwatch/osagi/meetings/>).

The oldest type of special measure is to set aside a designated number of seats in the legislature for women, who may then be elected off separate lists or in a separate vote. Reserving seats guarantees that a minimum number or proportion of women are elected (see box 2.2). While this policy has the advantage of ensuring some women are elected, it can lead to tokenism if only a very small number of seats are reserved, and may ultimately be counterproductive. For example, reserved seats can create a glass ceiling and take the onus off political parties to address the issue of inequality within their own ranks.

An even more effective special measure is to require or strongly recommend that party lists include a certain proportion of women. In some countries compliance is required by legislation, while in others parties have voluntarily adopted quotas or targets. Such measures will achieve the desired results only if women are placed high enough on party candidate lists to be elected to office. A "zippered" or "zebra" list, in which every other candidate is a woman, will often provide the best prospects for women seeking election. However, even a perfectly zippered list can be undermined if the country uses an open list system, which allows voters to reorder candidates on the list. Experience shows that it is critical to have an enforcement mechanism to ensure that parties abide by any legal requirements governing the placement of women on candidate lists.

Box 2.2. Reserved seats for women

Many countries have instituted the practice of reserving seats to ensure that women constitute a minimum number or percentage of representatives in various elected bodies. While the actual number of reserved seats is sometimes low, the new arrangements almost always bring about an increase in women's representation. Some examples of countries that reserve seats for women are as follows:

- In Djibouti, 10 per cent of seats are reserved;
- In India, 33 per cent of seats in all local bodies (*panchayats* and municipalities) are reserved;
- In Jordan, 6 of the 110 seats in the House of Deputies are reserved;
- In Pakistan, 60 of 342 National Assembly seats (17.5 per cent) are to be allocated to women;
- In Tanzania, 20 per cent of the seats in parliament are reserved;
- In Uganda, at least one woman from each of the 54 districts is guaranteed a seat (out of 304 seats).

Other countries have adopted different types of special "affirmative action" measures, including the requirement that political parties include women on their candidate lists. Examples include the following (also see *Briefing Note No. 3* in this series):

- In Argentina, party lists must have a minimum of 30 per cent women, placed in positions likely to result in election;
- In Costa Rica, party lists must include at least 40 per cent women;
- In Bosnia and Herzegovina, party lists must include at least 30 per cent women (see box 3.1).

Source: Compiled from information presented at the expert group meeting on "Enhancing women's participation in electoral processes in post-conflict countries" (www.un.org/womenwatch/osagi/).

Temporary special measures have been the most effective means of ensuring the election of women in post-conflict countries. However, the benefits of incorporating such

measures into electoral systems and the long-term effects they may have within specific contexts should be carefully considered by all national and international entities involved in developing and instituting post-conflict electoral processes. Special measures are more likely to produce results if they are accompanied by long-term policies and commitments—including legal measures, resources and capacity-building—to strengthen women’s effectiveness as voters, candidates and elected officials. In general, including women in government through special measures broadens democracy and contributes to effective peace-building.

Another strategy is to adopt legislation to achieve gender equality in electoral systems, as actual laws generally imply greater permanence and compulsion than special measures. For example, a law can require that party lists include designated percentages of men and women. Laws written in this way, with specific provisions for each sex, apply equally to women and men.

Implementation and enforcement

Even the best legal framework will be of little value in advancing democratic elections or enhancing women’s participation unless it is adequately implemented and enforced. There are a number of potential obstacles to implementation. In some instances, there may not be a government department or agency with the authority or the political will to enforce election regulations concerning women’s participation. For example, the election management body responsible for running an election may not have the power to enforce its rulings against political parties failing to comply with the law. In other cases, judicial and police reform and training may not have kept up with legislative reform. Another problem may be that women are unaware of their rights—a possibility that underscores the importance of effective voter education campaigns targeting women.

Weak enforcement of election laws can often be more detrimental to women than to men. For example, in post-conflict countries with volatile security situations, women voters and candidates are more likely than the corresponding groups of men to be subject to intimidation. In countries in which refugees and displaced persons must be registered, any discrepancies are more likely to disenfranchise women. Inadequate enforcement of campaign spending limits can work to the disadvantage of women candidates, who often have fewer financial resources than their male counterparts.

A key element in the implementation and enforcement of election laws is the effectiveness of the judicial system and dispute resolution mechanisms. Election complaints generally must be resolved in a very short time frame, whether they concern individual grievances such as omissions from the voter register or larger matters such as candidate disqualification or vote rigging. Women must acquire a basic understanding of the election complaint system, especially the courts, and have the ability and confidence to use this knowledge. Easy access to the courts is essential, and legal assistance should be made available. Under international human rights law, all individuals have the right to seek effective remedies if their rights are violated.

Recommendations

Legal frameworks for electoral processes in post-conflict countries should be gender-sensitive and should ensure gender balance in all bodies involved in elections. The constitution and other legal instruments should guarantee non-discrimination and the equality of women and men. Special measures, including quotas, can increase women's representation and should be carefully considered when election systems are designed. Care should be taken to ensure that the legal and regulatory framework does not

include provisions that allow or support indirect discrimination against women. Governmental, international and civil society actors can all contribute in different ways to ensure that the legal framework guarantees women equal rights in the electoral process and enhances their participation in elections.

Government actors should:

- Ensure their laws comply with international human rights standards;
- Include women in discussions and negotiations leading to the adoption of new electoral systems and electoral laws, as well as in the bodies responsible for the implementation of such systems and laws;
- Review legislation and regulations to identify elements that may hinder women's participation in elections and amend the laws to rectify any problems identified.

International actors should:

- Include a specific reference in their mandates to United Nations Security Council resolution 1325 (2000) of 31 October 2000;
- Encourage the adoption of a legal framework that guarantees women the right to full and equal participation in elections;
- Assist with a gender analysis of the legal framework for elections to identify shortcomings and propose remedies;
- Ensure that promoting international human rights law is part of the mandate of peacekeeping missions;
- Encourage the creation of new institutions and offices dedicated to empowering women and advancing their political rights, including ombudspersons, human rights commissions, and ministries of women's affairs;
- Facilitate the exchange of information and best practices on women and elections;

- Provide information on special measures to increase women's representation and encourage their adoption.

Civil society actors should:

- Lobby for women to participate as members and decision makers in bodies involved in electoral processes;
- Support gender equality through the presentation of position papers on such issues as international legal instruments, internal party democracy and special measures;
- Monitor the Government's implementation of peace agreements and electoral processes to facilitate full and equal participation by women;
- Work to ensure displaced and refugee women are not legally disenfranchised;
- Develop coalitions to galvanize support for constitutional and electoral reform;
- Provide training on gender equality and human rights for members of electoral management bodies.

Chapter 3

Political Participation

Types of political participation

Participation in electoral processes involves much more than just voting. Political participation derives from the freedom to speak out, assemble and associate; the ability to take part in the conduct of public affairs; and the opportunity to register as a candidate, to campaign, to be elected and to hold office at all levels of government. Under international standards, men and women have an equal right to participate fully in all aspects of the political process. In practice, however, it is often harder for women to exercise this right. In post-conflict countries there are frequently extra barriers to women's participation, and special care is required to ensure their rights are respected in this regard.

Political parties are among the most important institutions affecting women's political participation. In most countries, parties determine which candidates are nominated and elected and which issues achieve national prominence. The role of women in political parties is therefore a key determinant of their prospects for political empowerment, particularly at the national level. Because political parties are so influential in shaping women's political prospects, Governments and international organizations seeking to advance the participation of women in elections justifiably tend to focus on the role of political parties.

Political participation extends beyond parties, however. Women can also become involved in certain aspects of the electoral process through independent action—particularly at the local level—and by joining civil society organizations. Some women in post-conflict

countries have gained political experience by participating in non-elected transitional assemblies. Women's networks, trade unions, non-governmental organizations, and the media can all provide avenues for women's political participation.

Obstacles

In many countries the rights of women are enshrined in law, and there are no formal legal barriers to women's political participation in election processes. In practice, however, there are often formidable obstacles to women's active participation in politics. The hurdles to be overcome can be particularly daunting for women considering running for office, and may be overwhelming for women in post-conflict countries.

