



# SADC Gender and Development Monitor 2022

## Women in Politics and Decision Making

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





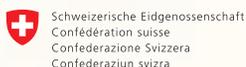
# SADC Gender and Development Monitor 2022

8<sup>th</sup> Edition

## Women in Politics and Decision Making

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

With special focus on  
Constitutional and Legal Rights  
Article 5 Special Measures  
Governance  
Article 12 Representation  
Article 13 Participation



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Boxes, Tables, and Figures as specified

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## FOREWORD

At this critical trajectory towards achieving the Sustainable Development Goals by 2030, it is fitting that, in June 2022, Ministers responsible for Gender and Women Affairs approved this linchpin 8th edition of the *SADC Gender and Development Monitor 2022*, focussing on women's equal participation and leadership in political and public life. The SADC Gender and Development Monitor tracks progress on the implementation of selected articles in the Revised SADC Protocol on Gender and Development, which is intrinsically aligned to the 2030 Sustainable Development Agenda, the AU Agenda 2063 and the Beijing plus 20 Report.

SADC is committed to attaining gender equality and women's empowerment as a critical goal and strategy in the realisation of the Regional Indicative Strategic Development Plan (RISDP) 2020-2030.

In the RISDP 2020-2030, gender has been defined as one of the "integration and development enablers" and a "cross-sectoral intervention area", implying that gender permeates and is infused in all the pillars. RISDP 2020-2030 buttresses the importance of a more balanced representation of men and women in all sectors of society, including political life, and calls for continued progress towards the achievement of effective equality of opportunities between women and men.

As the SADC region, we recognise that our well-intended efforts towards gender equality and women's empowerment cannot be achieved without the meaningful representation and participation of women in politics and decision making. Hence, our past efforts by SADC Secretariat have been premised on fostering Member States to domesticate and implement regional and international policy frameworks including the SADC Protocol on Gender and Development, the SADC Gender Policy and the SADC Framework for Achieving Gender Parity in political and decision-making positions. We also continue to conduct research, monitoring and evaluation on progress made by Member States on the implementation of SADC Gender commitments.

In SADC, women constitute more than half of the population and the electorate in its Member States, but continue to be seriously under-represented in political and public decision-making in most countries in the region.

The *SADC Gender and Development Monitor 2022* data shows that women are under-represented at all levels of decision-making in the region, and achieving gender parity in political life is far off. For instance, findings reveal that the type of electoral system used by Member States has a crucial impact on women's political representation and participation. According to this study, the Proportional Representation (PR) system favours women's representation more than the system of First Past The Post (FPTP). Member States using the Mixed electoral system achieve results that are lower than the Proportional Representation system with quotas, but higher than the First Past The Post system.



Mr Elias M. Magosi  
SADC Executive Secretary

After approving the SADC Gender and Development Monitor 2022 study on Women in Politics and Decision-Making, SADC Ministers resolved that Member States should be urged to consider the recommendations of this Monitor to improve the status of women's participation in politics and decision-making. They further "urged Member States to domesticate and institutionalize Articles 5, 12 and 13 of the SADC Protocol on Gender and Development in order to adhere to the gender equality principles enshrined in this Protocol".

What do we really want to gain from this information gleaned from the SADC Gender Monitor? The answer is simple – we want to know what transformations have been observed and what have been *the results and impact* of Member States' interventions in achieving gender parity in politics and decision-making in our region. This unequivocally means that it is not enough to simply implement Gender programs and assume that successful implementation equates to actual improvement in gender equality and women's empowerment. A relentless focus on the outcomes and actual impact are key in assessing whether and how the goals are being achieved over time.

I, therefore, call upon the Member States to embrace the recommendations of the *SADC Gender and Development Monitor 2022* and demonstrate consistent political will, resourcing and accountability by considering to enshrine Articles 5, 12 and 13 of the SADC Gender and Development Protocol in their constitutions. This should undoubtedly signify the most authoritative expressions of States' systems of governance and accountability.

**Mr Elias M. Magosi**  
**SADC Executive Secretary**  
**Gaborone, July 2022**

## PREFACE



Dr. Joseph Pitso  
Head - SADC Gender Unit

The *SADC Gender and Development Monitor 2022* on Women in Politics and Decision-making was produced through the SADC Protocol on Gender and Development Monitoring, Evaluation and Reporting Framework (MERF). This tool was employed to collect data from Member States and the data was analysed and synthesized by the Southern African Research and Documentation Centre (SARDC) in collaboration with the SADC Gender Unit to assess progress by Member States on women's participation in politics and decision-making.

This pivotal Monitor is aimed at catalysing and accelerating efforts and actions by SADC Member States to achieve gender parity by the year 2030. This publication gives special attention to Part Two Constitutional and Legal Rights: Article 5, and Part 3 Governance: Article 12 and 13 in order to assess key achievements, challenges and gaps in the implementation of gender equality objectives within Member States' decision-making frameworks and processes, in relation to women's political participation.

This publication reveals the sad reality that if no concerted efforts are made to ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life, reaching gender parity in political and decision-making positions by 2030 will remain elusive. The challenges identified in the *SADC Gender and Development Monitor 2013*, that made it difficult for women to climb to the top echelons of political and decision-making positions at all levels, are still the same thorny issues in this *SADC Gender and Development Monitor 2022*.

The results of this *SADC Gender and Development Monitor 2022* will be used to create regional dialogue platforms with Gender Machineries, election commissions and the SADC Parliamentary Forum to further discuss the study's findings and recommendations with Member States to improve the status of women's participation in politics and decision-making.

Reliable, accurate, trustworthy statistics gathered from Member States are not only the basis of good technical analysis but are the foundation of evidence-based policymaking at all levels. Hence, the results of this monitor will also inform the evidence-based revision of the dated "*SADC Framework for Achieving Gender Parity in Political and Decision Making by 2015*." The publication will further be used as a tool to advocate for and inform policy formulation, reform and implementation of gender commitments in the region to accelerate collective action towards gender parity.

**Dr. Joseph Pitso**  
Head – SADC Gender Unit



## ACKNOWLEDGEMENTS

The SADC Secretariat would like to thank all Member States for their valuable commitment, contribution and cooperation in providing information through national progress reports as well as for their input in the review of the draft manuscript. Their preparation of national progress reports and discussion of the main points has been a valuable contribution to the substance of this report. The approval of this publication by the Ministers responsible for Gender and Women Affairs will foster ownership and buy-in among Member States which will in turn fast-track implementation of the recommendations.

The *SADC Gender and Development Monitor 2022* is the result of an extensive research and collaborative effort with the Southern African Research and Documentation Centre (SARDC) through its Beyond Inequalities Gender Institute, which compiled and analysed the data, and wrote the report for review, before incorporation of comments from Member States and presentation in an accurate and accessible manner.

The SADC Secretariat would therefore like to thank the experts, researchers, writers and editors at SARDC under the tutelage of SARDC Executive Director, Mr Munetsi Madakufamba, and his research, editorial and production teams headed by Nyarai Kampilipili, Audrey Charamba and Phyllis Johnson, for working tirelessly to produce this publication. See page 9 for chapter writers, contributors, researchers, reviewers and editors. The hardworking translators, Bonifácio António and Chris Kambayi who make this publication accessible in Portuguese and French are also acknowledged.

The SADC Secretariat would like to express sincere gratitude to the United Nations Development Programme (UNDP) represented by the Regional Service Centre for Africa (RSCA) and the Government of Canada and the Swiss Agency for Development Cooperation (SDC) for cosponsoring the process of research and production of this publication with the SADC Secretariat. The staff of the SADC Gender Unit, Dr Joseph Pitso and Ms Kealeboga Kelly Dambuza, were active in guiding the process and liaising with Member States and all partners to ensure delivery of this comprehensive publication.

**SADC Secretariat**  
**Gaborone, Botswana**  
**August 2022**

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## ACRONYMS

AU	African Union
BDPFA	Beijing Declaration and Platform for Action
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
COMESA	Common Market for Eastern and Southern Africa
CSW	Commission on the Status of Women
CGE	Commission for Gender Equality
CPUT	Cape Peninsula University of Technology
EA	Electoral Act
EC	Electoral Commissions
ECF-SADC	Electoral Commissions Forum of SADC Countries
EMBs	Electoral Management Bodies
FPTP	First Past The Post
GBV	Gender Based Violence
GEWE	Gender Equality and Women's Empowerment
GC	Gender Commissions
IMF	International Monetary Fund
IPU	Inter-Parliamentary Union
JSC	Judicial Service Commission
MERF	Monitoring, Evaluation and Reporting Framework
MC	Media Commissions
MGECW	Ministry of Gender Equality and Child Welfare
MP	Member of Parliament
MS	Member States
NEC	National Executive Council
PFA	Programme For Action
PR	Proportional Representation
RISDP	Regional Indicative Strategic Development Plan
SAC-IAWJ	South African Chapter of the International Association of Women Judges
SADC	Southern African Development Community
SARDC	Southern African Research and Documentation Centre
SAWLA	South African Women Lawyers Association
SDC	Swiss Development Cooperation
SEAC	SADC Electoral Advisory Council
SEOM	SADC Electoral Observation Mission
SDGs	Sustainable Development Goals
SDGEA	Solemn Declaration on Gender Equality in Africa
SDGM	SADC Gender and Development Monitor
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization

## INTRODUCTION

Almost 30 years after the end of the apartheid administration in South Africa (1994) and the beginning of the Fourth World Women Conference in Beijing (1995), the post-apartheid, post-Beijing world of gender equality and women's empowerment is beginning to emerge for the women and men of Southern Africa. This very inspiring moment has been made to happen by SADC Member States in strategizing and working together towards the vision and the goals.

SADC Member States are changing the region through commitment to gender equality and women's empowerment, and to implement the SADC Protocol on Gender and Development as revised in 2016, and related regional instruments such as the SADC Treaty, Vision 2050 and the RISDP 2020-2030. The results are beginning to show.

One Member State has a woman President (United Republic of Tanzania) and two Member States have achieved gender equality in Cabinet (Mozambique and South Africa), with many others not far behind at Cabinet level. At the turn of the millennium in the year 2000, the number of women sitting in Cabinet rooms in the SADC region was mostly 10-15 percent with a very few notable exceptions. The results in other sectors such as the Legislature are more erratic but there are eight presiding officers, Speakers/Presidents of the National Assembly who are women, as well as good progress in the Judiciary with a majority of women judges in some cases.

To women in the SADC region, this is more than ticking boxes, "equality" and "empowerment" are more than words, and are being achieved, slowly, steadily, sometimes erratically but there are significant wins that impact on present and future development. There is a new equality emerging, its not here yet, but evidence is there to be seen. This report is based on evidence provided by most SADC Member States in national progress reports and supplemented where necessary by parliamentary submissions.

Progress is slower in some Member States than others in various areas, but generally all are making progress somewhere, although concerted efforts are required to put in place special measures and mechanism to reach the goals by 2030, especially during the next round of national elections from 2022 to 2026. There are sufficient women in decision-making in each of the 16 SADC Member States to maintain momentum, and men are actively working with women at various levels, with a growing number of men supporting women to end gender discrimination and physical and psychological violence against women, including cyber bullying.

This remains an issue of equality and non-discrimination but it is no longer a "women" issue. The involvement of women in decision-making at the highest levels is now a practical economic issue as it involves half of the population that has been marginalized and are increasingly able to engage in economic development. There are successes and effective practices and role models, although still some distance to travel. The SADC Gender and Development Protocol as revised and amended in 2016 is an instrument for gender equality and women's empowerment in SADC Member States.



The analysis in this edition of the *SADC Gender and Development Monitor 2022* is based largely on data submitted by Member States for Articles 5, 12 and 13 on Special Measures, Participation, and Representation. This is the 8th edition of this publication which started in preparation for the Beijing Conference in 1995 and is published at intervals by SADC working with the Southern African Research and Documentation Centre (SARDC) to track progress, achievements and challenges toward the goals of gender equality and women's empowerment in the SADC region.

This report reviews the current status of decision-making in the SADC region, including electoral systems, the legislature, the executive and the judiciary, as well as political parties, independent bodies and the corporate sector, and makes recommendations on how to accelerate and build on these achievements to reach the targets and goals by 2030. The report has 8 Chapters, a Conclusion and Annex.

Chapter 1 analyses electoral systems in relation to results with regard to women's representation and concludes from the results that some electoral systems are more inclusive than others, and that Special Measures are required to ensure equality of representation by women in Parliament, which are reaching near to gender parity in South Africa, Namibia and Mozambique as all are over 40 percent.

Chapter 2 gives deeper analysis about the Legislature, including comparative data showing progress since 1995 by country, including presiding officers and committee chairs, as well as local government leadership. There are eight Speakers/Presidents of the National Assembly who are women, although fewer committee chairs are women.

Chapter 3 on the Executive shows one of the biggest achievements and indicator of progress -- two SADC Member States have reached gender parity of 50:50 in Cabinet with an equal number of men and women in the top government leadership body in the country. They are Mozambique and South Africa. Most other Member States have surpassed 30 percent with a few exceptions, and three countries are trailing below 20 percent in this regard. These are Lesotho, Mauritius and Zambia. This chapter has visual illustrations with graphs showing progress by country. This chapter also shows progress in key ministries. Despite women being in the minority in the top leadership of the Executive in almost all SADC Member States, there has been a consistent upward trend in the number of women in Ministerial posts of Cabinet rank, including key influential ministries such as Defence, Foreign Affairs, and Finance.

These achievements towards gender equality and women's empowerment in compliance with the SADC Protocol on Gender and Development should be closely observed for effective practices so the SADC region can reach its goals before 2030.

Chapter 4 The Judiciary shows that the appointment of women judges has increased, with half of the member states that submitted data showing well over 50 percent, although leadership positions are held by very few women as Judge President, Chief Justice or Attorney General.

Chapter 5 on political parties was challenging to review as little information is available with regard to party constitutions, regulations and other framework documents, except for the main political parties, but this lack of transparency in terms of gender commitments does not seem to impact on the registration of political parties or acceptance of candidate lists. There are recommendations in this regard.

Chapter 6 discusses Independent Bodies including Gender Commissions, Media Commissions and Electoral Commissions with regard to advancing gender equality in their work and women's empowerment in their structures. Half of the Member States have established gender commissions and media commissions, and all have electoral commissions, but women's representation varies by country.

Chapter 7 is an attempt to review the situation as it applies to the Corporate Sector. Member States submitted data on private sector as well as public sector companies, showing that this sector is lagging behind in gender equality.

Chapter 8 is the conclusion with observations and recommendations drawn from each chapter.

The Annex on Women Making History contains a presentation of some of the women achievers and role models who have taken their place in changing the region to be more representative of societies in which women actually form the majority of the population in most SADC Member States and the youth have their own aspirations for equality, together.

These achievements and changes emerge from the foundation provided by the Fourth World Women Conference in Beijing in 1995 (Beijing Conference) which also provided the framework for the first SADC Declaration on Gender, and for Sustainable Development Goal (SDG) 5 on Gender Equality. That conference in Beijing that impacted around the world was driven in part by the active committees in Africa, especially Southern Africa, and two visionary women from Southern Africa were in the top leadership of the conference. The Secretary General and Chair of the Fourth World Women Conference was Hon Gertrude Mongella from the United Republic of Tanzania, and she later became the first President of the Pan-African Parliament. The Rapporteur General was Hon Netumbo Nandi-Ndaitwa, who is now the Deputy Prime Minister and Minister of International Relations and Cooperation of Namibia.

It's been a long time in coming since the decisions of the Fourth World Women Conference in 1995 which provide a very clear framework foundation for current developments, but Southern Africa has turned a corner and the results are emerging. That Conference and its Programme For Action (PFA) was taken seriously in southern Africa and resulted in the SADC commitments and documents since, including the SADC Protocol on Gender and Development of 2008 and its revision in 2016.

This 8th edition of the *SADC Gender and Development Monitor 2022* is intended to provide an update of the current situation and to be a tool for further advancement to reach the goals of gender equality and women's empowerment by 2030.



## METHODOLOGY

This SADC Gender and Development Monitor was motivated by the need to assist Member States in tracking progress with implementation of their commitments as enunciated in the Revised SADC Protocol on Gender and Development. In particular, it seeks to assess the situation as regards women representation and participation particularly in the three Arms of Government, namely the Legislature, the Judiciary and the Executive, as well as assess progress in other leadership spheres such as the corporate sector, notably in State-Owned Enterprises and Parastatals where government has some direct influence. The report seeks to understand why under-representation has persisted or in some cases regression has occurred despite the measures that have been put in place as enshrined in the protocol, and where progress is happening, how this can be consolidated and lessons provided for replication across the region. To this end, Article 5 on special measures, and Articles 12 and 13 on representation and participation, form the basis for the analytical framework for this assessment report.

The report relied on primary data collected from Member States through a Monitoring, Evaluation and Reporting Framework (MERF) tool that was administered with the help of the SADC Secretariat to guide Member States in the provision of relevant data for monitoring and tracking. The tool sought to collect both quantitative and qualitative data to establish the electoral systems in place, political party funding arrangements, and more importantly the current situation in the public and private sectors in terms of the occupancy of leadership positions. Each Member State was asked to provide profiles of women occupying decision-making positions for profiling as a way of motivating for replication across the region. SARDC technical experts in the region were strategically linked with the national gender machineries in Member States, to provide technical support in the completion of the data collection tool. The purpose was to ensure cohesion in all the primary data submitted by Member States and to enhance data validity and credibility. SARDC also used secondary data gleaned from Member State government websites, parliament websites, SARDC portals, and other sources deemed authentic. SARDC constituted an editorial team to support the process of developing the report through marshalling and synthesizing the information obtained from the tool and ensuring sound analysis of the findings. Multi-stage reviews of the manuscript were employed involving SARDC experts, the SADC Secretariat Gender Unit and the Member States as part of the validation process prior to finalisation and publication.

