



50/50 POLICY BRIEF NAMIBIA

MAY 2020



Namibia came within a hairbreadth of attaining gender parity in the 2019 elections.

Photo: Colleen Lowe Morna

Key facts

This policy brief sets out key issues and options for the increased representation of women in politics in Namibia following the 2019 elections. The issue is of critical importance given that:

- Namibia has local government and regional elections in 2020.
- Elections at both local and national level are run on a Proportional Representation (PR) electoral system that is generally more favourable to women's representation.
- The ruling South West Africa People's Organisation (SWAPO) has a 50% one woman, one man (or "zebra") quota. This played a key role in delivering 46% women to the House of Assembly in 2019. The 2019 elections paved way for young women in leadership in Namibia.
- There is a legislated 30% quota for women at the local but not national level in Namibia. Last year former South West African People's Organisation (SWAPO) MP Eunice Iipinge introduced a motion in parliament for a 50% legislated quota at local and national level. The motion received broad support but has not been enacted.
- Regional elections are run on a First Past the Post (FPTP) basis. This largely accounts for the very low representation of women (17%) in this tier of government.
- Article 23 of the Namibian Constitution acknowledges that women were previously disadvantaged in many areas of life including politically.

These facts present both a threat and an opportunity to debate electoral systems and quotas, the experiences to date and how they can be enhanced to "step it up for gender equality" by 2030.

	Last election/ announcement	Next elections	Electoral system	No of seats/ candidates/ appointments	No of women elected	% of women elected
Local government	2015	2020	PR	230	110	48% ¹
Regional councils	2015	2020	FPTP	121	20	17% ²
House of Assembly (lower chamber)	2019	2024	PR	104	48	46% ³
National Council (upper chamber)	2015	2020	Indirectly elected	42	8	19% ⁴
Presidential elections	2019	2024	PR	11	1	9%
Cabinet	2019	2024	Appointments	21	8	38%

Source: Source: Electoral Commission of Namibia and GL computations.

Constitutional provisions

The Namibian Constitution provides for formal equality before the law for men and women and outlaws discrimination on the basis of sex. Article 10: Equality and Freedom from Discrimination⁵ states that:

- (1) All persons shall be equal before the law.
- (2) No persons may be discriminated against on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status. Section 67 states that every citizen has the right to make political choices freely, to join and to participate in the activities of political parties, to campaign freely, to stand as a candidate.

The Constitution (Article 23) provides for **affirmative action** as follows:

- (1) Parliament shall enact legislation providing directly or indirectly for the advancement of persons within Namibia who have been socially, economically or educationally disadvantaged by past discriminatory laws or practices, or for the implementation of policies and programmes aimed at redressing social, economic or educational imbalances in the Namibian society arising out of past discriminatory laws or practices, or for achieving a balanced structuring of the public service, the police force, the defence force, and the prison service.
- (2) In the enactment of legislation and the application of any policies and practices contemplated by paragraph (2), it shall be permissible to have regard to the fact that women in Namibia have traditionally suffered



SWAPO Party leaders during a campaign rally ahead of the November 2019 elections. Photo: Kaino Kamweka

special discrimination and that they need to be encouraged and enabled to play a full, equal and effective role in the political, social, economic and cultural life of the nation.

The Constitution's Article 95 (a) on Promotion of the Welfare of the People provides for: enactment of legislation to ensure equality of opportunity for women, to enable them to participate fully in all spheres of Namibian society.

Key institutions for the promotion of gender parity in elections

The Namibia Constitution provides for the establishment of the Delimitation Commission (responsible for regional boundaries); the Electoral Commission of Namibia (established by the now repealed Electoral Act 24 of 1992 and mandated to organise, direct, supervise, manage and control

¹ Commonwealth Local Government Country Profile, Namibia, 2018 accessed on 3 March from http://www.clgf.org.uk/default/assets/File/Country_profiles/Women_councillors2018.pdf
² Election Watch Namibia, Women Lose out in regional council elections; accessed on 21 May 2020 from <https://neweralive.na/posts/women-lose-regional-council-elections>
³ Electoral Commission of Namibia, 2019 Election results accessed on 3 March 2020 from <https://www.ecn.na/elections-2019-2/>
⁴ International IDEA, Gender and Quotas Database, Namibia country data, accessed on 13 May 2020 <https://www.idea.int/data-tools/data/gender-quotas/country-view/223/35>
⁵ The Constitution of the Republic of Namibia

the conduct of elections and referenda in a free, fair, independent, credible, transparent and impartial manner)⁶; the Office of the Ombudsman⁷ (established by the Ombudsman Act, 1990 with a mandate covering human rights violations, which includes the protection, promotion and enhancement of respect for human rights in the country); and the National Youth Council (responsible for the empowerment of youth).