Politics has traditionally been a male domain that many women have found unwelcoming or even hostile. Societies in which traditional or patriarchal values remain strong may frown on women entering politics. In addition to dealing with unfavourable cultural predilections, women are often more likely than men to face practical barriers to entering politics, including a paucity of financial resources, lower levels of education, less access to information, greater family responsibilities, and a deprivation of rights that has left them with fewer opportunities to acquire political experience. With the exception of the close relatives of male politicians, women generally lack the political networks necessary for electoral success.

Barriers to women's political participation are often magnified in post-conflict societies, which may be characterized by militarism, a volatile security situation, the political dominance of a small group of (typically male) elites, the absence of well-established political parties, the failure to include women in peace

negotiations and the bodies created for peace implementation, and other limiting factors. When political parties are based more on prominent personalities associated with a faction in conflict than on issue-focused platforms and programmes, as is often the case in post-conflict countries, it is harder for women to emerge as political leaders. At the same time, post-conflict countries frequently offer unique opportunities to institute changes in the political structure and political culture that ensure the recognition and realization of women's right to participate fully and equally in politics. United Nations and other international actors in post-conflict countries can make an important contribution to these efforts.

Political parties

The most common route to elected office is through political parties. Most candidates depend on parties for their nomination, their base of electoral support, help during the election campaign, financial resources, and continued assistance after their election. While some candidates run for office independently of political parties, it is far more difficult to win election without the backing of a political organization, especially at the national level. Hence, women seeking an entrée into politics must usually turn to political parties. Political parties vary greatly in the extent to which they seek to promote women into leadership positions and to recruit women as party candidates, as well as in the extent to which they address political, economic and social issues of special concern to women. Since political parties often tend to be more open to nominating women as candidates for local elections, women may find it easier to start at this level and use it as a stepping stone to national office.

- **Political party laws.** Most countries have a law regulating how political parties must be organized and

registered and dictating how they must operate. The operational provisions of the political party law can be extremely important in establishing the framework for women's political participation. For example, if parties are required to practise internal democracy and employ transparent nomination procedures through primary elections, all-party caucuses, locally based candidate selection or similar options, women will generally have a better chance of emerging as candidates. In contrast, highly centralized parties that are tightly controlled by a few leaders or organized around well-known personalities—usually men—may be much less receptive to selecting substantial numbers of women as candidates. This may be particularly true in post-conflict countries, in which political parties are frequently associated with male-dominated military groups.

Political party laws may include provisions aimed specifically at enhancing women's political participation. For example, they may require parties to affirm their position on gender equality in the party constitution. They may mandate that party management and party policy committees be gender balanced. Political party laws, or in some cases election laws, may require a gender balance in candidate lists as well. Alternatively, laws may offer parties incentives such as more free broadcast time or additional public funding if they include certain numbers of women among their candidates. New laws are often introduced in post-conflict countries, providing an ideal opportunity to incorporate these and other provisions aimed at ensuring equal political participation for women.

- **Promoting women's participation in proportional systems.** One of the most effective ways to ensure women are elected to office is to require that party candidate lists be gender balanced or include a certain proportion of women. This is a legal obligation in many countries. The effectiveness of such systems, however,

depends very much on the details of their implementation. For example, a requirement that candidate lists include 50 per cent women will not be effective if the women are all placed at the bottom of the lists. Women can have no realistic expectation of success in proportional systems unless they are placed high enough on the candidate lists to be elected if the party wins seats in the legislature. A “zippered” list, in which every other candidate is a woman, may provide the best prospects for women seeking election. Some countries have adopted variations of this system, requiring that women hold designated places on the lists (see box 3.1).

Even a perfectly zippered list may not achieve the desired results if the country uses an “open list” voting system, which allows voters to change the order of the candidates on the list. Parties may even try to circumvent the purpose of a zippered list by encouraging voters to reorder the candidates when they cast their votes. Experience in many countries has shown that open list voting often works to the disadvantage of women candidates unless women in the country are exceptionally well organized politically. In the worst cases, parties in some countries require women to submit pre-signed letters of resignation when they are nominated so that they can be replaced with men if they are elected. This type of situation can be averted if the law specifies that any woman removed from a candidate list or resigning from office must be replaced by another woman. This illustrates the importance of clarity and close attention to detail in the drafting of legislation.

Box 3.1. Bosnia and Herzegovina: legal requirements for gender balance on party lists

The election law of Bosnia and Herzegovina includes a provision requiring that men and women each constitute at least a third of the candidates listed, and that both occupy positions high enough on the lists to ensure balanced representation if the party wins seats in the parliament. Since

the provision is written in a gender-neutral manner, it should not be regarded as a temporary special measure as set out in the Convention on the Elimination of All Forms of Discrimination against Women, but may constitute a permanent part of the law. Other countries have similar requirements.

Article 4, paragraph 19, of the election law requires that every candidate list include male and female candidates. According to the relevant provision, “the minority gender candidates shall be distributed on the candidate list in the following manner: at least one (1) minority gender candidate amongst the first two (2) candidates; two (2) minority gender candidates amongst the first five (5) candidates; and three (3) minority gender candidates amongst the first eight (8) candidates *et seq.* The number of minority gender candidates shall be at least equal to the total number of candidates on the list, divided by three (3) rounded to the closest integer.”

Source: Office for Democratic Institutions and Human Rights, “Bosnia and Herzegovina: assessment of the Election Law for the 5 October 2002 elections” (Warsaw, 25 July 2002).

In countries in which there is no legislation requiring that women be included on party lists, political parties may adopt voluntary targets or quotas for women candidates. This strategy has been implemented successfully in many areas. Such measures are most effective when linked to a specific time frame and accompanied by training and resources for women party members and candidates. Parties may also adopt a code of conduct that includes requirements regarding participation by women and gender equality. These approaches require a serious commitment; voluntary actions that are half-hearted or insincere may lead to gender “tokenism” that can actually undermine prospects for women’s empowerment.

- **Promoting women’s participation in majority systems.** In majority systems, the options for advancing women’s participation as candidates may be more limited, but there are still a number of useful steps that

might be taken. For example, political party laws could stipulate that a certain number or proportion of party candidates in elections at various levels must be women, though this would be harder to implement fairly in majority systems than in proportional systems. Political party constitutions could require that a specific number or proportion of women be put forward as candidates, or parties could set voluntary targets to this end. Governments could also adopt measures to encourage parties to field more women as candidates in majority systems, perhaps by offering benefits such as additional campaign financing to parties nominating greater numbers of women.

As explained in *Briefing Note No. 2*, in both proportional and majority systems temporary special measures such as those described above have been the most effective means of ensuring the election of women in post-conflict countries. National and international actors involved in shaping post-conflict electoral processes should carefully consider the benefits of incorporating these or similar special measures into electoral systems and the long-term effects they may have within specific contexts. If appropriately applied, such measures can broaden democracy and contribute to effective peace-building.

- **Women's wings.** In many countries, political parties have established special wings for women that can contribute to their advancement. This mechanism can provide an avenue for women to become active, learn political skills, and develop networks within the party. Women's wings can often influence party positions, especially on issues of special concern to women. They are most effective when linked directly to party leadership and decision-making bodies; when this is not the case, women's wings may lead to the compartmentalization or marginalization of women in the party.

- **Platforms.** Another indication of the party's commitment to the advancement of women is its platform. By addressing gender equality and other issues of special concern to women, parties can increase their relevance to women voters and provide a greater incentive for women to become involved in the political process. In post-conflict countries, parties might encourage women's participation by taking gender-sensitive positions on such issues as refugees and displaced persons, family reunification, violence against women, female unemployment, housing, education, and social issues such as family planning and reproductive health.

Non-governmental organizations

Although political party affiliation may represent women's most obvious entrée into politics, it is not the only option. One of the best ways for women to enter the political arena is through involvement in national women's movements. In post-conflict countries in which women have been active in mobilizing against the regime, participation in the women's movement may provide them with the credentials needed to become a party leader or a candidate. Women's movements can also influence political party platforms and help ensure that issues of special interest to women are addressed seriously by all parties.