Not all Member States provided primary data through the MERF tool and where possible this gap was filled with secondary data collected through national experts as well as secondary sources such as authentic internet sources. In some cases, the secondary sources did not provide any further relief, and such gaps remained as shall be indicated in some of the chapters. Suffice to say, the multiple method approach employed sought to enhance data validity and credibility and coupled with precise analysis to assist Member States in understanding the extent to which they are progressing with, or lacking in, the domestication of the SADC Protocol on Gender and Development. Each chapter gives recommendations while in the closing Conclusions and Recommendations section, suggestions are consolidated across all the areas covered based on their implementability by Member States and other stakeholders.

## 1.0 INTRODUCTION

Gender equality in politics and decision-making is an integral part of democracy. The equality argument postulates that the fairness and effectiveness of a system requires adequate gender representation in politics and decision-making. Women and men need to hold positions of power and decision-making so they can contribute a range of ideas and experiences, and get the desired results from the system. This chapter examines the types of existing electoral systems in Member States of the Southern African Development Community (SADC) and how such electoral systems facilitate gender equality commitments in line with the SADC Protocol on Gender and Development as amended 2016, which is aligned with continental and global agreements such as the African Union's Agenda 2063 and the UN Sustainable Development Goals (SDGs).

The chapter unpacks the diversity of provisions to support gender balance in electoral processes including constitutional, legislated or voluntary quota systems to facilitate a certain level of representation by women in politics and decision-making. Imperative is the analysis of the extent to which electoral laws and the legal, social and economic environment combine to enable gender equality, particularly looking at the national constitutions, and special measures and policies that have the capacity to increase women's participation in politics and decision-making structures.

The Beijing Declaration and Platform for Action (BDPfA) summarises the main reasons for equal participation of women in politics and decision-making:

*“Women’s equal participation in political life plays a pivotal role in the general process of the advancement of women. Women’s equal participation in decision-making is not only a demand for simple justice or democracy, but can also be seen as a necessary condition for women’s interests to be taken into account. Without the active participation of women and the incorporation of women’s perspectives at all levels of decision-making, the goals of equality, development and peace cannot be achieved.”*

*(BDPfA)*

## 1.1 POLICY FRAMEWORKS

Member States in the SADC region are bound by a range of regional, continental and global frameworks that address gender equality, including participation in governance and electoral processes. These include the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) of 1979, which is referred to as the “Bill of Rights for Women”. It sets a clear agenda for women's human rights including equal participation in politics and decision-making. The BDPfA of 1995 identifies “*women in power and decision-making*” as one of the 12 critical areas of concern and mandates Member States to put in place measures to address the issue through legislation, policy and effective implementation.

At the continental level, Member States are guided by the African Union Constitutive Act (2002), wherein Article 4 commits Member States to gender equality. The African Union (AU) also passed the Protocol to the African Charter on Human and People's Rights on the Rights of Women, commonly known as the Maputo Protocol.

*“state parties should promote the equal participation of women in the political life of their country and ensure such participation through affirmative action, enabling national legislation and other measures.”*

- CEDAW

The Maputo Protocol remains one of the most progressive legal instruments providing a comprehensive set of human rights for African women. This protocol contextualises CEDAW into the African context and is comprehensive in its prescription to Member States to ensure gender equality and parity in governance and politics. Article 9 specifies that *“state parties should promote the equal participation of women in the political life of their country and ensure such participation through affirmative action, enabling national legislation and other measures.”*

While the AU Gender Policy and Action Plan (2009) provided a basis and standard for the elimination of barriers to gender equality and fostered re-orientation of existing institutions, the Strategy on Gender Equality and Women’s Empowerment (GEWE) 2018-2028 launched during the AU Summit in February 2019, is based on an inclusive and multisectoral approach and builds on the lessons learned from the 2009 gender policy. It is transformational in that its outcomes aim to mitigate, perhaps even eliminate the major constraints hindering gender equality and women’s empowerment, to enable women and girls to participate fully in economic activities, political affairs and social endeavours.

The GEWE Strategy is a framework document to strengthen women’s agency in Africa and ensure that women’s voices are amplified and concerns fully addressed, through effective implementation of legislation and proper financing of gender equality work, among other factors. It is a guiding document on the implementation of the GEWE commitments, to be used to design transformational programmes that bring results.

The strategy has four pillars. Each pillar presents outcomes and proposed activities that should be implemented. While all the four pillars are intrinsically aimed at promoting GEWE, of particular relevance to the theme of the SADC Gender and Development Monitor 2022 is Pillar 4, which *“...focuses on leadership, voice and visibility. This pillar recognises that for women to have a voice, they need to be equally represented in all areas of decision-making and be able to participate with impact, through the removal of all forms of barriers”*.

SADC has established strong frameworks to guide the issues of equal representation and participation of women in power and decision-making positions. In 1997 SADC passed the Declaration on Gender and Development to lead gender mainstreaming in the region. This was transformed into the SADC Protocol on Gender and Development in 2008. Member States who are party to the Protocol agreed to reach various gender targets by 2015.

The SADC Protocol on Gender and Development was revised and updated in 2016 and has consolidated key provisions on gender equality and women’s empowerment from continental and international frameworks, including the SDGs and Beijing Plus 20 Report, as well as the legal instruments mentioned above for the African Union. These would be monitored through the AU’s Agenda 2063 which presents a set of aspirations for the continent including Aspiration 6 for an Africa in which women are empowered, with full gender equality in all spheres of life and full gender parity, occupying half of elected public offices at all levels and half of the managerial positions in the public and private sectors.

Article 12 and Article 13 of the revised SADC Protocol on Gender and Development, on Representation and on Participation respectively, mandate state parties to

*“...focuses on leadership, voice and visibility. This pillar recognises that for women to have a voice, they need to be equally represented in all areas of decision-making and be able to participate with impact, through the removal of all forms of barriers”*.

- GEWE

“ensure equal and effective representation of women in decision-making positions in the political, public and private sectors including through the use of special measures as provided for in Article 5”, which says:

*“State Parties shall put in place special measures with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation.”*

Article 12 also says,

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

SADC Member States hence committed to place gender equality and women’s empowerment on the top agenda. Article 13 says,

*“1. State Parties shall adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting. 2. State Parties shall put in place policies, strategies and programmes to ensure the equal participation of women and men in decision-making.”*

These measures include capacity-building and support structures for women in decision-making positions, strengthening structures to enhance gender mainstreaming, and “changing discriminatory attitudes and norms of decision-making structures and procedures.”

SADC Member States have these legally binding obligations under the revised SADC Protocol on Gender and Development, which incorporate international and continental conventions that commit to Gender Equality and Women’s Empowerment (GEWE), and therefore all have a responsibility to domesticate and transform these commitments into legislation and policies, and to facilitate implementation that assists in the achievement of the requisite goals.

## 1.2 ELECTORAL SYSTEMS AND WOMEN’S REPRESENTATION

Electoral systems are rules that govern the manner in which elections are conducted and votes are counted. Electoral systems in SADC Member States are guided by provisions in the national constitutions, legislature and other policies. However, provisions in the constitutions and manifestos of political parties operating in the Member States can significantly influence the levels of representation by women. Such provisions can include political party quotas which can increase levels of representation. The choice of an electoral system for the national assembly and local elections has a major bearing on the level of representation of women in governance and political decision-making (Andrew Ellis, 2018).

The electoral systems used in SADC Member States include First Past The Post (FPTP), Proportional Representation (PR) with open or closed lists, and Mixed systems that combine aspects of PR and FPTP. Some Member States have adopted special measures such as constitutional quotas that are enshrined in the national constitution, legislated quota systems that are found in the electoral laws of a country, or voluntary quotas that are included in political party manifestos or constitutions.

*“State Parties shall put in place special measures with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation.”*

- Article 5

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

- Article 12

*“1. State Parties shall adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting. 2. State Parties shall put in place policies, strategies and programmes to ensure the equal participation of women and men in decision-making.”*

- Article 13



In summary, the three types of quota systems used in the SADC region are:

- Reserved seats (constitutional and/or legislative),
- Legal candidate quotas (constitutional and/or legislative),
- Political party quotas (voluntary).

#### FIRST PAST THE POST – FPTP

The FPTP electoral system is the most common in the SADC region, used by more than half of the Member States (56 percent): Botswana, Comoros, Democratic Republic of Congo, Eswatini, Madagascar, Malawi, Mauritius, Seychelles and Zambia. In the FPTP electoral system, citizens cast their vote for a candidate who represents a geographically defined constituency and the candidate with the highest number of votes wins. This may include special seats for women who are appointed or elected by the National Assembly using the FPTP system.

#### PROPORTIONAL REPRESENTATION – PR

The other main electoral system used in the SADC region is Proportional Representation (PR) often called the list system. This system is used in 25 percent of the Member

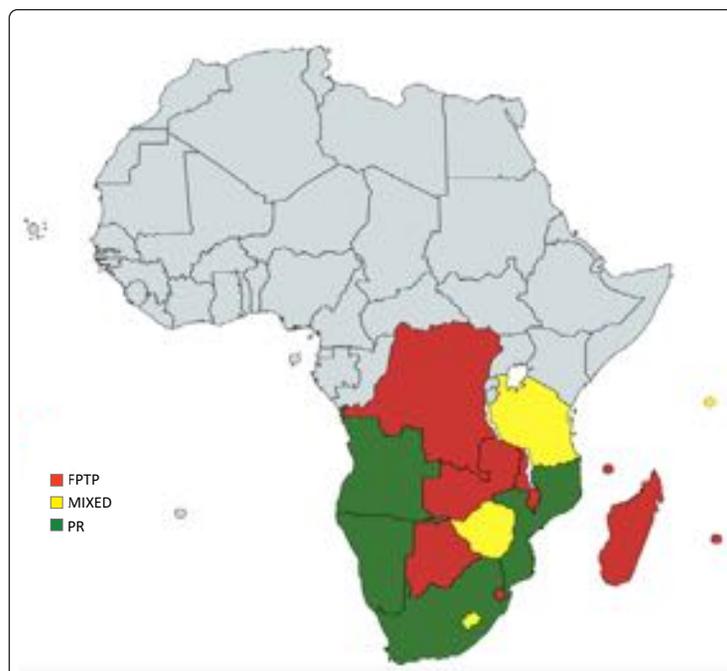
States: Angola, Mozambique, Namibia and South Africa. In the PR system, citizens cast their vote for a political party rather than a specific candidate. The political parties receive seats proportional to the number of votes won in the voting processes. In an open PR system the voters decide where a candidate appears on the list; and in a closed PR system, the political party decides. The closed list is more accommodating of women since it can be prescribed that equal numbers of women and men candidates appear on the list. The list thus adopts what is called a “zebra” approach, alternating the candidates between a woman and a man.

#### MIXED SYSTEM

The mixed electoral system combines aspects of the FPTP and PR electoral systems. In the SADC region, three Member States (19 percent) have adopted this system: Lesotho, Tanzania and Zimbabwe.

A combination of the FPTP and PR electoral systems can significantly increase the representation of women in positions of power and decision-making. However, these combinations should be crafted in such a manner to ensure progressive gains for women’s representation in politics and decision-making to reach parity.

Figure 1.1 Electoral systems used in SADC Member States



Source: Data provided by SADC Member States as shown in Table 1.1

### TEMPORARY SPECIAL MEASURES

State Parties in the SADC region have also adopted Temporary Special Measures in conjunction with the electoral systems to increase and ensure the representation by women in politics and decision-making. These measures are intended to rectify historical imbalances inherited from pre-independence electoral systems, but have become more or less permanent methods of increasing the representation by women. For example, Tanzania and Zimbabwe have constitutional quotas for women. Mozambique, Namibia and South Africa have voluntary party quotas to support the PR system in its delivery of representation by women. Lesotho has a mixed member proportional system in which voters cast a ballot for the party and for a candidate of their choice. Eswatini has a special system whereby the House of Assembly transforms itself into an electoral college and elects four women into the Assembly at its first sitting.

Table 1.1 shows the representation of women in the National Assemblies of SADC Member States relative to the electoral system used, and the results are illustrated by the graph in Figure 1.2.

As shown in Table 1.1, SADC Member States using the PR electoral system combined with quotas have a higher representation of women in the National Assembly, with South Africa leading the SADC rankings at 46.7 percent, followed by Namibia with 44.2 percent and Mozambique at 42.4 percent. In the PR system combined with quotas, political parties are mandated to include women on their party lists, usually in a “zebra” style alternating with men, hence the higher levels of representation by women through this electoral system. In South Africa, Namibia and Mozambique, some political parties have adopted a voluntary quota to increase the number of women candidates. Angola, which uses the PR system without quotas ranks slightly lower, at 6th among SADC Member States, with

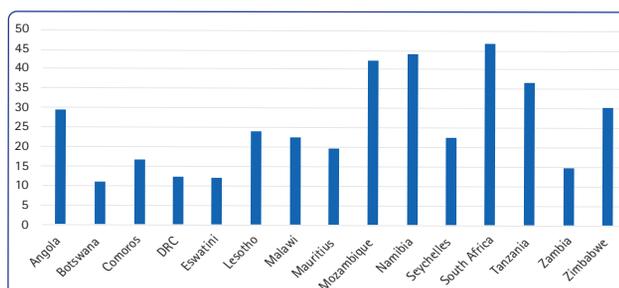
Electoral Systems and Women Representation in National Assemblies of SADC Member States in 2021

Table 1.1

Member State	Electoral System for National Assembly	Representation of Women in National Assembly %	Ranking in SADC	Ranking in Africa
South Africa	Proportional Representation	46.7	1	2
Namibia	Proportional Representation	44.2	2	3
Mozambique	Proportional Representation	42.4	3	5
Tanzania	Mixed	36.9	4	9
Zimbabwe	Mixed	30.6	5	14
Angola	Proportional Representation	29.6	6	15
Lesotho	Mixed	24.4	7	22
Malawi	First Past the Post	22.9	8	26
Seychelles	Mixed	22.86	9	27
Mauritius	First Past the Post	20.0	10	31
Madagascar	First Past the Post	18.5	11	34
Comoros	First Past the Post	16.7	12	35
Zambia	First Past the Post	15	13	38
DRC	First Past the Post	12.8	14	43
Eswatini	First Past the Post	12.2	15	45
Botswana	First Past the Post	11.1	16	47

Source SADC Member States National Progress Reports on implementation of the SADC Gender and Development Protocol; with Africa rankings from the Inter Parliamentary Union (IPU) which also uses official data submitted by Parliaments, March 2022. The Union of Comoros data from IPU.

Figure 1.2 Women Representation in National Assembly in SADC Member States in 2021 (%)



Source Table 1.1

29.6 percent representation. Depicted data therefore suggest that a combination of the PR system with quotas is a more beneficial approach to achieving gender equality and women's representation in decision-making positions.

Further, the data show that Member States using the Mixed electoral system achieve results that are lower than the PR system with quotas, but higher than FPTP. Tanzania has 36.9 percent representation by women in the National Assembly and is ranked 4th in the SADC region, followed by Zimbabwe with 30.6 percent and ranked 5th in the SADC region. The other two Member States using a Mixed system are Lesotho with 24.4 percent, ranked 7th in SADC, and Seychelles which ranks 9th with 22.86 percent. Therefore, the seven member states that top the SADC Table with the highest proportion of women in the National Assembly use either a Proportional Representation electoral system or a Mixed system that combines PR and FPTP (Table 1.1).

Half of the SADC Member States use the FPTP electoral system and rank in the lower half of Table 1.1 in representation by women in the National Assembly. Malawi is 8th with 22.9 percent; and Mauritius is 10th with 20 percent; Madagascar ranks 11th with 18.5 percent; Comoros is 12th with 16.7 percent, Zambia has 15 percent and ranks 13th, followed by DRC at 14th with 12.8 percent.

Eswatini and Botswana are shown at the bottom of the SADC regional table in 15th and 16th place, with the lowest representation by women in the National Assembly with just 12.2 percent and 11.1 percent respectively, and among the lowest rankings in Africa at 45 and 47. Both countries use the constituency system of FPTP, and both have a special measure in place to add a few guaranteed seats for women. All of the Member States using the FPTP electoral system have a representation by women that is below 25 percent, just half of the gender parity target of equal representation.

It can therefore be argued that the PR electoral system generally guarantees higher representation of women in parliament as seen by the results of SADC Member States, followed by Mixed systems using special measures. *The FPTP system produces the least desirable results.*

### 1.3 STATUS BY MEMBER STATE

#### ANGOLA \_\_\_\_\_

The Angolan Constitution (2005), Article 144, establishes the PR List system at the national and sub-national levels, in which citizens vote for a party, not an individual candidate, and seats in the National Assembly are allocated according to the proportion of votes won by each political party contesting. The country is considered as one national constituency for the election of 130 seats, while 90 members are elected in 18 provincial constituencies choosing five members each, for a total of 220 seats in the National Assembly. This is a closed-list system in which the parties submit lists of candidates in their preferred order. The leader of the party or coalition with the most seats in the National Assembly becomes President of the country.

Article 20 of the Electoral Act of 2004 directs that the law on political parties should encourage the promotion of equal opportunities and equity between men and women, as well as a gender representation of not less than 30 percent in the governing and directive bodies at all levels. However, no penalties are indicated for non-compliance. The main policy instruments for the promotion of gender issues in Angola are the National Gender Equality and Equity Policy and its Strategy for advocacy and

resource mobilization for implementation and monitoring, which was passed by a Presidential Decree 222/13 of 24 December, and the Government Plan 2018-2022.

The level of representation by women in the National Assembly of Angola (*Assembleia Nacional*) is 29.6 percent, with 65 women members of the total 220, and Angola ranks 6th among SADC Member States, as shown in Table 1.1. The next national election is in August 2022.

#### **BOTSWANA** \_\_\_\_\_

The Electoral Act Chapter 02:09 of 2012, the Local Government Act 2012 and the Referendum Act CAP 02:10 guide the electoral processes in Botswana. These laws do not carry special measures to facilitate women's representation. Botswana adopted the National Policy on Gender and Development in 2015 as a strategic guiding tool on gender interventions, and a National Gender Commission has been established to support the process towards an inclusive legislature.