Constitution that also sets the broad parameters for the Electoral Law. Article 46 (1)(a) of the Constitution states that elections shall be based on the Proportional Representation (PR) electoral system. Namibia has a bicameral parliament with the use of voluntary party quotas and legislated quotas at the sub-national level.

The National Assembly: The table shows that 96 out of 104 seats are distributed among parties based on the percentage vote that they garner in the elections (i.e. on a PR basis). The remaining eight seats are special appointments by the President designate to marginalized groups and persons with disability. There is no Constitutional quota for the National Assembly. The ruling South West African Peoples Organisation (SWAPO) has elected to use the “zebra” (one man, one woman) system for their party lists.

Electoral system and quotas

Namibia is a unitary democratic republic with three spheres of government: national, regional and local. The electoral system for Namibia and women's participation are spelled out in the

Criteria	Number	Electoral system	Special provisions
Elected from provinces (10 candidates x 9 provinces)	96	PR	None
Marginalised groups (youth, women, persons with disability)	8	Special appointments by the President	Marginalised groups
TOTAL	104		



Namibia President Dr Hage Geingob votes during the November 2019 elections. Photo courtesy of Electoral Commission of Namibia

Local government

Regional and local government are enshrined in Chapter 12 of the Constitution. There are 14 regional councils and 57 unitary local authorities. The last regional and local authority elections were held in November 2015. The next regional and local authority elections will be held in 2020. The main governing legislation at local level is the Local Authorities Act 1992 and the Regional Councils Act 1992. Namibia has a minimum 30% requirement for women in local government. The Local Authorities Act 1992 states that:

“The members of a local authority council shall be elected on party lists at a general election and each party list shall contain as candidates for such election:

- a) In the case of a municipal or town council consisting of 10 or fewer members or a

National Council

Each of the 14 regions of Namibia elects three representatives to serve on the National Council (42 in total). The last regional council elections were held on 27 November 2015 and the next will be held in 2020⁸.

⁶ Electoral Commission of Namibia, core values accessed from <https://www.ecn.na/about-us/> on 5 May 2020

⁷ John Waters, The Constitutional Mandate of the Namibia Ombudsman, accessed on 5 May 2020 from https://www.kas.de/c/document_library/get_file?uuid=11ac0afe-65d7-745c-3a7a-e4b11adf1dd4&groupId=252038

⁸ Electoral Commission of Namibia, Voter education, 2019

village council the names of at least three female persons;

- b) In the case of a municipal council or town council consisting of 11 or more members the names of at least five female persons.”

This requirement in the law is strictly enforced by the Electoral Commission of Namibia (ECN). Party lists are not accepted during the nomination period unless they comply with these legal provisions.

Regional councils

Namibia's 14 regional councils are established under Article 104 of the Constitution. The boundaries of regions and constituencies is determined by the President by Proclamation on the recom-

mendation of the Boundaries Delimitation and Demarcation Commission⁹. The election of members of the regional councils is through secret ballot of the First Past the Post (FPTP) system. Each region is divided into constituencies. The boundaries are fixed by the Boundaries Delimitation and Demarcation Commission in accordance with the provisions of an Act of Parliament and the Constitution. Regional Council elections are held every five years¹⁰.

Political parties

Since no legal quotas are applied at national and regional levels, the advancement of women's representation is dependent on the adoption and implementation of voluntary quotas by the political parties.

Gender analysis of 2018 election manifestos

QUOTA	GENDER SPECIFIC REFERENCES IN MANIFESTOS	GENDER MAINSTREAMED IN MANIFESTOS
SWAPO		
The ruling party, SWAPO, adopted a 50% quota for women's at national and regional level in 2013. In the 2019 elections, 60% of the party's top five were women.	SWAPO pledged to uplift the dignity of women in line with the Namibian Constitution which states that “every woman has full and equal dignity of the person with men and this includes equal opportunities in political, economic and social activities.”	<ul style="list-style-type: none"> • SWAPO states that as part of development the party will promote equity, equality, gender balance and empowering women, youths, people with disabilities and other vulnerable groups¹¹. • An attractive point for women's healthcare in SWAPO's manifesto is to remove barriers to accessing quality and affordable preventative, curative, rehabilitative and palliative healthcare at all levels of the healthcare system.
Popular Democratic Movement (PDM)		
Follows the legislated 30% quota for local level elections.	Commits to financially empower rural women and formulate a woman in workforce guide to inform policies.	<ul style="list-style-type: none"> • Develop social housing on a massive scale to ease the burden of rentals and allow young professionals and women to access affordable housing¹². • Reduce out-of-pocket expenditure for health and provide annual health cover to poor families the majority who consist of women.
National Unity Democratic Organisation (NUDO)		
50% quota of women candidates all levels.	Committed to adhere to various international conventions and local laws that deal with discrimination against woman and seeks to uplift the status of woman ¹³ .	<ul style="list-style-type: none"> • Promotes education of youth especially young women. • Committed to agriculture mentorship for the benefit of youth especially young women.