More broadly, non-governmental organizations, including women's, human rights and community groups, labour unions, and other civil society institutions, can contribute in various ways to the advancement of women's political participation. Priorities may include identifying women to stand as candidates, providing training on dealing with the media and other issues, developing networks to advance women in politics both within the party and across party

lines, and assisting with gender-sensitive civic and voter education.

Media

The media, and particularly electronic media, play a crucial role in shaping voter interest in and attitudes about an election. The way the media portray women, how they deal with issues of special concern to women, and whether they convey effectual voter education messages can have a major impact on women's participation in an election. This is true in all elections, including those held in post-conflict countries.

In general, election laws and media laws create a framework for the role of the media in elections. In most instances the formal rules governing media coverage of candidates appear gender-neutral. In reality, however, media regulations and practices may indirectly disadvantage women. For example, in societies with very limited controls or very lax rules for the media, as is sometimes the case in post-conflict countries, women may face informal discrimination manifested in their inability to get on the air at all. Even when airtime is carefully regulated, the price of advertising may be beyond the reach of women candidates. Women are most likely to receive equal broadcasting time in countries that provide the same amount of free airtime to all candidates and place limits on paid political advertising. Some countries even provide extra airtime as an incentive for political parties to nominate and support women candidates (see box 3.2).

Box 3.2. East Timor: incentives and quotas for gender balance in elections

The United Nations Transitional Administration in East Timor (UNTAET) administered the 2001 Constituent Assembly elections. Although UNTAET declined to establish quotas or reserved seats for women in the Assembly, it did undertake a

range of other actions to enhance women's participation in the elections and to encourage political parties to nominate women as candidates. The following are among the innovative measures taken by UNTAET:

- Additional television advertising time was given to women candidates and parties that placed women in “winnable” positions on their candidate lists;
- Special training was provided for over 200 women who were potential candidates for the Assembly;
- Local community development council elections were held on a one-man, one-woman basis, promoting women's political participation and reinforcing perceptions that women should participate equally in governance;
- Quotas for women were established for the membership and staff of electoral management bodies;
- A quota of 30 per cent women was established for the public administration.

Source: Milena Pires, “East Timor and the debate on quotas” (http://www.idea.int/publications/quotas/Asia_Report.pdf), p. 39.

Even more important than the amount of media coverage devoted to women is the quality of such coverage. The media may perpetuate stereotypes of women in their traditional roles rather than conveying a positive image of women as political leaders. Women candidates may receive coverage focusing more on their personal qualities or their responsibilities as wives and mothers than on their political positions. In the print media, women candidates are sometimes relegated to the “women's pages” of newspapers. The quality of media coverage can have a major impact on the advancement of women as candidates and as voters. The portrayal of women in the media as active political participants and leaders can greatly boost their political participation. In countries with high illiteracy rates, radio and television can play an especially important role in promoting women's political confidence and participation.

Recommendations

Advancing women's political participation in post-conflict countries requires determined efforts not only by women themselves, but also by Governments, the international community and civil society. Action by political parties is particularly important. Some steps that can be taken by each of these groups are listed below.

Political parties should:

- Adopt internal democratic structures;
- In proportional systems, place women contenders high enough on the candidate lists to ensure they will be elected, including through such mechanisms as “zippered” lists, and consider voluntary quotas or targets for women candidates;
- In majority systems, establish voluntary targets or quotas to ensure a specified minimum number of women are put forward as candidates;
- Provide support and resources to ensure the election of women candidates;
- Make certain that women are fully represented in party leadership and policy committees;
- Clearly identify the advancement of women and issues of special concern to women as priorities in their platforms.

Government actors should:

- Ensure that political party laws and other election-related legislation do not indirectly disadvantage women;
- Consider legislation requiring political parties to adopt democratic procedures for their internal operations;
- Consider temporary special measures requiring political parties to include a substantial proportion of women high on their candidate lists;

- Provide incentives for political parties to promote women candidates, including resources, training and increased access to broadcast time. Providing increased airtime for women in politics between elections could also advance women's participation by enabling voters to make informed assessments at election time of the overall performance of political parties, including their support of women who have been elected as representatives.

International actors should:

- Provide advice on legislation, electoral systems and best practices that can advance women's participation in the electoral process;
- Assist in the training of women candidates;
- Provide training to political parties, journalists, security forces and others to convey the importance of women's political participation and gender sensitivity;
- Help establish and support cross-party cooperation among women;
- Provide support and training to women who have been elected to office to enable them to function more effectively in their new roles.

Civil society actors should:

- Identify women willing to run for office;
- Provide training and other types of support for women candidates;
- Lobby to ensure issues of special concern to women are addressed in party platforms;
- Lobby for legislative changes to advance women's empowerment;
- Develop cross-party networks of women;
- Develop and disseminate gender-sensitive messages for voter and civic education;

- Advocate improved media coverage of women's issues and women candidates;
- Persuade international donors to support projects aimed at advancing women's political participation.

The media should:

- Provide gender-sensitive coverage of elections, avoiding negative stereotypes and presenting positive images of women as leaders;
- Provide women candidates with at least as much airtime and print space as that given to men;
- Focus attention on issues of special concern to women in news programming;
- Undertake voter and civic education programmes aimed specifically at women.

Chapter 4

Voter Registration

Basic elements of voter registration

In almost all countries, voters must be registered in order to be eligible to participate in an election. Voter registration is intended to ensure that everyone entitled to vote can do so, to prevent ineligible persons from voting, and to guard against multiple voting by the same individual. The accuracy of the voter register is a key element in ensuring that all qualified constituents can enjoy the right to vote. Registration systems should be designed to ensure that women are not indirectly disadvantaged or disenfranchised, as can easily happen in post-conflict countries and elsewhere if procedures are not carefully planned and implemented.

Voter registration should begin with the premise that all citizens who have reached the required age have the right to vote. According to United Nations standards, people should not be denied registration as voters on the basis of such factors as race, sex, language or religion. It is widely accepted that citizens should not have to pay a poll tax or meet literacy, income or education requirements in order to vote. Voting can legitimately be restricted, however, on the basis of citizenship, mental capacity, or a criminal record.

Voter registers are the consolidated, official lists of all persons eligible to vote. The term “***voter list***”, in contrast, is often used to refer to a list of persons registered to vote in a particular constituency for a particular election. Voter registers and voter lists may be assembled and maintained in a variety of ways by a range of State and local authorities (see box 4.1). Some countries maintain national voter registers; in others,

voter registers or lists are created and maintained only at the local level. Some countries have established computerized national registers; others have not.

Box 4.1. Methods used to compile voter registers

Countries use many sources and methods to compile and update voter registers. A number of countries use more than one source or method. Some examples are as follows:

- *Links to national population records:* Albania, Belgium, Botswana, Canada, Croatia, Denmark, Finland, Hungary, Iceland, Italy, Lithuania, Mexico, Moldova, Netherlands, Norway, Pakistan, Panama, Poland, Seychelles, Slovakia, Spain, Sweden, Ukraine;
- *Links to police records of residence:* Armenia, Austria, Belarus, Croatia, Czech Republic, Lithuania, the former Yugoslav Republic of Macedonia, Slovakia, Switzerland;
- *Links to applications for government services:* Australia, Canada, Cape Verde, Chile, Japan, Panama, Seychelles, Slovakia;
- *Registration by voters at registration offices:* Australia, Bahamas, Barbados, Bosnia and Herzegovina, Botswana, Burkina Faso, Cambodia, Cape Verde, Chile, Costa Rica, Croatia, Dominica, Dominican Republic, El Salvador, France, Germany, Guatemala, Honduras, Ireland, Lesotho, the former Yugoslav Republic of Macedonia, Mexico, Moldova, Mozambique, Namibia, Nicaragua, Pakistan, Panama, Paraguay, Portugal, Saint Lucia, Saint Vincent and the Grenadines;
- *Door-to-door registration campaign:* Albania, Australia, Barbados, Belarus, Costa Rica, India, Ireland, Mexico, Pakistan, Panama, Saint Vincent and the Grenadines, Seychelles, South Africa, Turkey, United Kingdom;
- *Registration by mail:* Australia, Bosnia and Herzegovina, Canada, Germany, Ireland, United Kingdom;
- *Mobile election registrar:* Australia, Mozambique, Namibia, Panama, Uganda;
- *Internet registration:* Australia, Canada, Denmark.