The unicameral parliament consists of 57 members who are directly elected in single-member constituencies using FPTP, and they elect the President, who has the mandate to nominate six Specially Elected Members for election by the National Assembly, which totals 63 members, plus the Speaker of Parliament and the President of Botswana. The number of Specially Elected Members was increased from four to six before the 2019 elections, and four women were elected under this dispensation after nomination by the President. However, the number of women securing direct election remains low.

The country has a pending constitutional review where issues of gender equality and women's empowerment are expected to be high on the agenda. The Gender Policy and Action Plan sets equal representation as a national priority, and the President in his inaugural address to Parliament, emphasised the need to increase the presence and participation of women in politics. According to the national progress report, "the FPTP arrangement is not adequate in ensuring that women fully participate in the electoral process."

Three women were elected under FPTP in the 2019 elections, and the President used the facility for Specially Elected Members to nominate 4 women, thus increasing the representation to 7 women of the total 63 members elected. The SADC Electoral Observation Mission (SEOM) expressed regret at the low number of women who contested the elections, noting that there were only 11 women among the 210 candidates for election although 55 percent of voters in Botswana are women. Higher numbers could be achieved by encouraging the participating parties to field more women candidates to compete for parliamentary seats, among other measures. Botswana ranks 16 in the SADC rankings with 11.1 percent women in the National Assembly, as shown in Table 1.1. The next national election is in 2024.

#### **UNION OF COMOROS** \_\_\_\_\_

The Constitution of 2018, Articles 32 and 33 provide citizens of Comoros with the right to participate in political life directly or through representatives freely elected; the right to access public functions and elective mandates "in conditions of equality and freedom", within the law; and Article 34 "recognizes and guarantees the youth and women the right to access political instances of local and national representation". Suffrage is universal, equal and secret, under Article 3.



The Union of Comoros has a unicameral parliament with direct elections using FPTP and no quotas or reserved seats, according to official information supplied to the Inter-Parliamentary Union (IPU). The Assembly of the Union is made up of 24 seats directly elected in single-member constituencies using a two-round system. In the first round the candidates who obtain an absolute majority are declared elected. In the run-off elections, a simple majority suffices. Legislative elections were held in January and February 2020, resulting in 4 women and 20 men elected to the Assembly. The presidential election was held in April.

Comoros is the most recent Member State of SADC, having been admitted at the 37th Summit in August 2017 and gaining full membership at the 38th Summit in August 2018. With 16.7 percent women in the Assembly (Table 1.1), Comoros ranks 12th among SADC Member States. The term of office is five years, and the next elections are scheduled for 2025.

#### DEMOCRATIC REPUBLIC OF CONGO \_\_\_\_\_

The National Constitution of the DRC (2006) mandates the state to ensure the equality of gender representation at all levels: national, provincial and local. Article 14 specifies that the State guarantees women equal participation in decision-making bodies. The Electoral Law (Law 06/006 of March 2006,13) requires that the lists of candidates or coalitions should take into account the equal representation of men and women. However, the electoral law should be revised in the spirit of Article 14 of the Constitution. There are legislative proposals for the revision of Law No. 15/103 on modalities for the application of women's rights and parity to make it more binding by adding penalties for non-adherence. The national progress report says these measures are not effective because it is a statement of intent that is not applied to date, and there are no penalties.

The National Assembly (*Assemblée Nationale*) has 500 seats directly elected through FPTP and the Senate has 109 seats elected by the Provincial Assemblies using proportional representation; eight from Kinshasa and four from each of the other 24 provinces. There are no quotas or special measures to ensure representation by women. The Senate has a higher representation by women at 26 of 109 senators, 23.9 percent.

The DRC ranks low in the representation by women in the National Assembly, at 14th of the 16 SADC Member States. In the 2018 elections, 64 women were elected among the total 500 members, for 12.8 percent, as shown in Table 1.1. The next election is planned for December 2023.

#### KINGDOM OF ESWATINI \_\_\_\_\_

The Constitution specifies that women “and other marginalized groups have a right to equitable representation in Parliament and other public structures.” Special measures and affirmative action are contained in the National Constitution to ensure women's representation in parliament, in Articles 94 and 95. Article 86 specifies that if after any general election it appears that women will not constitute at least 30 percent of the total membership of Parliament, the House shall form itself into an electoral college at its first sitting and elect 4 women from the four regions to the House of Assembly. The Women in the House of Assembly Act of 2018 was passed to enact this.

The National Gender Responsive Electoral Guidelines are intended to create an environment conducive to the robust participation and representation by women.

The Parliament (*Libandla*) has a bicameral structure with an Upper Chamber (Senate) in which 10 senators are elected by the House of Assembly “at least half of whom shall be female” and 20 senators are appointed by the King “at least eight of whom shall be female” (Constitution 2005). The current Senate has 12 women members out of 30, which is 40 percent. However, the constitutional quotas have not achieved their goal in the Lower Chamber, the House of Assembly, which has 59 members directly elected in constituencies based on the 59 *tinkhundla* areas, using a FPTP electoral system. Primary elections are held first at the 385 traditional councils (chiefdoms) and the top three candidates from each council proceed to the election at *tinkundla* level where the candidate with the highest number of votes is declared elected.

Two women were elected by this method in the 2018 elections, four women from the regions were elected by the House of Assembly, and three women were among the 10 members appointed by the King, for a total of 9 women members (12.2 percent) out of the current 74 ( which includes the Attorney General as an ex-officio member). Eswatini is 15th among SADC Member States for women’s representation in the House of Assembly (Table 1.1). The next election is due in 2023.

#### KINGDOM OF LESOTHO \_\_\_\_\_

Lesotho has a Mixed Member electoral system of FPTP and Proportional Representation. The legal framework is provided in the National Constitution (1993 and amendments) and the Electoral Act. The Parliament is bicameral. The Senate (Upper House) has 33 members of which 25 are hereditary and 11 are nominated by the King. There are 7 women among the 33 senators, 21.2 percent.

The Lower House, the National Assembly has 120 members of which 80 are directly elected through single-member constituencies using FPTP and 40 are elected through one national constituency using a PR system and party lists. The Speaker and Deputy Speaker elected to the posts in June 2017 are additional to the directly elected members and therefore the legislature officially comprises 122 members. However, some seats have become vacant for various reasons and current members of the National Assembly total 115.

The candidates for election included 431 women, 31.37 percent of the total. Women won 19 of the 40 PR seats (48 percent) in the 2017 elections, but won only 12 of the 80 FPTP seats (15 percent), according to IPU which uses official information submitted by national parliaments. The current representation in the National Assembly is 87 men and 28 women, a total of 115 seats with 24.4 percent representation by women, as shown in Table 1.1. Lesotho is 7th among SADC Member States (Table 1.1). The next election is expected in September 2022.

#### MADAGASCAR \_\_\_\_\_

Madagascar uses the FPTP electoral system as provided in the National Constitution of 2010. The electoral legislation contains no quotas or special measures to ensure representation by women or youth. However, Madagascar is in the process of adopting a Law on Gender Equality, and drafting a National Gender Policy to support gender parity.



Madagascar has a bicameral parliament and the upper chamber, the Senate is indirectly elected with 2 senators per province for a total of 18 senators. They are elected by an electoral college comprising the majorsw, the municipal and communal councillors, with 6 additional senators appointed by the Head of State. There are 2 women among the 18 senators, 11.1 percent (IPU 2021)

There are 27 women in the National Assembly (*Antenimierampirenena*) of the total 151 members, for 18.5 percent representation by women after the 2019 elections. Madagascar is 11th in SADC, as shown in Table 1.1. The next election is due in 2024.

### **MALAWI** \_\_\_\_\_

The Constitution of Malawi provides for equality of all people and specifies gender parity in the representation of women and men in the National Assembly, but elections are guided by the Parliamentary and Presidential Elections Act Chapter 2:01 which has no specific obligations for women's representation in politics and decision-making. The Gender Equality Act is enforceable in the public sector and not in the National Assembly, and there are no special measures for women.

In general, most electoral laws, policies, regulations and guidelines do not incorporate equality and non-discrimination principles. Therefore, the commitments on promoting the participation of women in decision-making structures have limited enforcement mechanisms to address systemic or structural gender discrimination, according to the national progress report on implementation of the SADC Protocol on Gender and Development, which also says that the representation of women is "rather low". Electoral Laws are being reviewed, with a Proposed Electoral Gender Quota of 28 seats, one per district.

Malawi uses the FPTP electoral system and following the 2019 election, this resulted in 45 women members of the total 193 seats, for 22.9 percent as shown in Table 1.1. Malawi is 8th in SADC for representation by women in the National Assembly. The next parliamentary election is in 2025.

### **MAURITIUS** \_\_\_\_\_

Mauritius uses the FPTP electoral system for the National Assembly elections and a combination of FPTP with quotas for local elections. The National Assembly has 70 seats of which 62 are contested through the FPTP electoral system and 8 are filled by the Electoral Supervisory Commission using a complex formula to ensure representation of all ethnic communities, as specified in the Constitution (1968). There are no electoral quotas or special measures to ensure representation by women or youth. The Local Government Act prescribes a quota for the local elections mandating political parties to field between 30-50 percent women, and gender diversity in a party list. In addition, a list of reserve candidates for the election of municipal city councillors, municipal town councillors or village councillors, for the purpose of filling any vacancy between two elections, shall not comprise "more than two-thirds of persons of the same sex and not more than 2 consecutive candidates on the list shall be of the same sex".

Sixty parliamentarians are elected in 20 constituencies by direct popular vote with ballots cast for three candidates in each constituency, plus the island of Rodrigues, which is a single constituency returning two members. The remaining eight parlia-

mentarians are drawn from a list of “best losers” to ensure a fair representation of ethnic and religious communities. Mauritius has introduced a new quota law for local government, specifying that at least one-third of the candidates must be women and one-third men, but there is no quota system at national level.

After the 2019 elections, there are 14 women of the 70 members of the National Assembly, 20 percent, as shown in Table 1.1. Mauritius is 10th in SADC for representation by women in the National Assembly. The next parliamentary election is in 2024.

## MOZAMBIQUE \_\_\_\_\_

Mozambique has created an enabling environment for the participation of women in politics and decision-making, according to the national progress report. The Constitution, Articles 35 and 36 enshrine the principle of equality that establishes equal rights of men and women. The Gender Policy guides gender equality in the socio-economic and political spheres, and the National Plan for the Advancement of Women has started implementation. The gender machinery in the country works to raise awareness of women’s equal representation and participation in political and decision-making positions. Other efforts include training journalists and polling officers to be gender sensitive.

Mozambique uses a PR system of party lists by province for election to the Assembly of the Republic (*Assembleia da Republica*), with 10 provincial constituencies, city of Maputo, and the expatriate citizens in Africa and in Europe, for a total 13 constituencies. There is no system of legislated quotas, but the three leading political parties with seats in the Assembly have adopted voluntary party quotas for women in leadership, and through the use of this system of voluntary political party quotas, there has been a significant increase in the participation of women in politics and in the Assembly. This demonstrates the effectiveness of using a PR system combined with political party quotas to deliver results.

The Assembly of the Republic has 250 Deputies of which 107 are women for a ratio of 42.4%, which ranks Mozambique at number 3 in SADC and 5th in Africa, as shown in Table 1.1. The next national election is in 2024.

## NAMIBIA \_\_\_\_\_

The Constitution makes provision in Article 10 for non-discrimination and equal treatment with regard to candidates and voters, and Article 23 prescribes affirmative action. The Electoral Act 5 of 2014, which is under review, does not make specific provision for women’s representation, although the Local Authorities Act specifies a 30 percent quota which is enforced by the electoral commission.

Namibia uses a PR system with party lists for elections at national and local levels. A combination of the PR electoral system and voluntary party quotas has made Namibia a top performer in women’s representation in the National Assembly, although the other house of the bicameral parliament, the National Council, which is indirectly elected by Regional Assemblies, has a lower proportion with 42 members of whom 6 are women, or 14.3 percent. For the National Assembly, the political parties have adopted affirmative action measures by creating voluntary quotas to ensure the increased representation and participation by women. In the 2019 elections, the five



main political parties fielded between 39 percent and 51 percent women candidates, and the party in government has committed to 50 percent representation through use of the “zebra” method of alternating men and women candidates on party lists, as enshrined in the party constitution.

The statutory number of members in the National Assembly is 104 of which 96 are directly elected and 8 non-voting members are appointed by the President. There are currently 46 women of 104 members for 44.2 percent representation. Namibia is the second highest among SADC Member States in this regard, and 3rd in Africa. The next election for the National Assembly is in 2024.

### SEYCHELLES

The principles of gender equality and political participation are enshrined in the Constitution of Seychelles through the Preamble which proclaims equal rights, and Chapter 3 on human rights and freedoms including political participation. However, the Constitution is gender neutral as it reserves the same rights for men and women without explicit distinction, according to the national progress report. The principal mode of designating members for the National Assembly is directly elected. There are no constitutional or legislated quotas for women’s representation, and political parties do not have voluntary quotas.

Seychelles uses a Mixed Member System of primarily FPTP single-member constituency elections combined with additional PR seats based on the total national votes by party. The National Assembly has 35 members of which 26 (a new constituency was established in 2020) are elected in single-member constituencies using the FPTP system and the political parties get an additional seat for each 10 percent of the national vote received. There are currently 9 additional members, to total 35. This PR system is gender neutral and not specifically to increase representation by women.

Seychelles has experienced extreme fluctuations in the participation and representation by women, holding the top position in SADC for several years at 43.8 percent before dropping to 21.2 percent in the 2016 elections and 22.86 percent after the 2020 elections, with 8 women members among the 35 elected. The elections were called a year early to align with presidential elections. The next election is to be held not before 31 October 2025. Seychelles is 9th among SADC Member States for representation by women in the National Assembly (Table 1.1).

### SOUTH AFRICA

Political rights and equality are provided in the Constitution and its Bill of Rights, Section 9, and the PR electoral system is prescribed in the Constitution. The equality provision of the Bill of Rights makes a specific provision for affirmative action. The provisions are further expounded in the Electoral Act 73 of 1998, specifically Articles 26 and 27. However, implementation is inadequate according to the national progress report, because there are no penalty measures for non-compliance. Government is looking at closing this gap through a proposed Women Empowerment and Gender Equality Bill.

The party in government adopted a voluntary quota for women candidates on the ballot which was raised to 50 percent in 2007 using the “zebra” system of men and women candidates alternating. There are no legislated quotas at national level

and other contesting parties are not compelled to adopt a 50-50 party list. The Local Government Municipal Structures Act of 1998 however, requires that 50 percent of the candidates on a party list at local level are women, and that women and men are evenly distributed throughout the list, although the “zebra” list is not prescribed.

The other chamber of Parliament is the National Council of Provinces in which each province is equally represented, with 10 delegates from each of the nine provinces made up of six permanent delegates and four special delegates for a total of 90 provincial delegates. Representation by women is 37 percent in the National Council of Provinces.

The PR electoral system combined with a voluntary party quota has contributed to securing a significant representation and participation by women at national and provincial levels in South Africa, resulting in the proportion of 27.75 percent in 1994 increasing steadily to 46.7 percent after the 2019 national elections, with 184 women of the total 397 members elected to the National Assembly. This has resulted in South Africa having the highest representation by women in a National Assembly in the SADC region and 2nd in Africa. The next national election is in 2024.

#### UNITED REPUBLIC OF TANZANIA \_\_\_\_\_

The Constitution of the United Republic of Tanzania (1977 as amended 2005) provides equal opportunities and rights in decision-making processes (Articles 21, 22) and non-discrimination (Article 13), and prescribes that women must make up not less than 30 percent of Members of unicameral Parliament (*Bunge la Tanzania*), as further specified in Article 66 and 78 on electoral processes. The National Elections Act of 1985 says that all the seats in the National Assembly are contested, and Elections Regulations 2010 provide the modalities for single-constituency FPTP electoral system with an additional 30 percent seats for women members elected using a party list PR system. The Local Authorities Act prescribes the same mixed electoral system at local level.

Tanzania therefore initiated a Mixed electoral system in which the FPTP single-constituency elections are freely contested by women and men, but 30 percent additional seats specifically for women are chosen by PR using party lists and the total figures from FPTP. The PR seats are allocated to political parties that earn more than 5 percent of the national vote. The candidates are nominated by their respective political parties. This arrangement guarantees at least 30 percent seats for women in the national assembly, in addition to women who are directly elected in constituencies.

The statutory total of seats in the *Bunge* is 393 of which 264 are directly elected FPTP, plus 113 women elected by PR, 5 members who are indirectly elected by the Zanzibar House of Representatives, 10 can be appointed by the President, plus the Attorney General. Although there are no special seats for youth, 96 MPs are 40 years and under, 27.6 percent, and almost half of these (45) are women. Most of the 17 MPs aged 30 and under are women (13) and the youngest member of the *Bunge* is a young woman of 24 years. (IPU 2021 uses information submitted by parliament).

The current number of women MPs is 145 of a total of 393 members in the *Bunge*, for a proportion of 36.9 percent, ranking Tanzania at 4th in SADC and 9th in Africa (Table 1.1)

The next national election is in 2025.



## ZAMBIA

The Constitution of Zambia (1996) enshrines the principles of gender equality and representation in Article 8 and in the Preamble, Amendment Act No. 2 of 2016, which says that every citizen “man or woman” has equal rights of participation and building a sustainable political order freely. Article 45 enshrines gender equity in the National Assembly and Councils, and places a constitutional duty to the Electoral Commission of Zambia to adopt measures that promote gender equity “and ultimately meet gender equality”. Article 68 mandates the President of the Republic to nominate up to eight members of the National Assembly, and Article 69 specifies gender as one of the considerations in doing so. Article 259 provides for all appointments to consider gender parity, and that nominations to public office must ensure 50 percent representation by men and women.

However, the national progress report says these measures are “not so effective” and provisions of the Constitution have not been fully adhered to. The national report says further that FPTP has not helped women’s representation, and the absence of a quota system in the Constitution worsens matters, as does inadequate implementation or enforcement of constitutional requirements such as Article 45(1)(d) which provides principles for ensuring gender equity in the electoral system and process, and the lack of subsidiary legislation.