⁹ Constitution of Namibia, 2014 amendment

¹⁰ Regional Councils Act 22 of 1992

¹¹ SWAPO Election Manifesto, 2019

¹² Popular Democratic Movement Party manifesto, 2019

¹³ NUDO election manifesto, 2019

QUOTA	GENDER SPECIFIC REFERENCES IN MANIFESTOS	GENDER MAINSTREAMED IN MANIFESTOS
All People's Party (APP)		
No specific quota	<ul style="list-style-type: none"> Committed to stand for gender equality advocate for a 50/50 decision-making structure in our life time. The manifesto advocates for 50/50 gender representation for ministers and their deputies. It also advocated for a 50/50 gender representation on management position of all state-owned enterprises (SOEs). Promised tax initiatives for lactating mothers. 	<ul style="list-style-type: none"> Promoted the establishment of public companies and cooperatives with a minimum 25% stake to the Namibian state, as well as worker, regional women and youth trusts, so that they can benefit from the value-addition of minerals and fisheries.¹⁴ Promoted provision of housing to the poor, the majority whom are women. Encourage the formation of youth and women cooperatives across the country to take up agricultural projects.

The table summarises the gender provisions taken voluntarily by political parties in the political manifestos of the four main political parties; SWAPO, PDM, NUDO and APP. The analysis shows that the main political parties have gender

provisions in their manifestos. High on the list of political party manifestos were pledges to provide healthcare and housing for women and open up spaces for women to effectively participate in the economy.

The ruling SWAPO party has walked the talk of gender equality by adopting a zebra list for the candidate list submission. The party currently has 60% women in top party leadership positions and fielded 51% women candidates for the 2019 national elections. SWAPO's five year development strategy focussed amongst others on measures to tackle corruption and **gender-based violence**, and programmes to empower young people¹⁵.



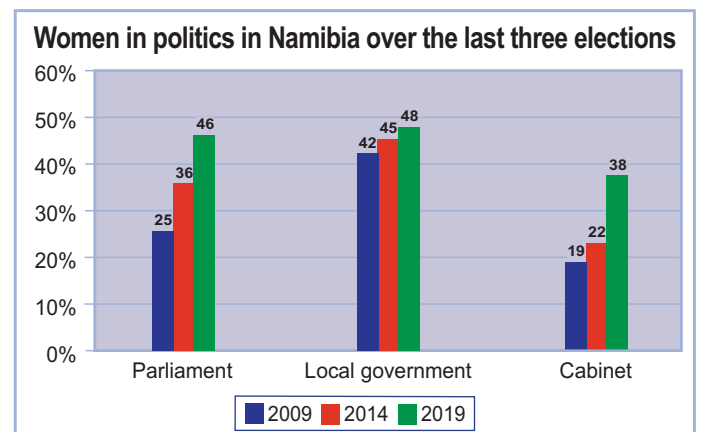
NUDO rally in Windhoek, October 2019.

Photo: Kaino Kamweka

An analysis of the top five political party lists in Namibia indicates that they fielded at least 35% women candidates as follows; SWAPO (51%), Popular Democratic Movement (PDM)- 41%, National Unity Democratic Organisation (NUDO) - 43%, Rally for Democracy and Progress (RDP) - 39%, All People's Party (APP) - 46%. Three of the top five political parties have 20% women in top party leadership positions (PDM, NUDO, APP) while SWAPO has the highest at 60% and RDP at 40%.

Of the 17 registered parties, 15 contested and only 11 participated in the presidential race.

Elections outcomes over the last three elections



Source: Gender Links computations, Inter Parliamentary Union

¹⁴ All People's Party election manifesto, 2019

¹⁵ Southern African Research and Documentation Centre Bulletin SANF19 No 52

The graph tracks women's representation in politics in Namibia over the last three elections. It shows a progressive increase in the proportion of women in all areas of political representation over the years. At the local level, the combination of a PR electoral system, legislated 30% quota and

SWAPO's voluntary 50% quota has resulted in the country almost attaining gender parity at this level. Following the 2019 elections, the proportion of women in the national assembly increased from 36% to 46% and in cabinet from 22% to 38%.