Source: The Election Process Information Collection, a joint project of the Institute for Democracy and Electoral Assistance,

In many countries the voter registration list is drawn from a civil register that may also be used for other purposes, such as issuing national identity cards or distributing social benefits. In other countries voter registers are compiled strictly for elections and may not be used for other purposes. Any system a country uses to create and maintain voter registers should be clear, transparent and accurate. Voters should have an easy way to check for mistakes and have corrections made. When lists are prepared for each polling station, they should be posted publicly well before an election so eligible citizens can easily check whether they are properly registered. Ideally, political parties should also be given an opportunity to check the accuracy of the voter lists.

There are various systems of voter registration, each of which has advantages and disadvantages. All systems have elements that, if not carefully implemented, may work to the detriment of some women voters. Post-conflict situations may present a number of additional obstacles to successful voter registration, as described below.

Types of registration

The two main systems of voter registration are known as “self-initiated” and “State-initiated”. As indicated in the following, each can have an impact on women’s participation in elections.

In ***self-initiated systems*** (also known as “active” or “affirmative” systems), electors must take the initiative and register themselves to vote. Depending on the country, voters may or may not have to re-register for each election. An advantage of self-initiated systems is

that the registers created are designed specifically for electoral purposes. As such, they need not include as much information as other types of civil registers and can therefore be more protective of personal data, which may offer voters an extra measure of security. For example, a person's ethnicity may be identified in some civil registers, but any indication of ethnicity on voter registers in post-conflict countries could lead to intimidation. Registers created through self-initiated systems can usually be more easily controlled by electoral authorities, and therefore more accurately integrated into other aspects of the electoral process such as the issuance of voter cards or the distribution of voter education material. Systems of this type are somewhat more likely to exclude ineligible persons, such as those who have died or those who have permanently emigrated from the country.

Self-initiated systems may be particularly appropriate in some post-conflict situations. For example, if a conflict has left a country's civil records and local administrative structures severely damaged, creating a new voter register through the self-initiated efforts of eligible citizens may be more practical and accurate than relying on pre-conflict records or on administrative bodies that may not have the capacity to undertake a registration process on their own.

Because self-initiated systems require citizen initiative, they tend to leave out many who would otherwise be eligible to vote, especially in countries with high levels of voter apathy or low levels of voter education. Such systems can disadvantage women voters under certain circumstances. The convenience of the process may be an important issue, for example. If access to registration offices is difficult, or if hours of operation are limited, women with small children or those without easy access to transportation may be discouraged from registering. In countries in which women cannot move about freely,

visiting a registration station could be a challenge. In general, countries using self-initiated systems should devote considerable effort to voter education to ensure that as many eligible persons as possible register to vote.

State-initiated registration systems (also known as “automatic” or “passive” systems) are those in which electors are automatically registered by national or local authorities. This is often done on the basis of residence records maintained by police or other local government offices; such records may also be used in building national population registers. In some countries, authorities conduct door-to-door registration of voters, often repeating the process before each election.

State-initiated systems, if well administered, are more likely to ensure that all eligible voters are registered, though they do not guarantee that more of these constituents will actually turn out to vote. Since State-initiated systems are more inclusive, they are more likely to ensure that women as well as men are registered to vote. They can facilitate women’s participation in elections both as voters and as candidates, since voter registration is often a prerequisite to running for office. However, State-initiated registration can lead to serious problems or gaps if the lists are not well maintained and regularly updated. This can be an especially grave problem in post-conflict countries in which records have been destroyed or manipulated, or in which significant flows of displaced persons have rendered the lists obsolete.

Box 4.2. The registration of women in Afghanistan

The Bonn process that put an end to the Afghan civil war and Taliban rule called for the United Nations to conduct a voter registration exercise prior to the 2004 elections.

The task of setting up a system to ensure that women in Afghanistan would have the opportunity to register and vote

was a particularly difficult one. Not only had popular elections never been held in Afghanistan, but the political role of women had been greatly circumscribed by a socio-political tradition that had changed little over the centuries. In addition, women in Afghanistan had more recently been subjected to extreme repression under the Taliban regime.

It was clear from the beginning that a number of special measures would have to be taken to ensure women were able to register to vote. These measures included:

- Using women-only registration teams for the registration of women (which eventually posed a problem owing to the fact that, as a result of Taliban policies, there were relatively few literate women);
- Offering women a choice between a photograph and a fingerprint for identification purposes;
- Conducting targeted civic education campaigns for women carried out by women;
- Arranging for women to “train the trainers” for registration teams and civic education teams;
- Conveying targeted messages to male religious leaders explaining why it was important to allow women to register.

The result has been a comparatively high rate of registration by women—approximately 40 per cent of total registration. The rate is somewhat imbalanced, being below 20 per cent in one of the more conservative regions, but the overall figures are nonetheless encouraging and have exceeded most estimates. For the most part, women who wanted to register were able to register because they were well informed and because the registration procedures were culturally sensitive enough to remove obstacles to their participation.

Despite the inclusiveness of well-maintained State-initiated registration, such systems must be carefully managed, or women may be placed at a disadvantage. For example, a procedure must be in place to ensure that information is automatically updated for women who change their name or place of residence when they marry, or they might be inadvertently disenfranchised. Since State-initiated registration lists are often drawn from residence records that may be based on the male

head of household, it is important to be sure that all female members of the household are also included.

In some elections, voter registers may not be used at all; citizens may vote simply by presenting the required proof of citizenship. This may be necessary in countries holding an election for the first time, or in post-conflict societies in which many public records have been destroyed and there has not been enough time to compile a new voter register before election day. In such cases, voters' fingers may be inked as a precaution against double voting. Holding an election without a voter register, however, means that all the protections and safeguards built into a registration system do not operate for the election in question. There is also the option of combining registration and polling; the gender issue would be the need for effective civic education so women would know that if they went to the polling place and were eligible to vote, they would be registered and able to vote.

Obstacles to registration

Because voter registration entails compiling and maintaining accurate lists of virtually all adult citizens in a country and their places of residence, it can be an extremely complicated, time-consuming and expensive process involving a variety of local and national authorities. If a continuous system of voter registration is used (rather than a procedure established for a single election), effective procedures must be in place to ensure the inclusion of constituents who have recently attained voting age, and especially those who will reach voting age between the time of registration and polling day. Such a system must also ensure that people who change their residence can easily or automatically have their voter registration updated, and that the names of deceased persons are removed from the register. Voter registration systems need to take into account language

differences within a country, regional or ethnic differences that may affect registration, and difficulties faced by illiterate and disabled citizens. Countries issuing photo registration cards to voters need to consider ways to ensure that veiled women are not disenfranchised, possibly by giving them the option of fingerprinting or photographs, and by having women-only registration teams for the women. Voter registration systems should also ensure that citizens residing abroad do not lose their right to vote.

Another problem in many countries is that different people are eligible to vote in different types of elections. For example, many countries allow non-citizen permanent residents to vote in local but not national elections. Some countries allow their citizens who are temporarily living abroad to participate in national but not local elections. In such cases, the relevant authority must produce specific voter lists for different types of elections.

Voter registration in post-conflict countries can be particularly problematic. If a conflict has produced large numbers of internally displaced persons or refugees, this can play havoc with the voter registers. Since women usually make up the large majority of those displaced by a conflict, they are most at risk of losing their right to vote unless means are established to ensure displaced persons are registered. Conflicts may also have resulted in the destruction of voter lists in some localities. To further complicate the issue, many displaced persons may have lost their personal documents and may therefore be unable to verify their citizenship or residency. Displaced women may fear that registering in the communities in which they once lived could jeopardize their ability to receive assistance for themselves and their children in their new communities. In a volatile post-conflict atmosphere, people may be

reluctant to re-register as voters, fearing intimidation; women may be particularly vulnerable in this regard.

Recommendations

The factors mentioned above underscore the importance of authorities in post-conflict countries giving careful attention to voter registration. Inaccurate voter registers can disenfranchise voters, undermine public confidence in election results, and create opportunities for manipulation or fraud. Various actors in election processes can take steps to address these problems, thereby enhancing the quality of post-conflict elections and helping to ensure that women can enjoy their right to full political participation.