The Electoral Act number 35 of 2016 and the Electoral Process Act of 2016 have no affirmative action or quotas for women, so Zambia uses the FPTP electoral system without affirmative action measures to promote women’s representation. This has resulted in generally low levels of representation of women in the parliament of Zambia with 25 women members of the total 167. At 15 percent women’s representation in Parliament, Zambia has a rank of 13th among the 16 SADC Member States. The last election was in August 2021 and the next election is due in 2026.

## ZIMBABWE

The Constitution of Zimbabwe Amendment (No. 20) Act 2013 provides for equality, non-discrimination, and equal opportunities in political, economic and social activities, and sets a specific framework for this, including gender, age, disability and status. Section 80 provides that every woman has the right to “equal treatment including the right to equal opportunities in political, economic, cultural and social spheres”. Section 120 and 124 provide for a reserved quota of 60 seats for women in the National Assembly elected through proportional representation, and for election to the Senate through proportional representation. The use of this measure doubled women’s representation in the National Assembly to more than 30 percent in the next two general elections, and in the Senate to 48 percent (2013) and 44.2 percent (2018) through the use of a “zebra” list in which women and men candidates are listed alternately, and lists are headed by a woman candidate.

The 2013 Constitution makes provision for 210 members of the National Assembly to be elected in single-member constituencies using FPTP plus 60 additional seats reserved for women elected using the PR system, with six from each of the ten provinces based on the total votes cast in each province for each political party in the constituency elections, applicable for the life of two Parliaments. However, the Constitution of Zimbabwe Amendment (No. 2) Bill currently under consideration proposes the extension

of the PR quota for women for five years, the life of the next parliament. This Amendment proposes to include 10 seats for Youth elected under the PR system.

Zimbabwe adopted the Mixed system in 2013 and the quota for women is similar to the quota system in Tanzania, with some variations. It uses provincial representation, and is considered as a temporary measure. Women’s representation has maintained a level of just over 30 percent through this method. The country has a Gender Policy and Action Plan. However, the Political Parties Finance Act makes no specific gender obligations. A 30 percent quota for local government elections has just been adopted ahead of the harmonized elections in 2023. Zimbabwe has a 30.6 percent representation by women in the National Assembly, ranking 5th among SADC Member States, and 14th in Africa. The next national election is in 2023.

#### 1.4 TRENDS IN THE NATIONAL ASSEMBLY REPRESENTATION 1995 - 2022

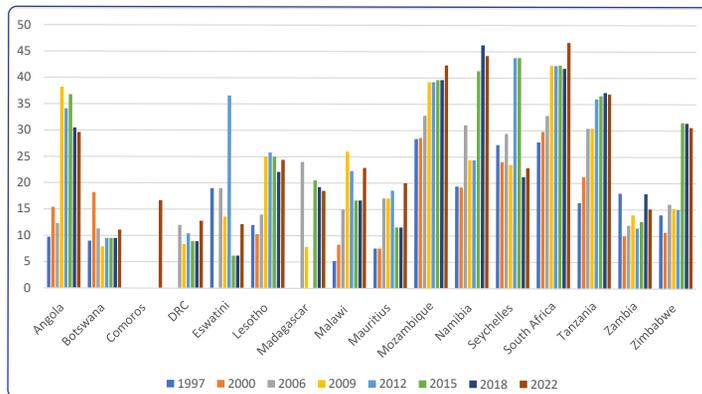
Member States using the PR system are making steady progress on implementation of the SADC Protocol on Gender and Development, and toward Gender Equality and Women’s Empowerment (GEWE), especially those with quotas for representation by women or using a “zebra” list that alternates men and women candidates.

Member States using the Mixed System are also doing well in this regard, through the use of FPTP combined with PR quotas for women, in addition to those who win constituency seats. However, data from Member States using only the FPTP constituency system tell another story as illustrated in Figure 1.2 that shows women’s representation from 1997-2022. Countries that use the FPTP electoral system have a generally low representation of women in the National Assembly.

The analysis shows sustained progress for countries that are using the PR electoral system, especially where it is combined with a quota system. At the time of the Fourth World Women conference in Beijing in 1995, Mozambique had the distinction of having the most women Members of Parliament in Southern Africa, and a high position in African and global rankings at the time with 28.4 percent, primarily due to the willingness of the party that won the most votes to put women on their candidate lists in a PR electoral system.

South Africa had 27.8 percent women in parliament in 1997, increasing to 42.3 percent from 2009, before climbing to 46.7 percent in the last election in 2019. Namibia also achieved its results steadily, from 19.2 percent representation of women in the National Assembly in 1997, rising to 26.9 percent in 2006, 46.1 percent by 2015, and 44.2 percent in 2022. Mozambique has increased steadily from 32.9 percent in 2006 to 39.6 percent in 2018 and 42.4 percent in 2022. Tanzania also had a steady increase over the period, from 30 percent in 2006 and maintaining a level

Figure 1.3 Women in the National Assembly in SADC Member States 1997–2022



Source SADC Member State National Progress Reports, with additional information March 2022 from Inter Parliamentary Union (IPU) which uses official data submitted by member Parliaments. Graph updated from SADC Gender and Development Monitor 2018, p27

over 35 percent until reaching 36.6 percent in 2022. Seychelles which uses a Mixed Member System also reached these heights, holding the top position in SADC for several years at 43.8 percent, but has experienced extreme fluctuations, dropping to 21.2 percent in the 2016 elections and 22.86 percent after the 2020 elections.

South Africa, Namibia and Mozambique are the only SADC Member States that have reached over 40 percent representation by women in the National Assembly in a steady increase over multiple elections, as shown in Table 1.1 and Figure 1.3.

### 1.5 ELECTORAL SYSTEMS AND REPRESENTATION AT LOCAL LEVEL

The Mixed electoral system in Lesotho has produced the highest representation by women in local councils at 68 percent, as shown in Table 1.2, using a system of quotas. South Africa is second in the rankings with 41 percent at local level, using the Mixed system together with a voluntary party quota. Tanzania which uses the FPTP with a constitutional and legislated quota is ranked 3rd, the same ranking as Mozambique that uses the PR system together with a voluntary party quota.

The lowest ranked countries are Madagascar at 7 percent representation by women at local level using a Mixed system and Zambia on 8 percent representation, followed by Zimbabwe with 13 percent representation from a FPTP electoral system. These three lowest ranked Member States have no constitutional, legislated or voluntary quotas for women at local government levels, although a 30 percent quota for local councils in Zimbabwe will be applied in the 2023 harmonized elections.

This illustrates the need for constitutional, legislated or voluntary quotas to ensure the equal representation of women. The representation at local government level suggests that PR and Mixed electoral systems do not deliver the desired results unless other measures are put in place to increase gender equality and women's representation.

Electoral systems for local government in SADC Member States

Table 1.2

Country	Electoral system at local government	Number of women	Percentage representation	Quota or TSM
Botswana	FPTP	117/491	24%	None
Comoros				
DRC	FPTP	78/286	27%	None
Eswatini	FPTP	15/97	15%	Constitutional legislated
Lesotho	Mixed	411/691	68%	Constitutional legislated quota
Madagascar	Mixed	744/10063	7%	None
Malawi	FPTP	64/440	15%	None
Mauritius	FPTP	283/1296	22%	Constitutional legislated
Mozambique	PR	454/1350	34%	Voluntary party quota
Namibia	FPTP	24/121	20%	Constitutional quota, legislated 30%
	Regional Council			
Seychelles	Mixed Member parallel system	n/a	n/a	None
South Africa	Mixed	4219/10235	41%	Voluntary party quota 50%
Tanzania	FPTP	1190/3477	34%	Constitutional legislated quota for local government 33%
Zambia	FPTP	126/1516	8%	None
Zimbabwe	Mixed since 2021 Previously FPTP	90/1359	13%	Constitutional quota for local government 30% starts with 2023 elections

Source: National Progress Reports on Implementation of the SADC Protocol on Gender and Development 2022

## 1.6 ENABLING CONDITIONS AND CHALLENGES TO WOMEN'S PARTICIPATION IN POLITICS AND DECISION MAKING

While favourable electoral systems are the main focus for increasing the participation by women in politics and decision-making positions, there are other factors that influence or hinder women's participation. These conditions must be addressed by government structures, national gender machineries and political parties, and by the candidates themselves, as well as citizens interested in the results of these processes and the impacts on their societies.

These factors include:

- ❖ Creating enabling legislation for an electoral system that facilitates the participation of women such as legislated quotas as political parties are not obliged to advance gender equality;
- ❖ Effective implementation of enabling legislation that is already in place, and domestication of regional protocols;
- ❖ Support systems for women candidates that include capacity-building in this regard, and access to socio-economic resources to prepare and contest elections

Political parties can facilitate the participation of women through incorporating this into their party constitutions and adopting voluntary party quotas, as well as working together to agree on and support gender equality and women's empowerment.

Other factors that hinder the participation of women are:

- Manipulation in primary elections where women and youth are overlooked or sidelined as potential candidates;
- Gender Based Violence both physical and psychological, hate speech directed at women candidates physically or on social media, and gender stereotyping of women;
- Social conditioning that encourages subservience at the household, community and national levels, and systematically discourages women from taking leadership roles

## 1.7 CONCLUSION AND RECOMMENDATIONS

Depicted data suggest that a combination of the PR system with quotas is a more beneficial approach to achieve gender equality and women's representation in politics

### Box 1.1 My Experience in Politics

#### Woman Councillor, Masvingo Province, Zimbabwe

I am a married woman. I contested for this position for the first time in 2008. Eight candidates contested; 4 men and 4 women. I won the election. In 2013, 17 candidates contested; 3 women and 14 men. I won the election again. I have learnt that men can use women's personal lives to de-campaign them. I won because of women's support. During my first term of office, I introduced women-specific projects such as women's clubs, village savings and loans, garden projects and competitions of various nature. This helped me to garner women's support during the 2013 election. However, it was not easy. I had challenges both at home and in the community.

My first term of office was a nightmare because my work involves travelling outside the community. My husband did not understand it. I failed to perform my roles such as cooking and washing because of absence from home. He ended up cooking and washing for himself. I also had a challenge with the times that we finished meetings. He expected me to be home between 5pm and 6pm. I would walk alone at night and my husband was not happy about it. He did not like it when I received phone calls from men, but the nature of the job entails responding to people's needs, whether men or women.

When my phone rang, he used to rush to answer it, with the intention of establishing who was calling me. When I went for meetings, he would randomly call me to find out where I would be. I would tell him, then immediately he would call to say, come out, I have arrived. He tested me several times, until he realised that I was honest. This time around, I have gained his trust, he is no longer following me. *Zvandingangotaura ndezvekuti, ndakashingirira asi zvakaoma* (What I can only say is that I persevered, but it was tough).

Source Zimbabwe Electoral Commission Report



and decision-making. Further, the data show that Member States using the Mixed electoral system achieve results that are lower than the PR system with quotas, but higher than FPTP. The seven member states that top the SADC Table with the highest proportion of women in the National Assembly use either a Proportional Representation electoral system or a Mixed system that combines PR and FPTP (Table 1.1). Half of the SADC Member States use only the FPTP electoral system and rank lower in women's representation in the National Assembly.

The deliberate increase in women representation and participation in politics and decision-making positions is a priority for Member States to achieve gender equality and women's empowerment. The various electoral systems articulated above reflect the options that Member States use in working towards achieving this. While the various systems may have strengths and weaknesses related to local conditions, it is worth noting the statistical evidence from previous elections in the SADC region, and efforts made by Member States to address outcomes that are already legally binding agreements.

The effective implementation of legislative frameworks and legal agreements made at regional level are therefore the primary point of action for Member States. There are many examples in this chapter of electoral systems used effectively by some SADC Member States to facilitate an inclusive national parliament. The use of quotas, as seen in South Africa, Namibia and Mozambique may be a sustainable way for incremental progression within that period. While the emerging trend of a significant increase in women's representation through the Proportional Representation system is commendable, the Mixed system has also worked favourably in some Member States. Whichever system a Member State may choose, the key focus should be on the result and ensuring the enactment of requisite special measures to improve representation, towards implementation of the SADC Protocol on Gender and Development and achievement of the 2030 goal of attaining gender parity in politics and decision-making positions.

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## RECOMMENDATIONS

## CHAPTER 1 ELECTORAL SYSTEMS

### RE IMPLEMENTATION OF THE SADC PROTOCOL ON GENDER AND DEVELOPMENT

This report focuses on three Articles of the SADC Protocol Gender and Development in which SADC Member States have committed to gender equality and women's empowerment through Article 12 Representation – Article 13 Participation -- and Article 5 Special Measures.

Member States are urged to adopt special measures and to accelerate the implementation of commitments in Article 5, 12, 13 of the SADC Protocol on Gender and Development which they are parties to, as follows.

#### CONSTITUTIONAL RIGHTS

##### Article 5 SPECIAL MEASURES

SADC Member States are party to the SADC Protocol on Gender and Development, and should adhere to obligations contained therein by putting in place "special measures with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation."

## GOVERNANCE

### Article 12 REPRESENTATION

1. State Parties shall "ensure equal and effective representation of women in decision-making positions -- in the political, public and private sectors – including the use of **special measures** as provided for in Article 5."
2. "State Parties shall ensure that all legislative and other measures are accompanied by **public awareness** campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision-making positions, democracy, good governance and citizen participation."

### Article 12 PARTICIPATION

State Parties shall:

1. "adopt specific legislative measures and other strategies to enable women to have **equal opportunities** with men to participate in all electoral processes including the administration of elections and voting."
2. put in place policies, strategies and programmes to ensure the **equal participation** of women and men in decision making by,
  - o Building the capacity of women to participate effectively through leadership and gender sensitivity training and mentoring;
  - o Providing support structures for women in decision-making positions;
  - o The establishment and strengthening of structures to enhance gender mainstreaming; and
  - o Changing discriminatory attitudes and norms of decision-making structures and procedures.
3. ensure the **inclusion of men** in all gender-related activities, including gender training and community mobilisation.

### In the context of the above Articles of the SADC Protocol on Gender and Development SADC Member States are urged to:

1. Accelerate the **Implementation** of existing legal commitments at national and regional levels to achieve gender equality and women's empowerment, and ensure that regional and national protocols, policies and agreements in this regard are advanced from laws or stated intentions to actual application.
2. Review the **Electoral Systems** used by SADC Member States to consider whether the electoral system used at national level is achieving the results required by the SADC Protocol on Gender and Development and determine what special measures are needed to achieve the required results; as the national progress reports submitted by Member States show that the Proportional Representation (PR) system with legal quotas or using the "zebra" party lists of alternating men and women candidates is more effective in this regard than the single-constituency system of First Past The Post (FPTP), and that a Mixed system that combines PR and FPTP in various ways is also effective, although the weaknesses of the FPTP system remain in the Mixed system.
3. Engage the SADC Electoral Advisory Council (**SEAC**) which provides an advisory role on issues pertaining to elections and governance in the SADC region, and the Electoral Commissions Forum of SADC Countries (**ECF-SADC**) to help to ensure that electoral systems and governance reflect the specific concerns, values, experiences and needs of women and youth as well as men; and draft indicators in this regard for use by the SADC Electoral Observation Missions (**SEOM**) in their work.



## 2.0 INTRODUCTION

The Legislature is an assembly with the authority to make laws for a political entity such as a country or city, and is the arm of government that embodies the idea that people are the source of political power in the State and should control the law-making process. It is an instrument through which the people elect representatives to act on their behalf. The Legislature approves budgets that may or may not be gender responsive and other processes that may have different impacts and perspectives for women and men. In SADC Member States, the legislative branch of government is constituted by a Parliament, which for some Member States is a single chamber (unicameral) and in others, it has two separate chambers (bicameral) with different responsibilities.

The representation and participation of women in the Legislature has generally seen modest improvement over the past 25 years compared to other arms of government although this varies by country, with some significant advances in the Executive and the Judiciary in some member states. In 2013, the regional average for women in parliament in Southern Africa (both houses combined) was 24.5 percent, which increased to 30.4 percent in 2018, and 30.9 percent by March 2022 (SGDM 2013, SGDM 2018 and IPU 2022).

The regional average indicates that there is progress towards Gender Equality and Women's Empowerment (GEWE) and that Member States are making efforts to advance the participation and representation of women in politics and decision-making as parties to the SADC Protocol on Gender and Development. Although the progress is generally slow, some national progress reports show significant advances in implementation. Southern Africa is doing fairly well as a whole when compared to other regions of the world, ranking third with 30.9 percent, just after Europe and the Americas whose averages are 31.1 percent and 33.9 percent respectively (IPU, March 2022), although some individual countries are higher.

## 2.1 WOMEN IN PARLIAMENT IN SADC MEMBER STATES

### ANGOLA

Angola has 65 women of the total 220 in the National Assembly, for 29.6 percent at end of 2021 and ranks 6th in the SADC region (Chapter 1 Table 1.1). The next national election is in August 2022.

Angola has a unicameral parliament, the National Assembly (*Assembleia Nacional*) and has increased the proportion of women members from less than 10 percent at the time of the Fourth World Women Conference in Beijing in 1995, to 38.2 percent just over 10 years later, despite the absence of a legislated quota. However, Angolans returned fewer women to Parliament in the August 2012 elections when the proportion was reduced to 34.1 percent, with 75 women elected in the first national election under the new Constitution (2010), before dropping to 30.5 after the 2017 elections (SGDM 2018 p27). Representation by women in parliament is expected to increase in elections this year in August, due to the inclusion of more women candidates and strong support by the President.

The national progress report stated that the country is progressing well towards gender equality and women's representation. *“The new orientation of the President of the ruling Party, which guides gender parity at the level of its government, is a measure presented that tends to increase the political participation of women in Angola and reinforces the implementation of the provisions regarding the participation of women in all areas and sectors.”*

#### **BOTSWANA** \_\_\_\_\_

Botswana has 7 women of the total 63 in the National Assembly, a proportion of 11.1 percent in 2021 and ranks 16th in the SADC region (Chapter 1 Table 1.1). The next national election is in 2024.

Botswana has increased women's representation in the legislature through the use of special measures, although the numbers remain very low. Five women were elected as Members of Parliament in 2009, which was 7.9 percent. The elections in 2014 raised the proportion to 9.5 percent with six women elected. In 2019, there was one more woman in Parliament bringing the number to 7 members, 11.1 percent.