2019 Presidential and National Elections			
	Total	Women	Men
Presidential candidates	11	1 (9%)	10 (91%)
National assembly candidates	745	335 (45%)	410 (55%)
Elected parliamentarians	96	44(46%)	52(54%)
Appointed parliamentarians	8	4(50%)	4(50%)
House of assembly total	104	48(46%)	56(54%)
Voter turnout (national assembly)	820 227		
Voters turnout (presidential)	826 198		

The table shows that political parties fielded 45% women candidates in the 2019 national elections and women constituted 46% of elected parliamentarians. SWAPO honoured its 50-50 "zebra" commitment in the elections and presidential appointments (four of those appointed by the president were women). With 66% of the vote, SWAPO's voluntary gender quota played an important part in the election outcome. However, the gender parity quota has also nudged other political parties to follow a similar course.

Fifteen political parties contested in Namibia's 2019 national elections. However, only 10 fielded candidates in the presidential elections (there was one independent presidential candidate). The only woman-led political party, National Unity Democratic Organisation (NUDO) garnered 1.5% of the presidential votes. The proportion of women in cabinet increased from 22% to 38%. Although gender parity has still not been attained, President Hage Geingob showed a commitment to increasing the participation of young women.

Twenty-three year old Emma Theofilus is Namibia's youngest minister. The law graduate who is also Africa's youngest Member of Parliament was part of President Geingob's list of eight appointees to parliament. Theofilus is Deputy Minister of Information and Technology.



Emma Theofilus. Photo courtesy of Weetracker

Although Namibia's national and local elections are held on a PR basis, with a 30% quota at the local level, and 50% SWAPO quota in both, its regional elections are held on a FPTP basis. Since independence in 1990, this has resulted in a sharp divergence between women's representation at local and national level, and in the regional council. This divergence is a poignant reminder of the impact of electoral systems and quotas on women's political participation. After the commendable increase in women's representation in

parliament (from 26% to 46% in 2019) and in local government (from 42% to 48% in 2015) Namibia continues to lag behind at the regional level, with still no evidence of remedial action being taken. Of the 121 elected members of the regional councils, only 20 (17%) are women. The low proportion of women at this level affects women's representation at National Council level. The upcoming 2020 regional council elections could still result in low numbers of women if the system is not changed.

Namibia: Regional FPTP elections a set-back for 50/50 campaign

The 121 regional councillors elected in the regional election include only 20 women (17%) - a huge step backward from the stated goal of achieving a 50/50 gender representation.

The under-representation of women in Namibia's 14 regional councils was evident before the election, with only 43 women among the 287 candidates who were nominated in 121 regional constituencies countrywide. Out of the 20 women elected, 18 ran as Swapo candidates, one won in a Hardap region constituency as a candidate of the United People's Movement (UPM).

Institute for Public Policy Research associate researcher Nangula Shejavali described the 2015 regional council election as a major backslide for gender equity in Namibia, both in terms of women's participation as candidates in the election, and in terms of the final outcome.



Woman power in Namibia does not extend to the regional level.
Photo courtesy of Namibia Sun

"Only 17% of the 121 regional councillors for the next five years are women. This is a far cry from the 50% target in Namibia's National Gender Policy, the National Gender Plan of Action, the SADC Gender Protocol, and several other national policies or regional/international instruments which Namibia has ratified," she said.

"Namibia made major strides in gender participation in the parliamentary election last year, with women making up 42% of MPs in the National Assembly. This was thanks mainly to Swapo's implementation of a 50/50 zebra party list," Shejavali said. She said at the local authority level, women's representation also scored well, due to quotas in place since the 1997 Local Authorities Amendment Act.

UPM national chairperson and Member of Parliament Jan van Wyk said that although his party was not bound by a 50/50 gender representation policy, the candidate selection process depended on the availability of people to run for office. The party said it had five women and two men as candidates in the elections. "If they (women) are equipped and available, then why not? Mothers understand the problems of the nation better than men," he said.

Winner of the Khomasdal North constituency, Swapo's Margaret Mensah-Williams suggested that in future, some constituencies should be declared for female candidates only through a draw. "For example, out of ten constituencies in a certain region, five should be for women and the other five for men," she said.

Source: 2016 SADC Gender Protocol Barometer.

Options for increasing women's representation

At the **National level**, the women's quota is on a voluntary party basis with the ruling party SWAPO leading the cause. The challenge with voluntary party quotas is that these are subject to the whims of parties.

At the **local level**, although the PR system is generally not popular, as constituents prefer to elect individuals whom they can hold to account, this system seems to have worked for Namibia. The combination of a legislated minimum quota of 30% and SWAPO's voluntary 50% quota at this level has resulted in a high proportion of women at the local level.