Government actors should:

- Develop voter registration procedures that are transparent, inclusive and do not indirectly disadvantage women;
- Ensure that in post-conflict situations internally displaced and refugee women and women who have lost their documents are given the opportunity to register and vote;
- Establish a simple and transparent procedure allowing citizens to make corrections to the voter lists, as well as an effective procedure to redress complaints;
- Consider the establishment of a national computerized voter register to help ensure the accurate, universal registration of voters, if national resources and capabilities make this a practical option;
- Collect registration and turnout data disaggregated by gender;
- Ensure adequate security during the voter registration process.

International actors should:

- Provide advice and assistance on effective voter registration methods;
- Help evaluate voter registration procedures with a view to ensuring they do not disadvantage women;
- Facilitate the registration and voting of refugees and displaced persons.

Civil society actors should:

- Encourage citizens, particularly women, to register and to vote;
- Design public information campaigns aimed at women to explain the registration process and how citizens can check their entries on the voter register;
- Monitor the voter registration process to assess its accuracy and inclusiveness.

Chapter 5

Voter and Civic Education

Why educate voters?

In every election, voter and civic education are necessary to ensure that all constituents—men and women alike—understand their rights, their political system, the contests they are being asked to decide, and how and where to vote. For an election to be successful and democratic, voters must understand their rights and responsibilities, and must be sufficiently knowledgeable and well informed to cast ballots that are legally valid and to participate meaningfully in the voting process. Voter and civic education are even more critical in post-conflict countries, where political situations may be volatile and where elections may have an unprecedented impact on the countries' future.

The term **voter education** is generally used to describe the dissemination of information, materials and programmes designed to inform voters about the specifics and mechanics of the voting process for a particular election. Voter education involves providing information on who is eligible to vote; where and how to register; how electors can check the voter lists to ensure they have been duly included; what type of elections are being held; where, when and how to vote; who the candidates are; and how to file complaints.

Civic education—a broader concept—is aimed at conveying knowledge of a country's political system and context. Civic education might include information on the system of government; the nature and powers of the offices to be filled in an election; the principal economic, social and political issues facing the nation; the value of

democracy; the equal rights of women and men; and the importance of peace and national reconciliation.

Voter and civic education can be critical in enhancing women's participation in elections, particularly in post-conflict countries in which women have not traditionally played an active role in the electoral process. Voter and civic education should therefore be accessible to women as well as to men. The information conveyed should be gender-sensitive and designed to be relevant to women. Civic education can help enhance women's participation in elections particularly through the dissemination of positive images of women as voters, leaders, and participants in all aspects of the political process.

In post-conflict countries, voter and civic education may be especially important because electoral processes—and even the system of government—may be new or unfamiliar to many voters. Since post-conflict countries are societies in transition, they provide an unparalleled opportunity to educate citizens on the equality of women and men, the importance of including women in all aspects of the political process, and the crucial contribution women can make to building democracy and peace.

Voter education

The goal of voter education is to make information available and accessible to all constituents. Voter education campaigns should seek to achieve universal coverage of the electorate. To do this effectively requires reaching out to disadvantaged groups as well as mainstream voters. For example, voter education should take into account factors such as high rates of illiteracy or the use of different languages in a country, even if there is only one official language. Minority groups, internally displaced persons and other marginalized segments of society should be specially targeted. Young adults eligible to vote for the first time may need special

messages explaining how to register and cast a ballot. Voter education should also include publicity encouraging people to vote.

Voter education should specifically target women as well as men. It should make clear that suffrage is universal and should help create a culture in which women are encouraged to participate and are welcomed into the electoral process. In some countries it is particularly important to launch special educational campaigns aimed at women, highlighting the fact that they have the right to vote. It is often appropriate to craft special messages for women voters and to take generational issues into account when doing so. Meetings especially geared to educating women as voters may be organized as necessary. Arranging childcare so women can attend these sessions may help ensure their success. In post-conflict countries in which security remains a problem, safe resource centres should be established where such gatherings can take place. Carefully targeted voter education can also help alleviate “double discrimination”, which may occur when women are also members of disadvantaged ethnic minorities. Information on the importance of women’s participation should also target men.

A particular issue that often affects women and merits attention in voter education efforts is the confidentiality of the vote. According to United Nations standards and international human rights law, each ballot must be secret and independent. Most national laws also have provisions to this effect, though such provisions are not always enforced. Men and women must both understand that “family voting”—a practice in which one family member casts ballots on behalf of the entire family, or in which a husband and wife enter the voting booth together—is not an acceptable practice in democratic elections. Family voting is particularly likely to detract from women’s ability to cast individual and secret ballots. In its worst form, family voting constitutes a type of fraud in which women are deliberately deprived of their right to vote. If

perpetrated deliberately and on a large scale, family voting can bring into question whether an election outcome reflects the will of the people.

Effective voter education campaigns start early and continue throughout the election process. Very early in the process, constituents should be informed about voter registration procedures so they have ample time to register. They should be told how and where to check their respective voter lists to ensure their entries are correct. Voters should be informed of the type of election to be held, the polling date and location, when the polling station will be open, and how to cast their ballots. Voter education should be provided even on election day; there should be posters and other materials inside the polling stations, and even inside the voting booths, explaining the voting process and how to mark the ballot.

The Government, and in particular the national election management body, is primarily responsible for voter education. However, the public and private media, political parties, and non-governmental and international organizations can also play a vital role in spreading the message (see boxes 5.1 and 5.2). A creative approach can help ensure information spreads further and is better understood. While some election management bodies may limit themselves to posters and direct mailings to voters, other groups might organize materials or activities such as street theatre, role playing, radio spots, jingles, songs, comic strips or Internet campaigns to ensure that all voters—women as well as men—have access to the information they need to participate intelligently in the voting process. Women’s groups can be especially effective in developing material that will resonate with women voters. It is good practice, however, to have all voter education material vetted by the election management body to ensure its accuracy. Ideally, election management bodies should also check privately generated voter education material to ensure that it is gender-sensitive.

Box 5.1. Voter education and democracy in Kenya

During the 2002 presidential election in Kenya, the United Nations Development Programme (UNDP) coordinated a multifaceted voter education and training initiative that included community-based voter education, the monitoring of civic preparedness and the evaluation of pre-electoral environments with local observers. With support coming from many other organizations as well, the programmes demonstrated the popular commitment to open democratic processes at every level and reinforced the readiness for change and commitment to democracy among the Kenyan people. The elections were ultimately considered to be the freest and fairest Kenya had held up to that point.

Source: UNDP, Essentials, No. 14 (December 2003).

Civic education

Voter education is most effective when linked with a programme of civic education that puts the election into context for voters and provides an explanation of the election's purpose, the surrounding issues, and their significance. Ideally, civic education will be built into a country's educational system so that when children reach voting age they will already understand the basis of the national and local political and electoral systems. However, since this is not always the case, and since these systems may change over time, it is vital to have a continuing programme of civic education linked to electoral processes. Moreover, if women are disadvantaged in a country's educational system, they may not have received the civic education necessary to enable them to participate in elections in a well-informed manner.

Box 5.2. Encouraging women to vote: a poster from South Africa



Source: Reproduced from the ACE Project web site at http://www.aceproject.org/main/samples/ve/vex_p008.pdf.

In many post-conflict countries, the peace settlement establishes a new form of government and a new type of electoral process. In some instances these systems can be extremely complex and characterized by intracountry variations. This underscores the special need for broad programmes of civic education in such settings.

In countries emerging from conflict, civic education should begin with an explanation of the nature and importance of the peace agreement, the advantages to be gained from national reconciliation and peace-building, and the manner in which an honest election can contribute to this process. It should communicate the advantages of democracy. It should also focus on the human rights of all citizens, especially their civil and political rights with regard to the upcoming election. Emphasis should be placed on the equal rights of women and men, both in regard to the election and more generally. Both men and women may need civic education to understand the importance of women's full participation in the political process. In post-conflict societies, civic education can highlight the importance of

women's knowledge and expertise in the areas of reconstruction and national reconciliation, as well as the importance of their equal involvement in the political process. A key objective of civic education is to motivate all voters to participate in the elections.