The unicameral parliament consists of 57 members who are directly elected in constituencies, and they elect the President, who has the mandate to nominate four Specially Elected Members for election by the National Assembly, which thus totals 63 members, inclusive of the Attorney General and the President of Botswana. The number of Specially Elected Members was increased from four to six before the 2019 elections, and four women were elected under this dispensation after nomination by the President. The House of Chiefs (*Ntlo ya Dikgosi*) which advises Parliament on customary matters as obligated by the Constitution has a total of 34 seats consisting of 7 Paramount Chiefs, 5 specially elected chiefs and 22 representing Regions. Three of these chiefs are women, 8.8 percent.

The national progress report says there is steady progress and that interventions are effective, especially in engaging more men in the process of actively supporting gender equality and women's empowerment, although more effort is needed. Capacity-building by the Independent Electoral Commission is improving skills in preparation for public office. The National Policy on Gender and Development (2015) is a strategic guiding tool on gender interventions and coordination.

#### **UNION OF COMOROS** \_\_\_\_\_

Comoros is the most recent Member State of SADC, gaining full membership in 2018. With 16.7 percent women in the Assembly (Table 2.1), Comoros ranks 12th among SADC Member States. The term of office is five years, and the next elections are scheduled for 2025.

The Union of Comoros has a unicameral parliament with direct elections and no quotas or reserved seats. The Assembly of the Union is made up of 24 seats directly elected in single-member constituencies using a two-round system. Legislative elections held in 2020 resulted in 4 women and 20 men elected to the Assembly.



#### DEMOCRATIC REPUBLIC OF CONGO \_\_\_\_\_

The DRC ranks low in the representation by women in the National Assembly, at 14th of the 16 SADC Member States. In the 2018 elections, 64 women were elected among the total 500 members, for 12.8 percent, as shown in Table 2.1. The next election is planned for December 2023.

In 2013, the DRC had 44 women out of 500 seats in the lower house, and six seats among the 108 seats in the upper house. According to data from the Member State, the lower percentage of women in legislature is due to the fact that the political parties in the DRC do not have policies or rules which mandate them to uphold gender parity when establishing the electoral lists. The Government Action Programme of 2021-2023 of activities for strengthening the capacity of women to participate in politics and decision-making positions is one intervention that has been put in place to address the situation. However, the budgets allocated to the Ministries of Gender and Youth remain too low to properly address these challenges.

The national progress report indicates that the country is doing better toward gender equality and women's empowerment as most policies are in place. *"However, their implementation is very weak due to the lack of binding provisions, which means that the participation of women remains, in almost all areas, very low."*

#### KINGDOM OF ESWATINI \_\_\_\_\_

Eswatini is 15th among SADC Member States for women's representation in the House of Assembly with 9 women of the total 74, for 12.2 percent (Table 2.1). The next election is due in 2023.

The Kingdom of Eswatini has a bicameral Parliament (*Libandla*) and the assessment shows that women's representation in the upper house remains at 12 seats held by women of the total 30 (40 percent) since 2012. However, representation in the lower house remains low at 12.2 percent, although the Constitution specifies 30 percent women in decision-making bodies and specifies measures to address any shortfall. Section 95 of the Constitution empowers the King to appoint 10 members to the House, stating that, *"... at least half of them are women so as to represent interests, including marginalised groups, not already adequately represented in the House."*

The national progress report said these measures and other laws have contributed significantly to equality and non-discrimination in the country, citing several court cases that ruled in favour of women in electoral processes, although noting that more work is needed on implementation as the number of women to be elected through the Election of Women Members into the House of Assembly Act 2018 does not automatically get the representation of women to at least 30 percent as required by the Constitution.

#### KINGDOM OF LESOTHO \_\_\_\_\_

The current representation in the National Assembly is 87 men and 28 women, a total of 115 seats with 24.4 percent representation by women, as shown in Table 2.1. Lesotho is 7th among SADC Member States. The next election is expected in September 2022.

Lesotho has no constitutional or legal quotas for the election of women to the National Assembly. Women accounted for 25.8 percent following the 2012 elections,

and the figure decreased to 22.1 percent in the 2017 elections. The Parliament is bicameral. The Senate has 33 members of which 25 are hereditary and 11 are nominated by the King. There are 7 women among the 33 senators, 21.2 percent.

#### MADAGASCAR \_\_\_\_\_

There are 28 women members in the National Assembly (*Antenimierampirenena*) of the total 151, for 18.5 percent representation by women after the 2019 elections (Table 2.1). Madagascar is 11th in SADC, as shown in Chapter 1 (Table 1.1). The next election is due in 2024.

Madagascar has a bicameral parliament with the majority of women representation appearing in the lower house. The assessment shows that since 2015, Madagascar has experienced a downward trend in the representation of women in parliament. Following by elections since 2018, representation stood at 18.5 percent as of March 2022. The major impediment to the inclusion of women in legislature in Madagascar is the absence of affirmative action provisions that seek to achieve gender parity. However, the national progress report is incomplete in many key areas of assessment.

#### MALAWI \_\_\_\_\_

The 2019 elections resulted in 45 women members of the total 193 seats, for 22.9 percent as shown in Table 2.1. Malawi is 8th in SADC for representation by women in the National Assembly. The next presidential, parliamentary and local elections are in 2025.

The proportion of women in Parliament in Malawi dropped from 9 percent in 1994 when the country initiated a multi-party electoral system, to 5.2 percent with a marginal increase to 8.3 percent after the 1999 elections, before increasing to 15 percent in 2004 and 26 percent in 2009 when a total of 150 women candidates contested the 193 parliamentary seats. Women occupied 43 seats in Parliament (22.3 percent) in 2009, before dropping back to 16.7 percent. During the 2019 elections, representation rose to 23.32 percent with women occupying 45 seats.

The national progress report says the growing number of women MPs is largely due to greater awareness generated through campaigns by the Ministry of Gender and Community Development and civil society to advance the representation by women. Malawi also has special measures and affirmative action provisions which stipulate that there should be gender parity in representation of women and men in political positions and decision-making positions in the national assembly and local authorities. The constitution of Malawi states Section 24 (2) that:

*“Any law that discriminates against women on the basis of gender or marital status shall be invalid and legislation shall be passed to eliminate customs and practices that discriminate against women particularly practices such as (b) discrimination in work, business and public affairs.”*

The national progress report says that the Malawi Electoral Commission and the Parliamentary Women’s Caucus are working hard to ensure increased participation of women in politics, including programmes to raise awareness and encourage women to become candidates, media campaigns, training and capacity building of potential candidates and youth forums to spread gender awareness education.



## MAURITIUS \_\_\_\_\_

There are 14 women of the 70 members of the National Assembly, 20 percent, as shown in Table 2.1. Mauritius is 10th in SADC for representation by women in the National Assembly. The next parliamentary election is in 2024.

Mauritius has made steady progress from 7.6 percent in 1997, but the proportion of women members of the House of Assembly remains below 30 percent, dropping from 18.6 percent in 2012 to 11.6 in 2015. The figure rose slightly after the 2019 elections to 20 percent. The national progress report is incomplete with “no data” indicated for most entries and no assessment as to whether there is process toward gender equality and women’s representation.

However, the Ministry of Gender Equality and Family Welfare reported that Government has put in place a number of measures to achieve gender equality and women’s empowerment, and recently adopted its third National Gender Policy (2022-2030) which is aligned to the SDGs and provides entry points for public and private sectors, the media, academia and civil society to ensure that gender is mainstreamed in their policies and programmes.

## MOZAMBIQUE \_\_\_\_\_

The Assembly of the Republic has 250 Deputies of which 107 are women for a ratio of 42.4%, which ranks Mozambique as 3rd highest in SADC, as shown in Chapter 1 (Table 1.1).

Mozambique has sustained an increasing number of women in Parliament since the first multi-party elections in 1994 (28.4 percent) and was one of the first countries in SADC to pass the previous target of 30 percent in 2004, ahead of the 2005 deadline. Mozambique has continued on an upward trend ever since with 39.2 percent in 2015, 39.6 percent in 2018 and 42.4 percent in 2022. If this trajectory continues, Mozambique is likely to achieve gender parity in parliament by 2030.

In response to international and regional commitments, the government has produced a number of policies to raise the status of women and gender equality, such as the National Gender Policy and the Strategy for its implementation; the National Action Plan for the Advancement of Women 2018-2024; the National Plan to Prevent and Combat Gender-Based Violence 2018-2021 and the National Action Plan on Women, Peace and Security 2018-2022.

The national progress report indicates good progress with increasing numbers of women in parliament and public sector, involving men in the process of advancing gender equity, and in establishing norms that criminalize violence and abuse. The report says Mozambique is doing better with legislation and policy for gender equality and women’s representation but there is less effort on implementation. “*Well-designed policies, poor implementation and almost non-existent monitoring and evaluation of the same policies.*”

Improvement is also needed on the substantive participation of women parliamentarians and the introduction of legislated quotas for all political parties. The report says the national gender machinery works to raise awareness of issues of equal participation in politics, and efforts include training journalists and polling officers to be gender sensitive.

## NAMIBIA

The statutory number of members in the National Assembly is 104 of which 96 are directly elected and 8 non-voting members are appointed by the President. There are currently 46 women of 104 members for 44.2 percent representation. Namibia is the second highest among SADC Member States in this regard as shown in Chapter 1 (Table 1.1).

The proportion of women in Parliament was 31 percent in Namibia after the 2004 elections, reaching the original target of 30 percent representation by women in Parliament before the 2005 deadline. However, this achievement was not sustained and the figure dropped to 24.4 percent in the 2009 polls. By 2018, Namibia recorded a high of 46.2 percent and ranked first in the region. However, after the 2019 polls, the figure dropped to 42.7 percent with women occupying 41 of 96 seats, but by March 2022, Namibia had 44.2 percent women representation in parliament. Many political parties in the country have adopted temporary special measures to increase the representation of women, following the momentum created by the national gender machinery and civil society organizations on the achievement of the gender parity.

The national progress report indicates that Namibia is doing well with women in leadership positions and improving in gender policy but there is still a gap in terms of policy implementation. The assessment has indicated that attitudes are beginning to change following the meaningful engagement with men and boys, which is increasingly recognized as critical for advancing gender equality. The national assessment says challenges include the implementation of the non-legislated quota of the 50 percent target as political parties are not obliged by the National Electoral Act to field equal numbers of men and women as candidates, but political parties use their own discretion to ensure equal representation. The party in government has committed to 50 percent representation of women through the “zebra” method of alternating men and women candidates on party lists, and this is enshrined in the party constitution.

The Ministry of Gender Equality, Poverty Eradication and Social Welfare holds annual workshops to build capacity of women in politics and empower women to participate effectively.

## SEYCHELLES

Seychelles is 9th among SADC Member States for representation by women in the National Assembly with 8 women among the 35 members elected in the 2020 elections, 22.86 percent (Table 2.1). The next election is to be held not before 31 October 2025.

Seychelles ranked first in the SADC region and fifth globally in 2013 (IPU 2013), with 43.8 percent representation by women in National Assembly, and maintained the same figure in 2015 and 2016. However, the proportion of women in parliament has reduced by almost half of the 2016 figure of 43.8 percent. In 2018, women were only 21.2 percent of the National Assembly, rising slightly to 22.9 percent by March 2022, following elections in 2020.

Gender equality and women’s empowerment are addressed in the Gender Policy of 2016 and in the Constitution. The national progress report says there is no restriction on women taking up leadership roles and participating actively in politics, however women are reluctant to engage in those areas because of the immensity of the responsibilities and workload. The report also indicates that measures to engage men



and boys in advancing gender equality are showing results with boys now more aware of their role as change agents on issues relating to women and girls.

#### **SOUTH AFRICA** \_\_\_\_\_

The PR electoral system combined with a voluntary party quota has contributed to securing a significant representation and participation by women at national and provincial levels in South Africa, resulting in a steady increase since the first democratic elections in 1994, to 46.7 percent after the 2019 national elections, with 184 women of the total 397 members elected to the National Assembly. South Africa has the highest representation by women in a National Assembly in the SADC region (Chapter 1 Table 1.1).

The other chamber of Parliament is the National Council of Provinces which is constitutionally mandated to ensure province interests are taken into account in the national sphere of government by providing a national forum for consideration of issues affecting provinces. Each province is equally represented, with 10 delegates from each of the nine provinces made up of six permanent delegates and four special delegates for a total of 90 provincial delegates. Representation by women is 36 percent.

The national assessment shows that South Africa has introduced legislation to secure, promote and sustain gender equality and women's empowerment. To achieve gender-parity within the public and private sector, clear targets have been put in place in key areas of political and governance levels to promote the advancement, representation and full participation of women in power structures and key decision-making levels. Section 9 of the Constitution of South Africa guarantees equality before the law and prohibits discrimination, however it also allows for affirmative action to redress past unfair discrimination. The progress report further says that South Africa has achieved some targets in the Executive with 50:50 representation in Cabinet, and is doing well in senior management in the public service and in the judiciary. Efforts to engage men in the process are showing impact and there are several organizations of men dedicated to working for the advancement of women.

#### **UNITED REPUBLIC OF TANZANIA** \_\_\_\_\_

The current number of women MPs is 145 of a total of 393 members in parliament, as two seats are vacant, for a proportion of 36.9. percent, ranking Tanzania at 4th in SADC as shown in Chapter 1 (Table 1.1).

The United Republic of Tanzania was the first SADC Member State to include a constitutional clause that specifies a minimum of 30 percent representation by women in Parliament (*Bunge*). The proportion of women in Parliament was 21.2 percent in 2000, rising to 30.4 in 2005 following the constitutional amendment. The proportion of women in Parliament was 36 percent after the 2010 elections, with 126 women of whom 20 were elected from single-member constituencies. In elections held in 2015 and 2020, women's representation was 36.6 and 36.9 percent respectively.

The pattern of representation for the autonomous region of Zanzibar is not different, women constitute a minority in most of leadership spaces including elected and appointed. In 2017, the House of Representatives had 32 (28.16 percent) women and 56 (71.84 percent) men. Of the 32 women, 22 were elected through the special seats arrangement, and 3 members were presidential nominees while 7 (2.24 percent) members were from constituency elections.

The national progress report says that women who enter Parliament through special seats in the *Bunge* do not enjoy similar privileges as those who enter the house through constituency elections. The special seats representatives are not eligible for certain appointments such as Prime Minister, and they do not get constituency funds. In some councils they are barred from chairing certain committees. The affirmative route has become the norm rather than the initial purpose of having the affirmative move as a temporary measure while other processes take place to rectify the historical imbalances in competitive constituency elections.

The special measures were intended to prepare and capacitate special seat candidates for higher level positions, as follows: i) Capacity Building to the women representatives to equip them with skills to deal with the party politics; ii) Enhance access to information particularly on gender budgeting to engage effectively in advancing gender mainstreaming; iii) Support women aspirants to organise their campaigns with a focus on women and men voters and contest equally; and iv) Mentorship programme to enable those in special seats to strengthen their skills.

## ZAMBIA

Zambia uses the FPTP electoral system without special measures or affirmative action. This has resulted in low numbers of women in parliament with 25 women of the total 167 members. At 15 percent representation, Zambia has a rank of 13th among the 16 SADC Member States as shown in Chapter 1 (Table 1.1). The next election is in 2026.

Women representation in the Zambian Parliament has fallen short of 30 percent since as far back as 1995. The highest representation was in 1997 when women constituted 18.1 percent of the parliamentary seats. The 2011 elections indicated a growing awareness by political parties of the need to nominate more women candidates, but the number increased only slightly. Of the 113 women parliamentary candidates who contested single-member constituencies, only 17 were elected, accounting for just 11 percent of the constituency seats in Parliament.

Presidential appointments increased the number of women in Parliament to 18 and later to 23, increasing the proportion to just over 14 percent. By 2015, the proportion of women in parliament had declined to 12.7 percent and by March 2022, representation by women in parliament was at 15 percent, following the elections held in 2021.

The electoral system has 156 members directly elected, 8 appointed and 3 other members, who are the Vice-President, the Speaker and First Deputy Speaker, elected from qualified persons outside parliament. A Second Deputy Speaker is then elected by members of parliament, but the two deputies cannot be members of the same political party or the same gender. The President may consider special interests, skills or gender when appointing the other 8 members.

The national progress report appeals for special measures, legislation and quotas ahead of the 2030 target, saying there is need for improvement through explicit policies and strategies for affirmative action, as the proportion of women in leadership is well below 30 percent and there are no quotas in place, nor is there a law compelling political parties to adopt women candidates. The report says the FPTP electoral system does not help women because political parties do not see women as winning candidates in constituencies. The report also recommends a broad-based national



campaign involving men and women, to advocate for 50-50 starting now and before the next election in 2026, and to generate deliberate politics and strategies to promote the attainment of 50-50 by 2030.

#### ZIMBABWE \_\_\_\_\_

Zimbabwe has a 30.6 percent representation by women in the National Assembly, ranking 5th among SADC Member States as shown in Chapter 1 (Table 1.1) with 85 women among the 270 MPs.

The representation of women in the lower house of Parliament has been constant at about 15 percent from 1995 to 2015 before doubling to 31.5 percent at elections in 2013 (SGDM 2018 p27) using the Mixed electoral system, and retained in the harmonized elections of 2018. The low representation of women in politics and decision-making positions was addressed in the Constitution which adopted special measures including a quota system to ensure that more women can be elected. The 2013 Constitution provides for a National Assembly of 210 members elected by single-member constituencies, plus an additional 60 seats for women elected through PR system, with six drawn from each of the 10 provinces. Women's representation has maintained a level of just over 30 percent through this method.

The Mixed electoral system was adopted in the new Constitution of 2013 and the quota for women is similar to the quota system in Tanzania, with some variations. It uses provincial PR representation to elect 60 reserved seats based on the FPTP total votes per province, and is considered as a temporary measure applicable for the life of two Parliaments unless amended in the National Constitution. This is being reviewed for extension through a proposed constitutional amendment.