Eunice Ipinge, a former SWAPO parliamentarian and Chair of the Pan African Women's Organisation (PAWO) introduced a motion in the Namibia parliament in June 2019 for voluntary quotas for be legislated at national and local level.



Eunice Ipinge.
Photo: GL Namibia

Citing the Article 9 of the Maputo Protocol she proposed that the Electoral Act, 2014 and the Local Authorities Act, 1992 be amended to include a provision that all political parties should implement the 50:50 gender policy.

The motion was not well-received by opposition political parties, however, with some citing imposition, and a lack of consultation by the ruling party. The leader of the official opposition, McHenry Venaani, responded by saying that he supports the philosophy of gender balance, but he is, however, doubtful about the legality of the law.

"I support the thinking, but not the way SWAPO is imposing how other political parties should run their internal affairs," he stressed. Joining the debate was the leader of the Rally for Democracy and Progress, Mike Kavekatora, who said lawmakers should be very careful before passing any law because if it is rushed, it might have future negative effects on the population. "We must first understand the context of the Maputo Protocol before jumping to conclusions," said Kavekatora.¹⁶

At the regional level, the paltry 17% representation of women at regional council level requires a complete shift from the FPTP electoral system. As a start, regional councils (with women on them) could ensure that at the very minimum one of the three councillors sent to the National Council is a female councillor. Advocacy efforts in 2020 must focus at the regional level.

Electoral laws

Elections in Namibia are governed by the country's Constitution, the Electoral Act 5 of 2014, Electoral Conduct, the Local Government Act, and Code of Conduct for Political Parties. The Electoral Act makes provision for independent candidates in section 36 (8).



Mainstreaming gender in electoral laws and practices:

Key provisions for promoting gender equality in elections are:

- The Electoral Act 5 (2014) of Namibia in schedule 2 (2.1) states that every Namibian voter has a right to a free, fair and credible voting process and to have non-discriminatory and equal access to the electoral system.
- The Act guards against intimidation of voters in schedule 2 (2.4) by providing that all citizens must vote without being intimidated, threatened, coerced or unduly influenced by election officials or any other third party.
- At least two members of the Electoral Commission of Namibia must be women.¹⁷
- A political party list which intends to take part in an election must contain the names, indicate the sex and residential addresses of at least 32 but not more than 96 candidates.¹⁸
- The Electoral Commission is mandated to make known any duly elected candidate's full name and sex for regional council elections.¹⁹
- A registered political party or a registered organisation which takes part in an election for members of a local authority council must submit to the returning officer for the local authority area concerned a list containing the name and sex of candidates.²⁰
- Establishment of political parties may not exclude or restrict membership of the political party on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status.²¹
- Political parties pledged to ensure access to voters including those from remote and marginalised communities.²²
- In the election of any local authority council with 10 or less members, party lists must include at least three female persons; in the case of a municipal council or town council consisting of 11 or more members, party lists must include the names of at least five female persons.²³

¹⁶ <https://www.namibian.com.na/189276/archive-read/Maputo-Protocol-discussed-in-NA>

¹⁷ Namibia Electoral Act 5 of 2014

¹⁸ Namibia Electoral Act 5 of 2014, Section 77 (2a)

¹⁹ Namibia Electoral Act 5 of 2014, Section 82 (5a)

²⁰ Ibid

²¹ Namibia Electoral Act 5 of 2014, Section 135

²² Namibia 2019 Election Code of Conduct, accessed on 19 May 2020 from <https://www.ecn.na/wp-content/uploads/2019/10/ECN-Code-of-Conduct.jpg>

²³ Namibia Local Authorities Act, Article 6 (4)

Campaign finance

In Namibia, political parties already represented in the National Assembly receive state funding proportional to the seats they hold. Effectively, this means that the ruling SWAPO Party has received the bulk of state funding since independence in 1990²⁴. The Electoral Act sets out prescribed areas in which election finance is permissible. The funds for political parties are allocated in accordance with a formula as determined by the Minister responsible for finance, with the approval of the National Assembly. Any unspent monies as at the end of the financial year of a political party in the separate banking account kept by the political party must be either returned to the Ministry of Finance or used for public benefit purposes upon agreement with the Ministry²⁵. Finance related to the Electoral Court processes may be funded by a political party for their candidate or by the individual candidate. The Electoral Act of 2014 provides stringent rules to ward off corruption of finances in political parties.

Although the Namibia Electoral Commission is responsible for voter education as well as designing a multi-media campaign strategy that identifies information channels, candidates need to top up party funds in order to reach out to the voters. Women who have lower levels of income are usually disadvantaged during the campaign period. Expenses such as campaign regalia, communication materials and logistics are usually funded by the individual candidate although in some cases the political party may fund the candidate.