The governing authorities of a country are primarily responsible for civic education. Given that elections are highly political, it is crucial that government-sponsored civic education be neutral and accurate, and that it not be seen as favouring any party or candidate. Many other groups can make valuable contributions to civic education as well. Women's associations and other non-governmental organizations can be particularly effective in developing gender-sensitive messages that disseminate a positive image of women as full and equal participants in governance, including as politicians and national leaders. In some post-conflict countries, women's groups have been particularly effective in educating the public on peace-building in the context of an election and mobilizing public opinion in favour of maintaining the peace. Political parties are often best placed to provide information on specific candidates and issues, including issues of special concern to women. The media can play a key role in breaking down negative stereotypes of women and encouraging their full participation. The international community can also make constructive contributions to civic education, drawing on its substantial experience in promoting women's participation in elections in post-conflict countries.

Recommendations

Government actors should:

- Develop and disseminate comprehensive programmes of voter and civic education, starting

well before each election and continuing throughout the election process, and ensure that the material used is accurate and politically neutral;

- Provide sufficient resources to ensure such programmes reach all citizens, especially women;
- Initiate special voter and civic education programmes for target groups, including women, minorities, displaced persons, youth and others who may be less likely to vote, as well as programmes on women's participation aimed at men;
- Ensure that election officials and voters understand that family voting is wrong and could be considered a form of fraud;
- Review all materials to ensure they are gender-sensitive;
- Develop gender-sensitization programmes for personnel responsible for civic and voter education.

International actors should:

- Support gender-sensitive voter education programmes and ensure women's full participation in their design and dissemination;
- Support civic education programmes that include information on the benefits of democracy, reconciliation and peace-building, and on the equality of women and men;
- Provide funding for voter and civic education programmes aimed at increasing women's participation;
- Develop and support voter and civic education training opportunities for women.

Civil society actors should:

- Develop gender-sensitive voter and civic education messages that highlight the capacities of women as candidates and political leaders, encourage women to run for office, break down negative stereotypes of

women, and promote women's full participation in the electoral process;

- Help ensure that all voters and election officials understand that family voting is not acceptable and could constitute a form of fraud;
- Ensure that all women have access to voter education;
- Design training programmes on women's participation that are targeted at men;
- Monitor the Government's voter and civic education programmes to ensure that they are accessible to women and are gender-sensitive.

Chapter 6

Election Administration

Why focus on election administration and women's participation?

Elections are usually administered and supervised by election management bodies, also commonly known as election commissions, which have broad powers to implement election laws, issue regulations, adjudicate complaints, and oversee the process of campaigning, voting and counting. The honest and impartial operation of these bodies is crucial to successful election administration and to building and maintaining public confidence in the election process. The challenges facing these bodies can be enormous, especially in post-conflict countries, where the procedures may be new, the political stakes may be extremely high, and the commitment to democracy among former combatants may be weak.

The decisions and policies implemented by election management bodies can have a significant impact on women's participation in elections. Even decisions that may seem gender-neutral, such as polling hours, the locations of polling stations, and the design of the ballots, can have a substantial influence on women's participation. Therefore, election bodies need to adopt a gender perspective to ensure their decisions work to maximize the participation of all electors. Election bodies at all levels should include women as part of their membership and leadership, particularly in post-conflict countries (see box 6.1).

Types of election administration

Election management bodies are organized in a number of different ways. In many countries they have a tiered operational structure, with a national election management body (or central election commission) at the top, regional or district bodies reporting to it, and a polling station management body at each polling station. There may be more or fewer levels depending on the size of the country. The specific powers accorded to the election administrators at each level vary depending on the provisions of a country's election laws. Usually, the national election body will be authorized to issue binding instructions to lower-level bodies; when this is not the case, it may lead to disjointed or inconsistent application of election procedures, which can diminish confidence in the process.

Box 6.1 Report of the Secretary-General on women's equal participation in conflict prevention, management and conflict resolution in post-conflict peace-building

In a December 2003 report to the United Nations Economic and Social Council (E/CN.6/2004/10), the Secretary-General highlighted the important role of national election commissions in promoting women's participation in elections in post-conflict countries:

“42. All those negotiating peace agreements, and in particular the mediator and the parties to the conflict, need to ensure that peace agreements contain provisions for the conduct of elections and, without establishing a rigid time frame, call for priority action and compliance with the following:

“(b) Establishment, by the transitional government, of an independent and neutral national electoral commission that includes an equal number of women and men and whose membership and mandate is the result of consultations with civil society groups, including women's organizations;

“(c) Organization, by the national electoral commission, of voter education and registration programmes that are readily available and accessible, as well as appropriate, to all women voters, and where necessary provided for women alone; provision of security by international and/or national security/police forces to ensure women’s attendance in such programmes”.

Election management bodies can be constituted on the basis of several different models. In some countries, they are made up of civil servants, judges or other experts on elections; this “neutral” or “professional” model is the one most often used when the United Nations or other international organizations are involved in setting up an election management body. A body of this nature is ideal in many ways, as it can bring a high level of experience, professionalism, impartiality and skill to the administration of an election. However, in countries in which levels of trust and confidence in the public service are low, or in which the judiciary is not sufficiently independent, this model can detract from public confidence in an election. In other countries, election management bodies may be made up of prominent individuals or experts appointed by the legislative or executive branch of government. Again, this model works well to the extent that voters and political parties have confidence in the independence and integrity of those appointed. Election management bodies may also comprise or include representatives of political parties. This model has the potential disadvantage of politicizing the administration of elections, but it can be useful in building confidence in countries (such as those emerging from conflict) in which there are doubts about the honesty and integrity of the election system. However, since political parties can usually appoint only a single member to a national election body, the result may be that fewer women have the opportunity to serve in this capacity.

National election management bodies tend to operate most effectively when they are permanent and have members appointed for a term of several years. In contrast, most polling station boards are constituted only a few weeks or months before an election. To build confidence, election management bodies at all levels should operate independently, impartially and transparently. Meetings may be open to the public, and decisions on controversial issues should be taken only after careful consideration of all relevant issues. Election management bodies should always try to operate in a spirit of consensus. Since decisions on election issues are often of extreme political sensitivity, those taken by vote rather than by consensus can undermine the election management bodies' appearance of neutrality and professionalism.

It is a best practice for election management bodies at all levels to include women as full participants. This not only guarantees gender balance, but can also help ensure that these bodies take women's perspectives into account as they decide how specific elements of the election will be administered, particularly if all election administrators are provided with gender training. When necessary, special training can be made available for women to ensure that they are qualified to assume positions as election administrators. Management bodies should adopt a clear policy on advancing women's electoral participation. They should appoint a focal point or committee to consider how pending decisions will affect women as well as men. Experienced international actors can provide useful advice to electoral management bodies on ways to ensure their decisions work to increase women's participation (see box 6.2).

Box 6.2. East Timor: the inclusion of women in election management bodies

For the 2001 Constituent Assembly elections in East Timor, the United Nations Transitional Administration adopted

special measures to integrate East Timorese women—through active recruitment— into the Independent Electoral Commission. The following quotas were established: 2 electoral commissioners, 5 headquarters staff, 26 staff officers at the district level, 65 subdistrict officers, and 500 polling station officials.

Source: Milena Pires, “Enhancing women’s participation in electoral processes in post-conflict countries: experiences from East Timor”, a paper prepared for the expert group meeting on “Enhancing women’s participation in electoral processes in post-conflict countries”, Glen Cove, New York, 19 to 22 January 2004 (EGM/ELEC/2004/EP.6).

Note: Although there were two women electoral commissioners, only one was a native of East Timor.