Zimbabwe has a bicameral parliament and has made relatively good progress for the upper house where women accounted for 33 percent after reintroduction of the Senate in 2005. The upper house consists of 80 senators of whom 43.3 percent are women and this has been on an upward trend. They are elected through Proportional Representation based on "zebra" lists starting with a woman and alternating with men.

The national progress report says this has been progressive as a measure to increase women's access to the political sphere and by bridging the gender equality gap and providing women with an opportunity to lead. However, there have been challenges in the implementation of the quota as there are few women competing for the constituency seats, as well as issues around the roles and representation of the members elected through the quota system. The quota MPs have had to endure labelling and questioning of their capacity by some MPs, the media and others, as well as structural constraints from their political parties, access to financial resources, and threats of violence.

However, the report goes on to say that, through being able to take their seats the women have been influencing policy and legal processes, and have directed focus to issues disproportionately affecting women such as education, health and child marriage. In addition, the women within the quota have been active role models through mentoring and community engagement. The Zimbabwe Gender Commission recently launched the Women Rise in Politics (WRiP) mentorship and training programme for aspiring women political candidates, anchored on promoting leadership development. This is intended to create a pool of women candidates who are ready to contest in the forthcoming elections in 2023 and beyond.

## 2.2 REGIONAL OVERVIEW OF WOMEN IN PARLIAMENT

Nine of the SADC Member States use a unicameral parliamentary system, and seven member states have a parliamentary structure with a second chamber, although the purpose, representation and responsibilities vary.

Table 2.1 shows the trends by country in the proportion of women in Parliament in SADC Member States, including both chambers of bicameral parliaments. This is further illustrated in Figure 2.1 on the percentage of women in Parliament in SADC Member States.

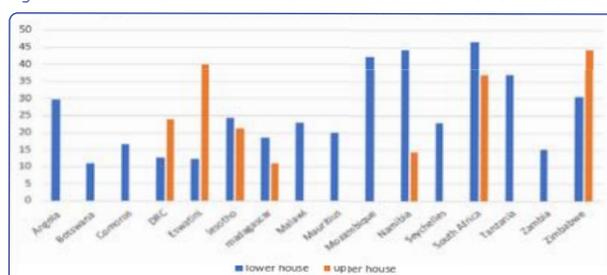
Women in Parliament in SADC Member States

Table 2.1

Country (No. Women MPs 1995)	Women MPs % 1997	Women MPs % 2000	Women MPs % 2006	Women MPs % 2009	Women MPs % 2012	Women MPs% 2015	Women MPs % 2018	Women MPs % 2021
Angola (7)	9.7	15.4	12.3	38.2	34.1	36.8	36.8	29.6
Botswana(4/47)	9.0	18.2	11.3	7.9	9.5	9.5	9.5	11.1
Comoros, Union of	-	-	-	-	-	-	--	16.7
DRC	-	-	12	8.4 (L) 4.6 (U)	10.4 (L) 4.6 (U)	8.9 (L) 4.6 (U)	9.5 (L) 4.6 (U)	12.8 (L) 23.9 (U)
Eswatini, Kingdom of	19.0	7.3	19.0	13.6	13.6 (L) 40.0 (U)	6.2 (L) 33.3 (U)	15.4 (L) 33.3 (U)	12.2(L) 40.0 (U)
Lesotho (3/65 L, 8 U), Kingdom of	12.0	10.3	14.0	25.0	25.8 (L) 27.3 (U)	25.0 (L) 24.2 (U)	14.7 (L) 25.0 (U)	24.4 (L) 21.2 (U)
Madagascar	-	-	24.0	7.87	-	20.5 (L) 19.0 (U)	20.5 (L) 20.6 (U)	18.5 (L) 11.1(U)
Malawi (10/76)	5.2	8.3	15.0	26.0	22.3	16.7	16.7	22.9
Mauritius	7.6	7.6	17.1	17.1	18.6	11.6	11.4	20.0
Mozambique(61/250)	28.4	28.6	32.8	39.2	39.2	39.6	39.6	42.4
Namibia(6/72)	19.2	23.1	26.9	34.6	25.6 (L) 30.7 (U)	46.1 (L) 38.4 (U)	41.3 (L) 24.4 (U)	44.2 (L) 14.3 (U)
Seychelles	27.3	24.0	29.4	23.5	43.8	43.8	22.0	22.86
South Africa (101/400)	27.8	29.8	32.8	42.3	42.3 (L) 32.1 (U)	42.4 (L) 35.2 (U)	41.7 (L) 35.2 (U)	46.7 (L) 37.0(U)
Tanzania (28/248), United Republic of	16.3	21.2	30.4	30.4	36.0	36.6	36.0	36.9
Zambia	18.1	10.0	12.0	14.0	11.5	12.7	10.0	15.1
Zimbabwe (22/150)	14.0	10.7	16.0	15.2	15.0 (L) 24.7 (U)	31.5(L) 47.5 (U)	31.5 (L) 48.1 (U)	30.6(L) 44.2(U)

Source: SADC Member States, SADC Gender and Development Monitor 2016 and 2018, and Inter-Parliamentary Union (IPU)  
(L) Lower House (U) Upper House – No Data provided

Figure 2.1 Women in Parliament in SADC Member States 2021



Source Table 2.1

Representation by women in the Lower House of Parliament in 2021 ranged from 46.7 percent in South Africa to 11.1 percent in Botswana. South Africa, Namibia and Mozambique remain the only three member states that are significantly close to the gender parity target with 46.7 percent, 44.2 percent and 42.4 percent respectively. The three countries are ranked among the top 5 in Africa and the top 20 in the world with the highest number of women in Parliament (IPU 2021).

There is a direct correlation between the percentage of women in the legislature and the type of Electoral System that is used. As indicated in more detail in the earlier chapter, Member States that use Proportional Representation, and those that use a combination of Mixed electoral systems, have realised an incremental trend in the number of women in the legislature. However, Member States using the Constituency system of First Past The Post (FPTP) have not maintained or increased the representation by women in the legislature, as shown earlier in this chapter and in Chapter 1.

Seven member states use a bicameral system with two chambers of parliament. These are DRC, Eswatini, Lesotho, Madagascar, Namibia, South Africa and Zimbabwe. Representation of women in the upper house in these Member States varies from high to low when compared to the lower house, depending on the method of election and special measures. Eswatini and Zimbabwe are doing well with 40 percent and 44.2 percent respectively in the upper house. South Africa has 37 percent in the upper house, followed by DRC with 23.9 percent, Lesotho 21.2 percent, Namibia 14.3 percent and Madagascar 11.1 percent. The upper house usually has fewer members than the lower house.

## SADC Elections Calendar

Table 2.2

Country	Type of Election	Last Election	Next Election
Angola	Parliamentary, Presidential (indirect)	August 2017	August 2022
Botswana	General Elections, Presidential (indirect)	October 2019	October 2024
Comoros	--	--	--
DRC	National Assembly, Presidential	December 2018	December 2023
Eswatini	Parliamentary	August & September 2018	September 2023
Lesotho	Parliamentary	June 2017	September 2022
Madagascar	National Assembly, Presidential	2019	2024
Malawi	General Elections, Presidential	June 2020	2025
Mauritius	Presidential (indirect)	December 2019	December 2024
Mozambique	General Elections	November 2019	November 2024
	Local Government	October 2019	October 2024
Namibia	National Assembly, Presidential	October 2019	October 2024
	General Elections, Presidential	November 2019	November 2024
Seychelles	Parliamentary, Presidential	October 2020	October 2025
South Africa	Local Government	May 2019	May 2024
	Parliamentary, Presidential (indirect)	May 2019	May 2024
Tanzania	General Elections, Presidential	October 2020	October 2025
Zambia	General Elections, Presidential	August 2021	August 2026
Zimbabwe	Harmonized elections, Presidential	July 2018	2023

Source: compiled by SARDC from internal research and national progress reports  
 Eswatini and Lesotho are constitutional monarchies with the King as Head of State  
 General Elections or Harmonized means presidential, parliamentary and local elections  
 Indirect means the President is elected by Parliament or is leader of the majority party.  
 -- No Data provided

Ahead of the forthcoming elections 2022-2026 as shown in Table 2.2, SADC Member States have an opportunity to comply with their regional legal obligations with regard to the SADC Gender and Development Protocol and domesticate its clauses in this regard, which are Article 5, 12 and 13. There is time to review and adjust electoral systems and implement special measures to increase the representation and participation of women in decision-making positions. This can be done through ensuring the effective implementation of electoral systems and processes that allow women to participate in politics and decision-making. During this review process, it may be helpful to study the experiences, successes and effective practices of other SADC Member States as indicated in this *SADC Gender and Development Report 2022*.

### 2.3 WOMEN PRESIDING OFFICERS/SPEAKERS

The Speaker or President of the National Assembly is responsible for managing the flow of House business and acts as “referee” during debates, enforcing the rules and regulations to ensure the proper working of the House. It is the Speaker's duty to ensure that the rules of the House for conducting its business are followed and that all members of the House have an opportunity to take part in debates. Balancing the right of the majority to conduct business with the right of the minority to be heard is one of the Speaker's most challenging tasks. In maintaining order, the Speaker interprets and applies the Standing Orders and practice of the House by making rulings and decisions. A decision of the Speaker may only be challenged by motion of dissent. By custom, the Speaker does not participate in debates. The Speaker also represents the House in conveying messages and addresses to and from the State President.

The Presiding Officer may be a woman or a man, and some member states ensure that the Speaker and Deputy cannot be both men or both women, or that the Presiding Officers of both houses in a bicameral legislature would be shared between a man and woman. This is normally a decision of the majority party in parliament that nominates these positions, but can also be legislated. For example, Zambia's Constitution (Article 82:3) specifies that the National Assembly has two deputy speakers “*who are not members of the same political party and of the same gender.*”

Women have gained positions of influence in Parliament, either as Speaker/President of the Assembly or President of the Senate. In 2013, there were five women Presiding Officers in SADC Parliaments and this has now increased to nine women Presiding Officers in different SADC Member States. Therefore, more than 50 percent of SADC Member States have women Presiding Officers in at least one chamber of Parliament, as shown in Table 2.3.

### 2.4 PARLIAMENTARY COMMITTEES CHAIRED BY WOMEN

Parliamentary committees are established to ensure that specific issues can be debated in more detail than in plenary sessions and this allows for more participation of Members of Parliament (MPs) in discussions. The committees enable MPs to develop and share expertise and knowledge of the specific committee's area of work and further provide a platform for the public to present views directly to MPs, which is not possible in a plenary sitting of Parliament.



Women Presiding Officers of Parliament/Senate in SADC Member States

Table 2.3

Country	Chamber	Full Name and Period (Past)	Full Name and Period (Present)
Botswana	National Assembly	Hon Dr Margaret Nasha October 2009–October 2014  Hon Gladys Kokorwe 2014–2019	-
DRC	National Assembly	Jeannine Mabunda 2019–2020	-
Eswatini	Senate	Hon Gelane Zwane 2008	Lindiwe Dlamini October 2018–Present
Lesotho	National Assembly  Senate	Hon Ntlhoi Motsamai 1999 – 2012 March 2015 – 2017 June	Mamonaheng Mokitimi July 2017 –Present
Madagascar	National assembly	-	Christine Razanamahasoa 16 July 2019–Present
Malawi	National Assembly	-	Catherine Gotani Hara 19 June 2019–Present
Mozambique	Assembly of the Republic	Verónica Nataniel Macamo Dlhovo January 2010 - January 2020	Esperanca Laurinda Francisco Nhiuane Bias January 2020– Present
Namibia	National Council	Margaret Mensah-Williams December 2015 - December 2019	-
South Africa	National Assembly	Hon Frene Ginwala May 1994–2004 July  Hon Baleka Mbete 2004–2008 May 2014 –May 2019  Hon. Thandi Modise 2019–2021	Nosiviwe Noluthula Mapisa- Nqakula August 2021– Present
Tanzania	National assembly	Hon Anne Makinda November 2010–November 2015	Tulia Ackson February 2022– Present
Zambia	National assembly		Nelly Butete Kashumba Mutti September 2021–Present
Zimbabwe	National Assembly  Senate	Hon Edna Madzongwe November 2005–September 2018  Hon Mabel Chinamona (Deputy) 2013–2018	Mabel M. Chinomona September 2018–Present

Source: *Parliaments of SADC Member States*

Table 2.4 shows that the number of parliamentary committees varies in Member States, with countries such as Eswatini having up to 80 committees, some of which may be ad hoc committees, 40 in the lower house and 40 in the upper house. None of the Member States have equal representation of committee chairs.

Angola remains the only Member State close to the target with 40 percent of committee chairs being women, followed by South Africa with 39.2 percent, and Namibia and Seychelles with 37.5 percent. Trailing behind are Lesotho, DRC, Mauritius, Malawi, Zimbabwe and Zambia. All others have more than 20 percent of parliamentary committees chaired by women. However some countries have more committees so the actual numbers of committees chaired by women may be higher, such as Zambia. Mozambique, Namibia and Seychelles have few parliamentary committees. In Mauritius, out of the seven parliamentary committees, one is chaired by a woman, and that is the Parliamentary Committee on Independent Commission Against Corruption. In Mozambique, one of the two committees chaired by a woman is on international relations. For DRC, it is the Socio-Cultural Commission, which is a committee of the National Assembly.

**Parliamentary committees chaired by women**

Table 2.4

Country	Lower House		
	Total	No. Chaired by Women	% Chaired by Women
Angola	10	4	40
Botswana	12	--	--
Comoros	--	--	--
DRC	10	1	10
Eswatini	80	21	26.2
Lesotho	13	1	7.6
Madagascar	--	--	--
Malawi	19	3	15.7
Mauritius	7	1	14.2
Mozambique	9	4	44.4
Namibia	8	3	37.5
Seychelles	8	3	37.5
South Africa	51	20	39.2
Tanzania	18	4	22.2
Zambia	23	4	17.3
Zimbabwe	19	3	15.7

--no data

Malawi has 19 committees, however there is provision for a 20th committee to be established when needed. Eswatini statistics are for standing committees.

Source SADC Member States

## 2.5 WOMEN IN LOCAL GOVERNMENT

### HOUSE/COUNCIL OF CHIEFS

Traditional spaces are now being viewed as one of the keys to achieving gender equality if they embrace the role of women as not just mothers and care-givers but as active agents to sustainable development. In this regard, whereas the role of chief has been largely the preserve of men, women are increasingly asserting the right to become chiefs, and societies are increasingly embracing the change.

Traditionally, in most parts of the region but not all, women were not allowed to attend village meetings unless they were invited to give evidence during the settlement of disputes, as the role of traditional leaders has been and is often viewed as a role for men only, with some notable exceptions. However, with women now accessing national legislatures and executives in unprecedented numbers, a shift is now moving towards women representation and participation in traditional roles.

In Madagascar, out of the 28 Chiefs in the House of Chiefs, there are 9 women representing 32.1 percent, while in Lesotho, out of a total of 33 Chiefs, women account for 22.1 percent (Table 2.5). In Botswana and Tanzania women make up 5.7 percent and 2.7 percent respectively. In Botswana, the House of Chiefs (*Ntlo ya Dikgosi*) which advises Parliament on customary matters as obliged by the Constitution, has been tradi-

## Women representation in House/ Council of Chiefs

Table 2.5

Country	No. of Women	Women %	Total
Botswana	3	8.6	35
DRC	0		
Eswatini	0	0	12
Lesotho	7	21.2	33
Madagascar	9	32.1	28
Namibia	-	-	23
Tanzania	5	2.7	185
Zimbabwe	0	0	35

Source: Primary data from Member States

tionally male but now has 3 women, 5.7 percent. In Zimbabwe, out of the 35 Chiefs that make up the council of chiefs, no women are represented, according to data submitted by government.

## COUNCILLORS

Lesotho has the highest representation by women in regional/provincial councils with 411 women (68 percent) out of the total 691 councillors, surpassing the 50 percent target (Table 2.6). For the other seven Member States who submitted data as shown in Table 2.6, none have achieved the parity target nor have they achieved more than 30 percent except for Madagascar at 32.1 percent.

The remaining eight Member States did not provide data to assess the status of women in local government. However, efforts are being made to ensure equality in local government. For example, in Mauritius, the Local Government Act 2011 stipulates that, “*Three councillors of a Municipal City Council or Municipal Town Council shall be elected from each electoral ward under the simple majority system. Any group presenting more than 2 candidates in an electoral ward [for elections of councillors to Municipal City Council or Municipal Town Council] shall ensure that the candidates are not all of the same sex.*” (Local Government Act 2011, Article 11.6) and “Any group presenting more than two candidates at a Village council election shall ensure that not more than two-thirds of the group’s candidates are of the same sex” (Local Government Act 2011, Article 12.6).

## Women representation in Provincial/ Regional Councils

Table 2.6

Country	Total	No. of Women	% of Women
Botswana	491	117	23.8
Lesotho	691	411	68
Madagascar	10 063	744	7
Malawi	440	64	14.5
Namibia	121	24	19.8
Tanzania	165	44	26.7
Zambia	1853	141	8
Zimbabwe	1 359	90	13.3

Source: Member State data

In South Africa, Local Government Municipal Structural Act, no.117 of 1998 specifies that, as far as councillors elected by proportional representation from party lists, “*Every party must seek to ensure that 50 percent of the candidates on the party list are women and that women and men candidates are evenly distributed through the list*”. In the elections for local councils, parties must seek to ensure that women and men candidates are evenly distributed through the candidate list, as specified in the Local Government Act, Schedule 1, Section 11 (3); Schedule 2, Sections 5 (3) & 17 (5).

According to the Local Government Act, Schedule 1, Section 11 (3); Schedule 2, Sections 5 (3) & 17 (5), parties must seek to ensure that 50 percent of the candidates on the party list are women in the elections for local councils. The Municipal Structures Act 1998 required that parties seek to ensure that 50 percent of the candidates on the party list are women, and that women and men candidates are evenly distributed through the list.

Zimbabwe has decided to adopt a 30 percent quota for women in local government elections ahead of the next harmonized elections due in 2023.