Running as a parliamentary candidate is free in Namibia. However, Presidential candidates pay

a fee of N\$20,000. An independent presidential candidate is required to pay a fee of N\$10,000. Nominees for regional council elections must pay a fee of N\$2,500. The Namibia National Gender Policy highlights women's political participation as an area of concern. The policy states that it serves to provide opportunities for women and men to participate in and contribute towards the political, social, economic and cultural development of Namibia.²⁶

The Electoral Commission of Namibia

The Electoral Commission of Namibia (ECN) is established through the Constitution (Article 94b) and the Electoral Act of 2014. The Electoral Act 5 of 2014 mandates the ECN to "organise, direct, supervise, manage and control the conduct of elections and referenda in a free, fair, independent credible, transparent and impartial manner as well as to strengthen constitutional democracy and to promote democratic electoral and referenda processes."

As provided in the Constitution, the ECN comprises five Commissioners including the Chairperson. The Commissioners must possess at least a three year tertiary qualification or a level seven Namibia Qualifications Authority qualification²⁷. The Commissioners are appointed by the President with the approval of the National Assembly upon nomination by the President. At least two of the Commissioners must be women. The ECN is currently chaired by a woman (Advocate Notemba Tjipueja). The ECN has two women Commissioners (40%). In the excerpt that follows, the Chair of the ECN highlights why having a gender policy has been important for the Commission:



Namibian Electoral Commission walks the talk of gender equality



Namibia Elections Commission.

Photo courtesy of New Era

The formulation of the Gender policy at the Electoral Commission of Namibia (ECN) has enjoyed priority and special effort for the following reasons:

Firstly, the equal rights of men and women to fully participate in all aspects of political, economic and social life and non-discrimination are fundamental human rights principles. As such, it is the EMB's responsibility and obligation to comply with human rights principles, including international Declarations and Protocols ratified by the Republic.

²⁴ F Links, R Andreas, Namibia Political Party Finance, November 2019

²⁵ Namibia Electoral Act 5 of 2014

²⁶ Namibia National Gender Policy 2010-2020

²⁷ Electoral Act of Namibia 2014

Secondly, Women make up more than 50% of the Namibian population and the country will not be considered democratic if women are excluded from full and equal participation in political, economic, social, electoral and decision-making processes.

Thirdly, Women often have different experiences, different needs and different perspectives than men. It is therefore essential and practical to involve women and draw on their experiences to ensure a more representative society.

Fourthly, it makes economic sense because the EMB believes that gender equality leads to more prosperous societies. The EMB's budget is financed with public funds and therefore the EMB has the responsibility to all the citizens of the country to manage and spend the public funds in an equitable manner.

The ECN has led by example in terms of women representation. The Electoral Act prescribes that at least two (2) out of five (5) Commissioners must be women. At present, women representation at the Commission level stands at 60% compared to 40% male representation and for the first time in the history of the EMB, the Chairperson of the Commission is female. This is a classic example where the legislation has a clear positive impact on women representation as demonstrated in the appointment of Commissioners of the EMB. Women representation at management level and permanent staff levels is 40% and 63%, respectively.

The ECN has put in place a process of identifying voter registration points to ensure unimpeded access to voter registration centres. The ECN also has a process in place whereby Mobile Teams and Fixed Points are assembled in order to reach to all groups of people.

The Electoral Act makes provision for the display of provisional voter's registers during a prescribed objection period to enable the public to scrutinize the provisional register for any irregularities before a final register is produced.

The ECN has a process in place to identify places where the provisional registers are displayed and safeguarded during the objection period. One of the criteria of identifying the places for displaying the registers is its accessibility to all voters. By law the EMB advertises a list of the identified places where the voters register are displayed in the local newspaper. The ECN also display the list of these places at prominent public places in order to ensure that the public is made aware of the identified places.

It is a standing policy of the ECN that where standing in queues is required, the ECN ensures that priority is given to women with special needs such as expectant and breastfeeding women, men and women who are elderly/aged and with disabilities regardless of their age or gender.

The necessary assistance for people with disabilities to participate in the voters' registration is rendered, and access to information is provided in close coordination with organizations that provide support for people with disabilities.



The ECN has introduced a biometric system to capture voter registration data which has the capacity to disaggregate sex and age data. In the future the system will be used to compile the needs of voters and candidates through the voter registration process and analysed from a gender perspective. Such information will guide the ECN in the development of the relevant voter and civic education and the appropriate means of disseminating the voter education information. The process of conducting the voters' registration exercise involves and is undertaken by both women and men.