Election administration functions that can affect women’s participation

Decisions taken by election management bodies can have an important impact on women’s ability to participate in elections. Some examples are as follows:

- **Selecting election administrators.** In many countries, the election management body or bodies at each level appoint the body(ies) at the next lower level, thereby determining how many women actually serve as election administrators.
- **Qualifying and training election administrators.** The national election management body often sets the specific criteria and educational requirements for election workers, from senior administrators to polling station workers. If the criteria are set unnecessarily high, they may disproportionately disadvantage women.
- **Compiling voter lists.** To the extent that election management bodies determine procedures for voter registration, they should keep in mind that women are more likely to be registered under State-initiated systems, in which the Government automatically

registers all eligible citizens to vote, provided the State has the skills and resources to make such a system work effectively. In systems in which individual voters must register themselves, election management bodies should ensure that the need to register is well-publicized, that voter registration stations are easily accessible, and that procedures are quick and simple. Special attention should be devoted to registering displaced persons, most of whom are women.

- **Educating voters.** Election management bodies are usually responsible for designing and administering voter education programmes. Well-thought-out, gender-sensitive programmes can increase women's participation, while poorly designed programmes can result in lower rates of participation among women.

- **Certifying candidates.** The submission of a list of signatures or the payment of a monetary deposit is usually required to become a candidate; if either of these requirements is too high, or if election management bodies are not impartial in applying the rules, potential women candidates may be placed at a disadvantage.

- **Setting up polling stations.** Women voters may be at a greater disadvantage than men if election management bodies establish polling stations at inconvenient locations, if polling hours are too short, or if too few polling stations are opened and voters have to wait in long lines. In some countries, election management bodies may need to consider establishing separate polling stations for women in order to provide them with an opportunity to vote in an environment free of intimidation and pressure and thereby increase the likelihood of their participation.

- **Designing and printing ballots.** Illiteracy usually affects more women than men. In countries with high rates of illiteracy, election management bodies should

design ballots that include party emblems or photographs of candidates in order to facilitate voting. If there are minority languages in a country, it is good practice to print ballots and voter education material in all the languages commonly used.

- **Overseeing voting.** Election bodies, especially at the polling-station level, must take care to ensure the secrecy of the ballot and to prevent family voting as a critical element in ensuring that women can cast confidential, independent ballots.

- **Ensuring a level playing field for all candidates.** Creating equal conditions for all candidates is typically a key function of election management bodies. While this is usually seen in terms of equal treatment for contesting political parties, it applies equally to men and women candidates. High campaign spending limits work to the benefit of the richest candidates, who are usually men. Failure to prevent incumbents from unfairly using public resources for their campaigns can disadvantage women, since incumbents are most often men. Weak or vague media regulations may mean that women candidates do not get equal access to or treatment in the mass media.

- **Preventing intimidation.** Intimidation during the election campaign and at the polls may be a problem, especially in post-conflict countries. In some circumstances women voters and candidates may be more likely than their male counterparts to experience intimidation. Providing adequate security at polling stations is one step election management bodies can take to address this issue. More generally, however, they should work to foster a peaceful campaign environment.

- **Counting ballots.** Even the process of counting ballots may disadvantage women in certain circumstances. As a rule, ballots should be accepted as valid if the intent of the voter is clear. The adoption of

overly strict rules for determining the validity of ballots—for example, requiring that a ballot with a check mark rather than a cross next to the chosen candidate be disqualified—can work against illiterate or poorly educated voters, including women.

- **Adjudicating complaints and appeals.** Election management bodies should ensure that complaint and appeals procedures are clear and easy to use.
- **Planning for future elections.** To the extent possible, election management bodies should collect sex-disaggregated data on all aspects of the electoral process, including voter registration and voter participation, in order to highlight any discrepancies or weaknesses that might require attention.

Recommendations

Given that many types of election procedures can directly or indirectly discriminate against women, election management bodies must be alert to the possible effects of all their decisions. As noted above, post-conflict countries have additional circumstances that must be taken into account. Some key recommendations for various actors involved in election administration are presented below.

Election management bodies should:

- Seek gender balance in their membership at all levels and create incentives for women to become election administrators;
- Develop a policy on gender aimed at enhancing women's participation in the election process;
- Train staff to be sensitive to gender issues;
- Ensure the secrecy and independence of the vote;
- Collect sex-disaggregated statistics on the election process in order to evaluate women's participation

and identify aspects of the process that can be improved.

Government actors should:

- Establish electoral procedures that do not discriminate against women, and that are administered by neutral bodies sensitive to gender issues;
- Ensure that all State agencies involved in elections—including, for example, police investigating electoral transgressions—are trained to respect the rights of women;
- Provide sufficient resources to election management bodies to enable them to implement gender programmes.

International actors should:

- Ensure that peacekeeping missions involved in post-conflict elections do the following: (a) give priority to enhancing women's participation in election processes; (b) ensure gender balance in their electoral missions and deploy personnel with expertise in gender and elections, as well as personnel who are gender-sensitive; (c) provide sufficient up-front funding for elections, including for women's participation in elections; (d) where possible, include capacity-building in electoral administration as part of the mandate of the mission, and ensure that women are given equal opportunities to benefit from such capacity-building;
- Provide advice on best practices to enhance women's participation in elections;
- Provide post-election support to permanent election management bodies in order to contribute to the consolidation of their achievements in election administration.

Civil society actors should:

- Advocate that election management bodies incorporate a gender perspective in their decisions;
- Develop independent monitoring mechanisms to identify and report on gender bias in the electoral process;
- Identify qualified women to serve on election management bodies.

Chapter 7

Election Observation

Why observe elections?

Election observation is a valuable tool for improving the quality of elections. Observers help build public confidence in the honesty of electoral processes. Observation can help promote and protect the civil and political rights of participants in elections. It can lead to the correction of errors or weak practices, even while an election process is still under way. It can deter manipulation and fraud, or expose such problems if they do occur. When observers can issue positive reports, it builds trust in the democratic process and enhances the legitimacy of the governments that emerge from elections. Election observation by domestic groups encourages civic involvement in the political process. Following elections, reports and recommendations by observer groups can lead to changes and improvements in national law and practice.

Observation takes on heightened importance in post-conflict countries, in which groups that have been contesting on the battlefield may harbour strong suspicions of the political system and the election process. In such cases, observation makes an important contribution to peace-building, since creating confidence in elections can help promote national reconciliation and sound democratic practices. Election observation by the United Nations or other intergovernmental organizations can be especially helpful when domestic observer organizations do not have sufficient strength or resources to organize effective monitoring efforts, or when the impartiality of domestic observers is in question, as may often be the case in post-conflict countries or new democracies. However, international

observers are typically less knowledgeable about the country they are observing, and a few may bring their own biases to the observation. In extraordinary circumstances international observers or supervisors in post-conflict countries may even be given the authority to certify or invalidate election results. Generally, however, observers have no power to interfere in the election process, but may only observe, assess and report.

Carefully designed and conducted election observation can improve the implementation of the human rights of women and help to enhance their participation in electoral processes. Comprehensive observation should include an assessment of how all elements of an election process affect women as well as men. Targeted observation efforts can focus specifically on aspects of women's participation in elections. Since women should have the opportunity to participate equally as observers, observation itself can serve to bring more women into the political process.

When to observe?

Any election can be enhanced by observation, but comprehensive observation is particularly helpful in countries in which a significant proportion of the population may lack trust in the electoral system. Post-conflict countries are among the best examples of this, but the same may be true of countries holding their first democratic elections, new democracies that have held very few elections, countries with weak human rights records, or countries with extremely strong executive powers and long-time rulers. It is a good practice for all countries to welcome international and domestic observers.

There are many practical issues to consider before deciding whether and how to observe an election:

- Does the election law make provision for observers? Will they be allowed into polling stations and counting centres?
- Do observers have clear rights under the law to receive copies of official documents and election result protocols, and to collect other information?
- Will the election management body or another authority provide accreditation?
- Are sufficient personnel available for the observation? Do they have the necessary expertise, or can they be trained in time?
- Is enough funding available to complete the observation?
- Is the security situation sufficiently stable to ensure the safety of observers?

If the answer to one or more of these questions is no, then a credible observation may not be possible.

For international organizations contemplating observing an election, another important consideration is the attitude of the host Government and other local actors. If the host Government does not issue an invitation, an observation mission may be impractical. If key local groups such as the major political parties (including opposition parties) and non-governmental organizations do not see any value added in international observation, then organizing a mission may not be worthwhile. It is good practice for international organizations to organize a preliminary visit, or needs assessment mission, before deciding whether and how to observe an election.