## 2.6 CONCLUSION AND RECOMMENDATIONS

The challenges cited now by SADC Member State have shown a significant change and usually refer to the lack of legislation and quotas, support and capacity-building. The debate has changed and is no longer focused on women's education levels or leadership abilities or patriarchal systems, but on facilitating access to electoral systems that were previously male-dominated and providing opportunities to compete for seats in the Legislature to serve the people of the country and region.

The issues of multiple roles and time management remain, and these are steadily and actively being reviewed for solution, such as access to water and renewable energy as well as connectivity, especially in rural areas. There are many socio-economic and other factors still to be addressed, but women in some member states are advancing and taking an active part in defining and implementing the solutions, as shown by Chapter 3 on the Executive, which reveals that two Member States have reached 50:50 in Cabinet. It can be done.

Representation of women in the legislature and in local government is erratic across all Member States with no consistent trend upward over the last 10 years. In parliament, only five (31.3 percent) Member States—Eswatini, Mozambique, Namibia, South Africa and Zimbabwe have more than 40 percent representation of women in either the lower or upper chambers of parliament or both, as in the case of South Africa. The rest of the Member States are below 40 percent and many still below the initial target of 30 percent. It has been observed that despite all Member States having put in place special measures/affirmative action to advance the role of women in politics, implementation is limited as there appears to be not much progress towards the gender parity target ahead of forthcoming elections.

While the constitutions of most countries provide for equal participation of women and men in all aspects of the political process, they also affirm that all citizens of a country have a right to participate in the governance of the country directly or through their elected representative. There is need for an electoral legal framework that incorporates these constitutional provisions and complement the quota system. Most SADC Member States have adopted gender sensitive-constitutions and this has set the tone for a gender-sensitive legal framework. What is needed is to have gender-structure supporting frameworks that reflect the intent for gender parity as set by AU in its Agenda 2063 and by SADC. SADC did not reach this target by 2015, there is still need to work for gender equality within SADC to ensure the increase of women legislatures.

National progress reports from several member states spoke of new solutions to address challenges such as the active engagement of more men in joining hands to work for gender equality and raising visibility on these issues in communities at various levels. There are significant and regular capacity-building initiatives at national level in some member states for aspiring women politicians. Women and men are encouraging women to run for office, and there are a growing number of role models for women in leadership and the legislature who interact and show how it is done. This varies by country but this positive approach and active outlook was well-expressed in several national reports. The activity too has changed with the debate. Some reports mentioned the good work of the National Gender Machineries and Ministries, the Electoral Commission, and the positive orientation of the Head of State toward achieving these goals.



As shown by the national reports, there is significant progress toward the Pillar 4 of the AU Strategy for Gender Equality and Women's Empowerment (GEWE) in the specific areas of leadership, voice and visibility. Many of the reports said that policies are now in place, and most reports mentioned the challenge of Implementation.

The lack of gender-sensitive legal instruments has led to gender imbalance in decision making. SADC Member States should form a consensus through establishing relevant regional policy frameworks that address the gendered aspects of election participation and seat allocation. This can encourage Member States to adopt gender-responsive laws especially on elections and the management thereof. Specific electoral systems have been discussed in Chapter 1.

SADC Member States have general elections coming in the period from 2022-2026, and should review now what action can be taken to increase women's empowerment and representation. The SADC Gender Unit can support this initiative. The goals and aspirations should be attainable now that women are involved in the solutions and many men are also working together with women.

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## RECOMMENDATIONS

## CHAPTER 2 WOMEN IN THE LEGISLATURE

In the context of the legally binding commitments made in the SADC Protocol on Gender and Development, SADC Member States are urged to:

1. Accelerate the **Implementation** of Articles 5, 12, and 13 to achieve gender equality and women's representation in the Legislature.
2. Engage men and women in general, and politicians in particular to mentor emerging candidates and to ensure that political parties adopt **Gender equality strategies and policies** including special measures to achieve results in party structures and to advance the involvement of women in politics and decision-making processes.
3. Strengthen **Monitoring of the implementation and impact** of the SADC Gender and Development Protocol at national level at regular intervals to advance progress and measures needed, and to post data updates on the existing Gender Live portal, to share successes and challenges, track progress and trends.

*The relevant Sections of the SADC Protocol on Gender and Development, on Constitutional Rights and Governance, Articles 5, 12 and 13, are repeated in this section of each Chapter for access and ease of reference for each chapter topic.*

### RECOMMENDATIONS RE IMPLEMENTATION OF SADC PROTOCOL

Member States are urged to adopt special measures and to accelerate the implementation of commitments in Article 5, 12, 13 of the SADC Protocol on Gender and Development which they are parties to, as follows.

#### CONSTITUTIONAL RIGHTS

##### Article 5 SPECIAL MEASURES

SADC Member States are party to the SADC Protocol on Gender and Development, and should adhere to obligations contained therein by putting in place "special measures with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation."

## GOVERNANCE

### Article 12 REPRESENTATION

1. State Parties shall "ensure equal and effective representation of women in decision-making positions -- in the political, public and private sectors – including the use of special measures as provided for in Article 5."
2. "State Parties shall ensure that all legislative and other measures are accompanied by public awareness campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision-making positions, democracy, good governance and citizen participation."

### Article 13 PARTICIPATION

State Parties shall:

1. "adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting."
  2. put in place policies, strategies and programmes to ensure the equal participation of women and men in decision making by,
    - o Building the capacity of women to participate effectively through leadership and gender sensitivity training and mentoring;
    - o Providing support structures for women in decision-making positions;
    - o The establishment and strengthening of structures to enhance gender mainstreaming; and
    - o Changing discriminatory attitudes and norms of decision-making structures and procedures.
  3. ensure the inclusion of men in all gender-related activities, including gender training and community mobilisation.
- 



### 3.0 INTRODUCTION

The Executive branch is the part of government that has responsibility for the governance of a state, and application of the law. In political structures based on separation of powers, authority is distributed among three branches, the Executive, Legislature and Judiciary, which are clearly separate but complementary for the smooth governance of the country. In such a system, the executive does not pass laws (the role of the legislature) or interpret laws (the role of the judiciary). Instead, the executive enforces the law as passed by the legislature and interpreted by the judiciary. The Executive can be the source of certain types of law, such as a decree or executive order.

The Executive is the branch that conducts government business and comprises the President, Vice Presidents, Prime Minister and Ministers. The Legislature is the law-making branch, and consists of members elected using various electoral systems, to serve in Parliament, which often has two Houses or Chambers, such as a National Assembly and a Senate or Council. The Judicial branch, which interprets the laws, comprises the courts and judiciary. The Legislature and the Judiciary are discussed in separate chapters.

Notable progress has been made by most SADC Member States to incorporate women into the Executive. However, the progress has been slow in most member states and women continue to be under-represented at most levels of Government, although women are increasingly being appointed to prominent decision-making positions that were previously a male domain, such the Ministries of Defence, Finance, and Foreign Affairs. The general trend that women were appointed to Cabinet in socio-cultural portfolios such as Gender and Women Affairs, Social Welfare and Labour, Education and Health, is changing in several ways. Men and women are appointed to these portfolios, and the importance of this sector is increasingly recognized.

This chapter seeks to unpack and analyze the trends and status of women in the Executive by discussing some of the factors that facilitate the appointment of women to these positions, as well as portfolios held, and seeks to proffer some policy considerations to strengthen the participation and representation of both women and men in the Executive.

### 3.1 WOMEN IN THE EXECUTIVE

Equal participation and representation of women and men in the Executive and Cabinet is key to inclusive results, since women can offer different perspectives, insights and interests in the decision-making process, which have often been overlooked due to under-representation in decision-making positions.

The skills and strategic knowledge of women are now being recognized at the highest levels in the public and private sectors. The voting population who make up the electorate are also recognizing women's abilities and skills, as well as role models among women as well as men.

A UN Women review of progress over the period of 27 years since the Fourth World Women Conference in Beijing in 1995 reveals significant progress in Southern Africa. Although there is still a lot to do going forward, the SADC region is not the same as it was then in terms of reaching gender equality and women's empowerment. SADC has

made significant policy decisions and commitments that are showing results, although the domestication into national law needs more momentum.

Progress has accelerated in most SADC Member States in recent years moving towards a more equitable representation of women and men in the branches of government. This progress includes the increasing numbers of women in Parliament and the Judiciary, and the appointment of women to a wider range of Cabinet posts, as well as greater recognition of the importance of the social sectors. Although the numbers remain low in some countries in the region, there is a positive trend that shows changing perceptions about the ability of women to administer any position of leadership, including heading key influential portfolios at the Executive level such as Defence, Finance, Interior/Home Affairs, Foreign Affairs, and Justice.

While only three women have served substantially in the post of President in the SADC region, women have moved into positions of leadership and influence in all three branches, including Speaker/President of Parliament, Chief Justice, and Vice President.

In most SADC Member States, the Executive is made up of the Head of State and the Head of Government which may be the same or different, depending on the Constitution and political system. Other members of Cabinet are the Vice President and/or Prime Minister and Deputy Prime Minister, as well as Cabinet Ministers. Deputy Ministers are included in Cabinet in some Member States but not in others. Some key ministries that are considered “powerful” given the influence they command and the sizeable budgets they receive in different contexts, include the following:

- ❖ Defence – which usually oversees the armed forces, implementing military policy, and managing external security;
- ❖ Interior/Home Affairs – overseeing internal security, law and order, and immigration services among many other services which they offer to the public, as is the case for most countries with a Home affairs department or ministry in the SADC.
- ❖ Foreign Relations and International Cooperation – manages the diplomatic service, implements foreign policy, foreign relations and international cooperation;
- ❖ Finance – manages the treasury, determining fiscal policy and managing the national budget; and
- ❖ Justice – which administers the application of the legal framework and laws of the country.

Gender Composition of Key Ministries 2022

Table 3.1

Member States	Defence	Interior/ Home Affairs	Foreign Relations & Cooperation	Finance	Justice & Legal	Industry and Trade
Angola	M	M	M	W	M	W/M
Botswana	M	W	M	W	M	M
Comoros	M	M	M	M	M	M
DRC	M	M	M	M	M	M
Eswatini	M	W	M	M	W	M
Lesotho	M	M	M	M	M	M
Madagascar	M	M	M	W	M	M
Malawi	M	W	W	M	M	M
Mauritius	M	M	M	M	M	M
Mozambique	M	W	W	M	W	M
Namibia	M	M	W	M	W	W
Seychelles	M	M	M	M	M	W
South Africa	W	M	W	M	M	M
Tanzania	W	M	W	M	M	M
Zambia	M	M	M	M	M	M
Zimbabwe	W	M	M	M	M	W

Source Official Government websites of SADC Member States and Government statements announcing appointments.  
M – Man; W – Woman

### 3.2 HEADS OF STATE AND GOVERNMENT

As indicated in Box 3.1 on the composition of the Executive, the Head of Government may be the Head of State or a Prime Minister, depending on the governance structure in the Constitution. The Prime Minister is the Head of Government in almost half of the SADC Member States while the King or the President is the Head of State. This is the case in Eswatini, DRC, Lesotho, Madagascar, Mauritius, Mozambique, and Namibia. The President is the Head of State and Government in Angola, Botswana, Comoros, Malawi, Seychelles, South Africa, Tanzania, Zambia and Zimbabwe. Several of these countries had the post of Prime Minister previously but have since abolished the position in their Constitution, preferring that the Head of State is also the Head of Government. While there is a Prime Minister in Tanzania who leads the government in parliament, the President is formally the Head of State and Government.

As of May 2022, only one woman held the top post in a SADC Member State and that is Her Excellency President Samia Suluhu Hassan, who became the 6th President of the United Republic of Tanzania in March 2021 after the death of her predecessor, H.E. President John Pombe Magufuli. She is the first woman to hold that post in Tanzania. Prior to becoming President, she was the first woman Vice-President, in office since November 2015. President Hassan is the third woman in the SADC region to occupy the post of Head of State, all in the past decade.

H.E. Joyce Banda, who was Vice President of Malawi from May 2009 to April 2012, served as President from April 2012 to May 2014 to complete the term of President Bingu wa Mutharika who died in office. H.E. Ameenah Gurib-Fakim, the first woman to be elected President of Mauritius, served from December 2015 until her resignation in March 2018.

H.E. Monique Ohsan Bellepeau of Mauritius was the first woman to serve as President in an Acting capacity, serving between incumbents from March to 21 July 2012 and again from May to early June 2015. This was during her tenure as Vice President from November 2010 to April 2016.

Only three SADC Member States have had a woman Head of State, as shown in Table 3.2, although two others have had women as Head of Government in that period. Mozambique has had a woman Prime Minister as Head of Government, while the incumbent in Namibia is a woman since 2015.

Heads of State and Government in SADC Member States since Independence Table 3.2

Member State	Head of State	Head of Government	Independence
Angola~	Men 3 Women 0	Men 5 Women 0	1975
Botswana	Men 5 Women 0	Head of State	1966
Comoros~	Men 9 Women 0	Men 15 Women 0	1975
DRC	Men 5 Women 0	Men 2+ Women 0	1960
Eswatini*	Men 2 Women 0	Men 11 Women 0	1968
Lesotho*	Men 2 Women 0	Man 11 Women 0	1966
Madagascar	Men 11 Women 0	Men 16+ Women 0	1960
Malawi	Men 5 Women 1	Head of State	1964
Mauritius	Men 6 Women 1	Men 5 Women 0	1968
Mozambique	Men 4 Women 0	Men 6 Women 1	1975
Namibia	Men 3 Women 0	Men 3 Women 1	1990
Seychelles	Men 5 Women 0	Head of State	1976
South Africa	Men 5 Women 0	Head of State	1994
Tanzania	Men 5 Women 1	Men 10 Women 0	1961
Zambia~	Men 7 Women 0	Men 6 Women 0	1964
Zimbabwe	Men 2 Women 0	Head of State	1980

\*Eswatini and Lesotho both have their King as Head of State and an elected Prime Minister to head the Government.  
 ~The office of Prime Minister was abolished in the Constitution of Angola (2010), Comoros (2002) and Zambia (1991).  
 Numbers exclude those who served for less than 100 days or Acting.

Source: Governments and Constitutions of SADC Member States; National progress reports.

### 3.3 DEPUTY HEADS OF STATE AND GOVERNMENT

Most SADC Member States are seeing gradual improvement in the composition of the top leadership as more women now hold senior positions such as Vice or Deputy President or Vice/Deputy Prime Minister. In the case of Namibia, the Prime Minister and Deputy Prime Minister are both women.

However, in other countries, the top leadership posts in the Executive continue to be dominated by men. In some countries a woman has never held the position of Vice/Deputy President, or Vice/Deputy Prime Minister.

In **Zambia**, the first woman to become Vice-President took office in August 2015 to August 2021. The post of Vice-President is currently occupied by another woman, who was elected together with President Hakainde Hichilema in August 2021 as running mate, as per the Constitution of the country.

In **Namibia**, the first woman Prime Minister was appointed in March 2015 and is still serving in that position. Under the mandate of the Constitution and related legislation, she has the responsibility to lead government business in Parliament, coordinate the work of Cabinet, advise and assist the President, manage the public service, and undertake special projects. Her Deputy is also a woman who is very experienced in government and also serves as the Minister of International Relations and Cooperation.

In **Malawi**, President Joyce Banda was the first woman to become Vice-President, from May 2009 to April 2012 before her elevation as the first woman President in 2012.

**South Africa** appointed its first woman Deputy President from 2005 to 2008, and she was replaced by another woman from 2008 to 2009.

President Hassan of Tanzania was the first woman to become Vice-President, from November 2015 until her appointment as Head of State in March 2021.

In **Zimbabwe**, the first woman to serve as Vice-President did so from 2004 to 2014. The first woman to be appointed Deputy Prime Minister was in 2009 and she served until 2013.

### 3.4 CABINET MINISTERS

Women have been under-represented in Cabinet in most SADC Member States until the past decade, but with the discourse of gender equality and women's empowerment, more countries are beginning to embrace the notion that women are as capable as male counterparts and can lead the same positions which have been held exclusively by men. Women are now appointed to key positions in the Cabinet including the key Ministries of Defence, Interior/Home Affairs, Foreign Affairs, Finance and Economic Development, as well as Justice.

Five SADC Member States have had women ministers of defence in the period 2009-2022. These are Botswana, Madagascar, South Africa, Tanzania and Zimbabwe, as shown in Table 3.1, and South Africa, Zimbabwe and Tanzania remain with women defence ministers to date. The post of Minister of Defence is central to matters dealing with the defence of the country, the role and missions of the armed forces, the national disposition of military units and entities, decisions relating to the use of force by the military, and decisions concerning international commitments and obligations.



Despite women making up a minority in the top leadership posts of the Executive in almost all SADC Member States, there has been a consistent upward trend in the number of women in Ministerial posts of Cabinet rank.

South Africa and Mozambique have reached the goal of 50 percent women in Cabinet, and this should be acknowledged. This achievement results from a steady and sustainable increase in women's representation in the top decision-making body (Table 3.3) that was reached through purposeful progress by countries that are emerging from vastly unequal societies in very many ways including the *apartheid* system and have shown determination not to perpetuate gender inequality. This achievement towards gender equality and women's empowerment in compliance with the SADC Protocol on Gender and Development should be closely observed for effective practices so the SADC region can reach its goals before 2030.

Mauritius has the lowest proportion of 14 percent women in Cabinet, followed by Lesotho and Zambia at 16 percent (Table 3.3). Generally, the statistics across the region reflect that almost all SADC Member States, except South Africa and Mozambique are still far from achieving gender equality and women's empowerment in Cabinet.

Of particular concern is the decrease in representation in some member states. For example, although Angola reached 42.2 percent in the number of women Ministers by 2020, the recent data for 2022 saw a significant drop to 33.3 percent. Seychelles and Eswatini had a similar trend, reaching 45.5 and 38.9 respectively before dropping down again, pointing to the need to ensure sustainably.

Table 3.3 shows the proportion of women in Cabinet in SADC Member States between 1995 and 2022.