*Excerpts from the paper by
ECN Chair Advocate Notemba Tjipueja at the Commonwealth Secretariat:
7 July 2017.*

Voter enrolment and education

The ECN has the primary responsibility for voter enrolment and education. In 2019, the ECN registered 1,358,468 voters: 717,809 (53%) women, and 640,659 (47%) men. Youth voters born in 1982 or later comprised 700,648 or 85% of the total - the highest proportion of youth voters that Namibia has recorded.

Ahead of the 2019 elections, the ECN published a voter education booklet titled "All you need about the upcoming elections in 2019".¹⁹ The guide explicitly mentions women as follows:

Observing the registration of women - The registration of women deserves special mention. Women are encouraged and enabled to play a full, equal and effective role in the political life because women in Namibia have traditionally suffered special discrimination.



The ECN has established a Democracy Building division which is solely dedicated to voter and civic education and dissemination of information to the public. Whilst Voter Education involves access to information and the knowledge on various electoral procedures and processes as a key factor in the political consciousness of the electorate, Civic Education involves information on the rights of the citizens to participate in the voting processes and exercise their freedom to choose their national leaders and is a critical component for democratic elections.

The ECN provides village to village voter and civic education and information. In order to ensure the equal access to voter education and information by the diverse groups of women and men, the outreach is expanded to the urban and peri-urban areas by targeting people living in remote and hard to reach areas.

The voter and civic education and information disseminated by the EMB is gender sensitive, highlighting the important roles of both women and men in electoral processes as both voters and people to be voted for. Equally important, the voter and civic education programs are gender sensitive in terms of the use of inclusive language, messages, images and approaches.

Violence Against Women in Elections (VAWIE)

By Ndapwa Alexander, Rabih Andraw and Deanna Italia Yuan

Special Briefing Report No. 25

NOVEMBER 2018



The Electoral Act 5 of (2014) provides for measures to prevent election violence under section 94 (4)(b) by allowing presiding officers to stop or prevent any violence or disturbance in or in the vicinity of the polling station. Under section 135 of the same Act, political parties may not accept or advocate the use of force or violence as a means of attaining its political objectives. Under section 174, the Act provides for prosecution of any voter who uses violence during the voter registration process. The different contesting political parties pledged to uphold free and fair elections in Namibia through a **Code of Conduct** which is publicly available on the Electoral Commission's website.

There were 4,241 polling stations countrywide in the November 2019 elections: 1,410 fixed and 2,831 mobile stations to shorten the distance between polling stations. Police officers ensured that all eligible voters, including people with disabilities, had effective and easy access to voting. Some polling stations had braille voting material/numbers engraved on Election Voter Machine (EVM) although these were few. Pregnant mothers, the aged, and mothers had their own priority queue during the 2019 national elections. Women candidates and voters were not adversely affected by election violence in Namibia for the 2019 elections.

²⁸ Electoral Commission of Namibia, A Guide to 2019 election process accessed on 17 May 2020 from <https://www.ecn.na/wp-content/uploads/2019/07/Voters-Education-refresh-your-knowledge.pdf>

Civil society

On the 24 October 2019, the ECN held a Civil Society Engagement workshop. One of the main objectives of the engagement was to update the CSOs on the ECNs preparedness to conduct the 2019 Presidential and National Assembly elections under the theme 'Promoting Inclusive Participation'. The *Guide to the Civil Society in Namibia* estimates that there are 17 civil society organisations in Namibia that work on human rights/democracy (others work on varied areas such as agriculture, education, environment, health and gender amongst others).²⁹

The Women's Legal Centre, Sister Namibia and Gender Links (GL) have championed women's equal and effective participation in politics. Key activities include capacity building for women politicians at local and national level; gender and media training and issue-based coverage; gender and elections observation and commentary.



Namibian NGOs caucus on the Fifty Fifty campaign. Photo: Colleen Lowe Morna

Since 1998 Sister Namibia has led a 50/50 Campaign for Women's Political Empowerment, based on the Namibian Women's Manifesto. This campaign was developed collaboratively with women in government, political parties and NGOs in preparation for the 1999 National Assembly elections.³⁰ However, the campaign now needs to be re-booted to ensure that women who are in political leadership positions meaningfully contribute towards good governance in Namibia.

GL has a long standing programme on gender and elections now under the umbrella of its #VoiceandChoice programme. The programme works from local to national level.³¹ The Namibia Institute for Democracy (NID) assists in voter

education initiatives through schools, radio programmes and local newspapers. The Legal Assistance Centre (LAC) has been involved in law reform, particularly as regards gender, and provides input to legislation that focuses on gender issues but also has a related strong slant towards democracy building. Women's Action for Development (WAD), which has committees at the local and national level. WAD has a community outreach programme and is involved in identifying potential women political candidates.