In planning for election observation, it is important to remember that elections are a process, not a one-day event. Comprehensive observation therefore requires a careful look at the entire pre-election period and post-election developments, as well as what happens on election day. However, election observation does not

have to be comprehensive; it can also be designed to focus on a specific region, or on a particular aspect of an election. For example, an observation can be planned entirely around the question of women's participation and how the various elements of the process affect women. Alternatively, it might focus on minority groups or displaced persons, or on particular thematic aspects of an election such as voter registration, media coverage or the accuracy of the vote tabulation.

Composition and functions of an observation mission

Once a decision has been taken to observe an election and clear objectives for the mission have been set, appropriate personnel must be recruited to ensure mission goals are met. For comprehensive observation, this means assembling a team that includes experts in election administration, law, political affairs, human rights including women's rights, media, statistics and logistics. In post-conflict countries, it may be necessary for the observation mission to have one or more security experts. Additional experts might be needed to deal with specific issues or problems such as minority groups, dispute resolution or electronic voting.

It is good practice for observation missions to include a gender expert who can focus exclusively on how election procedures will affect women's participation. In general, however, gender issues should be mainstreamed into the work of the observation mission; all members of the mission should participate in assessing how elections affect both men and women. Observer groups, and particularly national groups, should include equal numbers of women and men. All observers should be gender-sensitive and should receive some basic training on how election procedures can affect men and women differently.

The composition of the core observer team may vary somewhat, depending on whether the observation is being organized by an international organization, a non-partisan domestic group, or a political party. Observation by any of these types of groups can be helpful in building confidence. However, observers from the United Nations or other international organizations will often be perceived as more impartial than domestic groups. Political party observers will be perceived as the least impartial and objective observers. International observation groups usually keep themselves separate from domestic groups in order to preserve their image of impartiality, since the credibility of their assessment and conclusions will depend to a large extent on whether they are perceived as neutral and impartial. At the same time, however, there are advantages to a certain level of cooperation between international and domestic observer groups, and the very presence of international observers can, in itself, be seen as supportive of the domestic observation process.

Ideally, an observation mission should start its work months before election day, reviewing the legal framework, monitoring voter registration and candidate registration, evaluating the work of election management bodies, assessing the political campaign, and following media coverage of the election. It should observe developments around the country, not just in the capital city.

On election day, the long-term observation team should be supplemented by a large number of short-term observers whose task is to follow up on developments at polling stations and monitor the vote count. In the best cases, observation missions will be able to arrange full-time coverage of every polling station. Domestic observer groups are usually better able than international observers to organize such large missions. When it is not possible to cover all or most of the polling stations, a

representative sample should be observed, including urban and rural polling stations in all parts of the country; the larger the sample, the more accurate the results, provided the sample is truly representative. Observation of several hundred representative polling stations can produce an excellent statistical sample. Polling station observers should be trained on what to look for and asked to fill out standard forms or checklists that can be used to assess national trends. Some domestic observer groups have had success organizing parallel vote tabulations, sometimes called “quick counts”, on election night. This is a process through which observers report actual polling station results to a central point, where they are tabulated; the process, if properly organized, can provide a valuable means of checking whether officially announced results accurately reflect what happened at the polling stations.

At the end of the observation process, an observer group should issue a report conveying its findings and assessments of the election process. It is particularly important to assess whether an election was held in accordance with domestic law and with international standards for democratic elections. Observation reports should highlight any weaknesses in the election process and should provide recommendations for improvement.

Gender and election observation

An election is not in compliance with international obligations and standards unless it includes the opportunity for full and equal participation by women as well as men. Since gender issues tie in with all aspects of an election, they should be an integral part of the observation methodology. Observers should therefore evaluate how various aspects of elections affect men and women in different ways (see box 7.1). Some of the aspects of an election that observers should assess for

their impact on women's participation include the following:

- The ***legal framework*** and whether it includes clear provisions on the equal civil and political rights of women; and whether any aspects of the election law, political party law or other election-related legislation and regulations indirectly disadvantage women;
- The ***election system***, recalling that proportional systems are more likely than majority systems to result in the election of women, and that closed candidate lists tend to result in the election of more women;
- The effectiveness and enforcement of any formal or informal quotas or other ***temporary special measures*** aimed at accelerating the de facto equality between men and women, if such measures exist, or whether it might be appropriate to institute such measures if they do not exist;
- The ***election administration***, taking into account whether women serve on election management bodies in equal numbers as men; whether decisions on election operations—including voter registration, ballot design, voter education and polling procedures—have been taken with the needs of women in mind; and whether the election management body has adopted a clear policy on gender; and also taking into account polling procedures and voter turnout on election day;
- ***Political parties*** and the extent to which they have included women equally in their operations, decision-making bodies, and candidate lists;
- The ***media*** and whether they convey a positive image of women as voters, candidates and political leaders.

All members of an election observation mission should be sensitive to these issues, and should pursue information on women's participation as part of their normal duties. Every meeting with a government official, election administrator, political party representative or other person connected with the election process provides an opportunity to collect information on women's participation. Collecting statistical data can be particularly helpful in analysing women's participation and assessing whether trends are moving in a positive direction.

Box 7.1. Basic questions on women's participation for an election observation mission

The Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights, a major election monitoring office, has developed a detailed methodology for monitoring women's participation in elections as a part of more comprehensive election observation. Its election observation missions are expected to assess a range of issues affecting women's participation. Essentially, however, all of its observation missions are asked to consider the following questions:

- Do women have an equal opportunity to take part in the political process? If not, what barriers stand in their way? In particular, are there any legal obstacles to women's equal participation as voters, candidates, or elected leaders?
- If opportunities are equal, are women taking advantage of them, and if not, why not? For example, are rates of illiteracy, unemployment or poverty higher among women? Are there other political or societal barriers to women's participation?
- Are there any particular regional, minority, ethnic or religious groups among which women's participation is appreciably lower than among the general population?
- Could any changes be made to law or practice that would result in greater or more equal participation by women? If so, what are they?

Source: OSCE/ODIHR, *Handbook for Monitoring Women's Participation in Elections* (Warsaw, 2004).

On election day, polling station observers can assess the numbers and proportions of women working as election officials and heading polling station boards. Observers may be able to collect data on the numbers of men and women who have voted, or at least to form an impression of whether men and women are voting in the same numbers. Observers should be watchful for instances of family voting, which can deprive women of their right to cast a secret and independent ballot and which may constitute fraud if carried out deliberately and on a wide scale. Observers can also make a general assessment of whether any polling procedures are disadvantageous to women.

Recommendations

Election observation missions can make valuable contributions to enhancing public confidence in elections, especially in post-conflict countries in which levels of trust in the electoral process may be low. Observation can also help in the assessment and advancement of women's participation in electoral processes. Strategies different actors can adopt to maximize their effectiveness are listed below.

Election observation missions should:

- Ensure gender balance in their composition;
- Address gender issues and evaluate elections from a gender perspective;
- Receive training on gender issues and on the electoral rights of women; for international observation missions, such training should be received before arriving in a country;

- Draw attention to critical points of the election process at which women may be disadvantaged, including through major electoral fraud in which men vote multiple times, allegedly on behalf of their families;
- When providing an overall assessment of an election, give full weight to the extent to which the women have been able to exercise their rights;
- Collect sex-disaggregated data on the election process;
- Make recommendations on electoral improvements that would lead to greater political participation by women.

Government actors should:

- Invite international and domestic observer groups to monitor their elections;
- Facilitate the work of observers by providing accreditation and information;
- Encourage observer groups to focus on women's participation in elections.

International actors should:

- Support observation missions set up specifically to look at women's participation in elections;
- Encourage all Governments to invite international election observation missions and to welcome observation by non-partisan domestic observer groups;
- Be prepared to view significant transgressions of the electoral rights of women as sufficient in themselves to render an election not free and fair;
- Continue to support the process of transition, democratization, and equality after the election is over.

Civil society actors should:

- Organize briefings by women's organizations and prominent women leaders for election observation missions, both international and domestic;
- Actively seek credentials as non-partisan election observers;
- Review election monitoring reports and advocate for reform.