The role of the media

The 2015 Gender and Media Progress Study (GMPS) measured the proportion of women sources in the media overall, as well as in the political topic category. In Namibia, the proportion of women sources in the media remained static at 19% between the first Gender and Media Baseline Study (GMBS) in 2003, and the follow up study in 2015. Women constitute over 50 percent of the voters in Namibia, and they came close to achieving gender parity in parliament in the 2019 elections. Yet women only comprise 19% of those whose views and voices are heard in the media.

The Fifth Gender and Media Summit convened in partnership with the Southern African Broadcasting Association (SABA) in Namibia in August 2016 highlighted the low numbers of women political sources across Southern Africa. The study highlights that:³²

- The views of women candidates are often not profiled or trivialised.
- Male spokespersons of political parties dominate.
- The views of women voters are seldom canvassed.
- Although civil society readily works with media houses in Namibia, gender equality issues are often not prioritised.



Namibia Gender and Media Summit 2016.

Photo: Colleen Lowe Morna

²⁸ Electoral Commission of Namibia. A Guide to 2019 election process accessed on 17 May 2020 from <https://www.ecn.na/wp-content/uploads/2019/07/Voters-Education-refresh-your-knowledge.pdf>

²⁹ Namibia Institute for Democracy, Guide to Civil Society in Namibia, 2019

³⁰ Feminist African Journals, Sister Namibia: Fighting for all human rights for all women, 2009

³¹ Gender Links Gender and Elections webpage accessed on 27 April from <https://genderlinks.org.za/what-we-do/sadc-gender-protocol/advocacy-50-50/>

³² Gender Links, Gender and Media Progress Study, 2015

Conclusion and recommendations

Namibia has made tremendous strides towards achieving gender parity in political decision-making, thanks to the predominantly PR political system; legislated quota for women at the local level and SWAPO's voluntary gender parity quota. Key recommendations include:

Electoral systems and quotas:

- Taking forward the motion moved by Eunice Ipinge to have legislated quotas for women across all political parties, at both national and local level.
- Adopt a PR system at regional council level instead of the current FPTP system.
- Require political parties to field equal numbers of male and female candidates in each region.³³

Political parties: The Electoral Act should require that all parties adopt quotas and that these are practiced within party structures. Parties need to entrench gender equality in their Constitutions and manifestos. Adoption of quotas guaranteeing women's participation within political parties' internal decision-making structures.



Voters queue to cast their vote in Dorado, November 2019. Photo: Kaino Kamweka

- Ensure that there is sex disaggregated data for both voters and candidates readily available in the public domain.
- Undertake voter and civic education programmes aimed specifically at women.
- Adopt a 50/50 approach in appointment of Commissioners and ECN managerial staff.
- Prioritise gender equality in regional council voting process.
- Explore opportunities for learning from other Election Management Bodies.

Electoral laws

Although the Electoral Act of 2014 has stringent controls on political party financing, there is need to ensure that political parties have a gender-responsive approach to use of allocated funds. Women who are largely disadvantaged economically are mostly left to campaign using their own limited resources.

Election Management Body:

The ECN should:

- Work together with other stakeholders in particular civil society and the Delimitation Commission to advocate the necessary legislative reform to improve electoral systems for women's political participation.
- Develop and adopt a gender policy that governs its own internal practices, the development of gender aware voter education materials and regulations for the conduct of elections.
- Ensure safety and security of all candidates and voters, especially women.

Civil society organisations

These should be supported to gear up their watchdog and advocacy role through, among others:

- Advocate for an electoral system change at regional council level accompanied by a 50/50 advocacy campaign.
- Revitalise through creation of a robust 50/50 campaign in Namibia.
- Establishment of fundraising networks and organisations for women candidates which can provide important seed funds to women in the early stages of seeking the party nomination.
- Monitoring electoral processes from a gender perspective; conducting gender audits of elections and widely publicising the findings.
- Lobbying for electoral reform.
- Building the capacity of women candidates to campaign as well as be effective leaders in office.
- Concerted, well-coordinated 50/50 campaigns at national and local level that lead to a paradigm shift in patriarchal power dynamics that are at the core of women's exclusion.

³³ Gender Links, Namibia Fact Sheet, 2004

The media

- Adopt gender-aware editorial policies that ensure the inclusion of women's views and voices - as voters, candidates, winners, losers' party functionaries and citizens.
- Undergo gender sensitivity training.
- Monitor content to ensure fair and equal coverage of women and men.



GL gender and media training in Namibia.

Photo: Colleen Lowe Morna

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