Women in Cabinet in SADC Member States

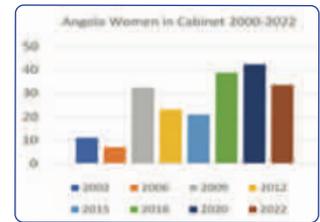
Table 3.3

Member State	Women Ministers 1995	Women Ministers 2000 (%)	Women Ministers 2006 (%)	Women Ministers 2009 (%)	Women Ministers 2012 (%)	Women Ministers 2015 (%)	Women Ministers 2018 (%)	Women Ministers 2020 (%)	Women Ministers 2022 (%)
Angola	4	11(2002)	7	32.3	22.9	21	38.7	42.2	33.3
Botswana	2	23(2002)	28.6	18.8	12.5	16.6	16.6	16.7	17.9
Comoros	--	--	--	--	--	--	--	--	--
DRC	--	--	2.5	2.5	10.7	8.3	10	17	26.8
Eswatini	--	13.3	18	20	22.2	25	26.3	38.9	29
Lesotho	1	12.5(2002)	31	31.6	23.8	17.8	22.2	7.1	16
Madagascar	--	--	--	--	--	20	21.8	26.7	34
Malawi	3/33(9%)	17.3	21	24	27.3	15	22.2	23	38.7
Mauritius	--	8	10	9.5	12.0	12.5	13.6	12.5	14
Mozambique	1	12	23	25.9	28.6	22.7	29.2	35.3	50
Namibia	2/20(10%)	14.2	27	22.7	22.7	22.2	19.2	17.4	34.6
Seychelles	--	21.4	27.2	28	23.1	21.4	41.6	45.5	38.4
South Africa	3/24(12.5%)	33	42.8	42	38.8	40.5	43.3	50	50
Tanzania	3/25(13%)	13	20	23.3	30.0	20	19	18	30.4
Zambia	12%	8.3	28.8	13.6	15.0	25.9	25	28.6	16
Zimbabwe	2/24(8%)	24	19	17.5	17.5	15	15	22.2	27

Source: National progress reports on implementation of the SADC Protocol on Gender and Development; SADC Gender and Development Monitor 1999, 2001, 2006, 2009, 2013, 2016, 2018; Government websites; SGDM validation meeting. Mozambique achieved gender parity in Cabinet in April 2022.

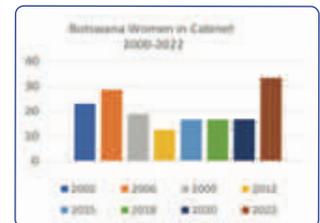
## ANGOLA

The trend of women representation in the Angolan Cabinet is generally on an upward growth, although the figures for 2022 show that the number has decreased again to 33.3 percent as there are now seven women in the 21-member Cabinet. In 1995, the number of women in Cabinet was only 4. In 2002, women made up 11 percent of the Cabinet. The figure increased to 32.3 percent in 2009 but dropped to 22.9 percent and 21 percent respectively, in 2012 and 2015. In 2018, the number increased to 38.7 percent and to 42.2 percent in 2020. It is encouraging to note that in one of the key, strategic Cabinet portfolios, Finance and Economic Planning, has a woman Minister, while one of the four Ministers in the Office of the President and Government is a woman. In terms of Deputy Ministers, women hold the portfolios of Finance and Economic Development; Foreign Affairs; Land and Agriculture; and in the Office of the President and Government.



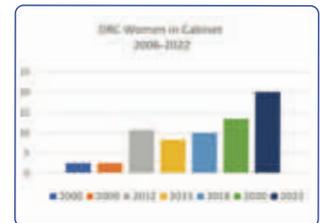
## BOTSWANA

Women in Botswana are now part of major decision-making bodies such as Cabinet and the House of Chiefs (*Ntlo ya Dikgosi*). Cabinet has reached 33.3 percent, with 6 women of the total 18. Botswana was the first country in the region to appoint a woman as Minister of Foreign Affairs and Cooperation. Since the first woman was appointed into the Cabinet in 1974, several other women have served in foreign affairs and other portfolios. From only two women in the 1995 Cabinet, the number increased to 23 percent in 2002 and 28.6 percent in 2006. However, since then, the figures have been decreasing from about 19 percent in 2009 to 16.6 percent in 2018. According to the latest figures supplied in early 2022, the number has risen again as six women are now part of the 18-member Cabinet, 33.3 percent.



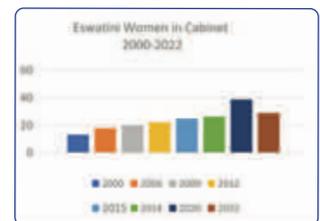
## DEMOCRATIC REPUBLIC OF CONGO

The Democratic Republic of Congo has a 56-member Cabinet under the coalition government. Of the 56 Ministers in 2020, 10 were women or 17 percent and this increased to 15 women Ministers in 2021, or 27 percent. The government is made up of four deputy prime ministers, nine ministers of state, 30 ministers, 11 deputy ministers, and one minister delegate. DRC has been increasing the role of women in Cabinet steadily, from 2.5 percent in 2006 to 27 percent in 2022. With regard to key Cabinet posts, there is one Deputy Prime Minister who is also Minister for Environment and Sustainable Development, and another woman who heads the Ministry of Mines and Mineral Resources, while another is deputy for Defence. There are four women out of 11 deputy ministers.

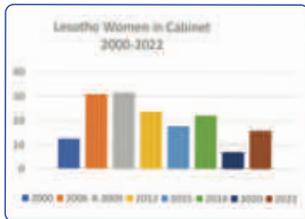


## KINGDOM OF ESWATINI

The Kingdom of Eswatini has increasingly shown a balanced representation of women and men in Cabinet. From 13.3 percent women in Cabinet in 2000, the numbers increased to 20 percent, 25 percent and 38.9 percent in 2009, 2015 and 2020 respectively. In this period, women have led the portfolios of Home Affairs; Natural Resources and Energy; Public Works and Transport; Health; Labour and Social Security. In the current Cabinet, there are six

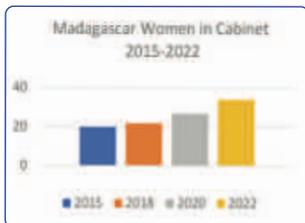


women Ministers out of 21, which is 29 percent, while five deputy ministers out of 20 are women. A woman holds the post of Foreign Affairs, while two others serve as deputy ministers in Defence, and in Mines and Mineral Resources.



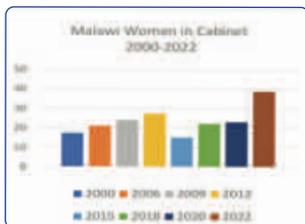
#### KINGDOM OF LESOTHO

Progress towards women representation in Lesotho has been erratic, with no consistent trend upwards. In 1995, there was only one woman cabinet minister, the figure rose to 31.6 percent in 2009, in 2012 the figure reduced to 24 percent and down again to 17 percent in 2015. In 2018, the proportion of women in Cabinet rose to 22.2 percent, and then down to 7.1 percent in 2020. According to the latest figures supplied in early 2022, there are now six women in the 38-member Cabinet, which is 16 percent.



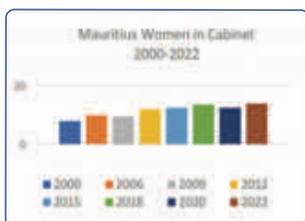
#### MADAGASCAR

Madagascar has made some progress in terms of equal representation in Cabinet. In 2008, women representation was 20 percent and this increased to 21.8 percent and 26.7 percent in 2018 and 2020 respectively. The latest figures now show that there are 11 women among the 34 Cabinet ministers, 34 percent. With regard to deputy ministers, two out of three are women. And a woman holds the influential post of Minister of Finance and Economic Planning.



#### MALAWI

The new Cabinet appointed in January 2022, has a gender composition of roughly 60-40 with 38.7 percent women. It is the first Cabinet in Malawi to have such a large portion of women representation. Malawi, which had the first woman President in SADC, has had a rather low trend in balancing gender equality in its Executive, although this has been increasing. In 2000, the Cabinet had 17.3 percent women and this increased to 24 percent and 27.3 percent in 2009 and 2012 respectively. In 2020, 23 percent of the posts in Cabinet were held by women. In the current Cabinet, a total of 12 ministers are women, which is 38.7 percent. Two of the women ministers hold the influential portfolios of Minister of Foreign Affairs and Minister of Home Affairs and Internal Security, the deputy Minister of Finance is a woman. There are 9 deputy ministers of which 4 are women.

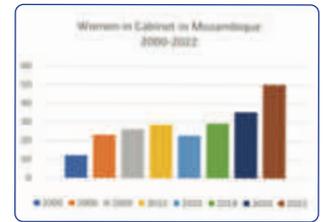


#### MAURITIUS

Mauritius has steadily increased the proportion of women in Cabinet from 8 percent in 2000 to 12.5 percent that followed national elections in 2010 and 2015, with 3 women among 24 government ministers. The ministerial portfolios held by women are gender, science and education, and social security. In June 2015, a woman was elected as Head of State. She held office until March 2018. She was preceded by another woman who was acting president for three months in 2012. In the current Cabinet, only three out of 21 are women, 14 percent. None of the women hold key ministries defined above.

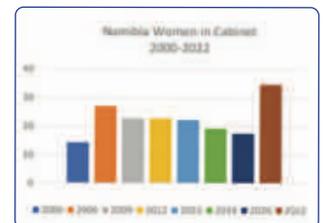
## MOZAMBIQUE

A total of 11 women are ministers in the 22-member Cabinet, which is 50 percent, according to the latest figures. So Mozambique has reached gender parity in Cabinet. The gender narrative in Mozambique has been a steady upward trend with significant progress in the Cabinet. In 1995, only one woman was a member of the Council of Ministers and this increased to 28.6 percent in the 2012 Cabinet. The number of women ministers increased to 29.2 percent in 2018 and 35.3 percent in 2020. The 22-member cabinet includes the President and Prime Minister. Three women are heading key ministries of Interior, Foreign Affairs, and Land and Environment. Mozambique is the second country in SADC to achieve gender equality at Cabinet level.



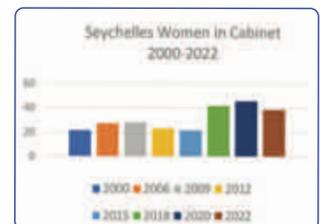
## NAMIBIA

Namibia had only two women in the 1995 Cabinet, after its independence five years earlier. The proportion increased steadily over the next few years to a high of 27 percent in 2006, and then slightly down to 22.7 percent in 2012, and down again to low of 17.4 percent in 2020. However, the latest figures show an increase as there are now nine women in the 26-member Cabinet, 34.6 percent. Three women hold key positions including Prime Minister, Foreign Affairs, and Industry and Commerce. In terms of deputies, five women are deputies in the Ministry of Finance and Economic Planning; Defence; Foreign Affairs; Industry and Commerce; Mines and Mineral Resources; Land and Agriculture.



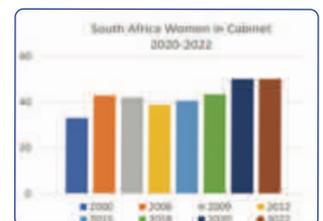
## SEYCHELLES

Representation of women in Cabinet has averaged 27 percent since 2006, although this dropped back to 23.1 percent in 2012 with just three of the 13 Cabinet portfolios held by women -- education, health, and employment. Although the number of women in Cabinet increased from two, the drop in percentage is due to expansion of the Cabinet from 9 to 13 ministers, including the President who holds several key portfolios. Seychelles reached a record high of 45.5 percent in 2020, however, this has dropped to only five women ministers out of 13, for 38.4 percent.



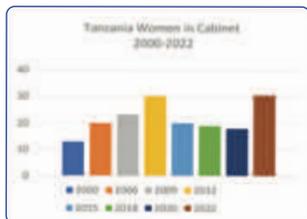
## SOUTH AFRICA

South Africa was the first SADC Member State to attain the 50:50 target in Cabinet and has managed to sustain women's empowerment in recent years. South Africa has shown commitment consistently since 1994 towards ensuring that women are represented in the highest decision-making structures in Government, with the proportion of woman Cabinet ministers remaining close to 40 percent over the past decade. With 42.8 percent gender representation in the 2006 Cabinet, the figure fell very slightly to 42 percent 2009 and then rose to 43.3 percent in 2018, reaching the record 50 percent in 2020. The 50 percent balance has been maintained, according to the latest figures in early 2022. Two women hold key positions of Foreign Affairs, and Defence. In terms of deputy ministers, gender representation is at 45.7 percent.



## UNITED REPUBLIC OF TANZANIA

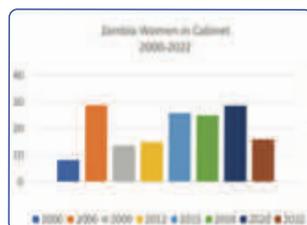
Tanzania is the only SADC Member State with a Head of State and Government who is a woman, and who has been a leader in appointing and encouraging more women to take key decision-making positions. Only 3 Cabinet ministers were women in 1995 of



the total 25, for 12 percent. In 2000, 13 percent Ministers were women, and since then the figures have been rising to 20 percent in 2006 and 30 percent in 2012. A slight decline was experienced in 2018 and 2020 when the figures fell to 19 percent and 18 percent respectively. There are 7 women in the current 23-member Cabinet, reaching the constitutional figure of 30.4 percent. With respect to deputy ministers, the proportion stands at 27.8 percent. Two of the key ministries – Defence and Foreign Affairs – are headed by women.

## ZAMBIA

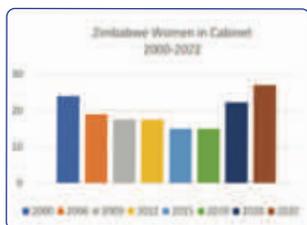
Zambia has mixed progress in elevating women to Cabinet posts. The current Cabinet has four women out of 25, for 16 percent. There were 12 percent women in the 1995



Cabinet and 8.3 percent in 2000, before rising to almost 30 percent in 2006 and dropping by half to 13.6 percent and 15 percent in 2009 and 2012 respectively. The number rose again to 25.9 percent in 2015, remaining at 25 percent in 2018 and increasing to 28.6 percent in 2020 before dropping to the current 16 percent (Table 3.1) None of the women ministers hold key strategic and influential positions in Cabinet, but the Vice President is a woman, and a woman was appointed as running mate in the last two presidential elections.

## ZIMBABWE

The proportion of women Cabinet ministers in Zimbabwe shows mixed progress, although overall this has risen from 8 percent in 1995 to the current 27 percent, with 5



women ministers out of the total 21 in the current Cabinet, according to figures provided in 2022. From a high of 24 percent in 2000, the number declined to 19 percent in 2006 and 17.5 percent in 2009 and 2012, dropping further to 15 percent in 2015 and 2018. However, this increased to 22.2 percent in 2020 with the appointment of more women to Cabinet, and again in 2022 to the current 27 percent, although still short of the previous target of 30 percent and only half of the gender equality goal of 50 percent. However, two women hold influential posts of Defence, and Industry and Commerce. With regard to deputies, there are two women and 17 men.

## 3.5 CONCLUSION AND RECOMMENDATIONS

Gender equality and women's empowerment in the Executive branch is achievable through vision and determination, as shown by Mozambique and South Africa who have achieved the goal of 50:50 in Cabinet.

There are various reasons delaying the attainment of gender parity in the Executive in most SADC Member States but these are surmountable. The legal frameworks and policies are in place in most member states and most national progress reports emphasised Implementation.

There are various barriers to the electoral processes as noted in Chapter 1 and 2 but solutions are available and visible, and the barriers are being removed. Implementation can be accelerated through domestication of regional commitments into national laws, Cabinet reviews of progress, and looking across borders to see what the neighbours are doing in this regard, as noted in Chapter 1 and Chapter 2.

SADC Member States are signatories to various regional, continental and international instruments that advance gender equality and the empowerment of women, but most have not made progress in domesticating these commitments into national laws and making the 50:50 agenda a reality. Most of the national progress reports presented a positive emphasis on policies and political will, but expressed concern at delays in Implementation.

A number of the existing socio-economic constraints that have hindered the participation of women in politics and decision-making are identified in the previous chapters. These are being addressed by women and by men, and solutions should be achieved more quickly now with the involvement of a growing number of men working actively with women to end discrimination.

Executive appointments in some member states do not require elected office but nomination or appointment by the Head of State. In other member states, the Cabinet is drawn from elected members of parliament. The next round of elections in the SADC region from 2022 through 2026 provide an opening, a turning point and a target.

There are some emerging new threats and constraints that should be monitored and addressed, including new forms of psychological abuse through cyber bullying. This is a form of Gender Based Violence (GBV) which is defined as all acts perpetrated against women, men, boys and girls which cause or could cause physical, sexual, psychological, emotional or economic harm. Online or “cyber” bullying is one form of GBV and presents an obstacle to attaining gender equality and equity as threats of abuse discourage and dehumanize. Cyber bullying is one particular form of GBV and is a fast-emergent threat against women in leadership. In recent years, there has been growing violence against women, particularly through social media, against women in power or who are visible figures of empowerment. Spreading disinformation, evident prejudice, and threats to their integrity are part of the challenges that women face as key public figures in decision-making. This can result in women being afraid to take up positions of decision-making. Women are further vulnerable to sexist remarks, threats, and acts of intimidation by colleagues and citizens. This should be addressed at national levels and collectively by SADC.

In general, SADC has made significant progress in promoting women in the executive branch of government and that is acknowledged in some of the national progress reports, although the progress is slow for some member states as the 2030 target approaches. This results from some SADC Member States not adhering to their constitutional provisions and the binding regional commitments. Available data shows that six countries (DRC, Eswatini, Lesotho, Mauritius, Zambia and Zimbabwe) have not yet attained a minimum of 30 percent women representation in Cabinet, although there are efforts to have women in the Executive as the graphs show a slow but increasing trend per member state.



The number of women who hold posts in Cabinet is trending upwards in many cases, and the appointment of women solely to what are often seen as less powerful posts, is changing in the SADC region. However, performance continues to be mixed across the region with some Member States experiencing very slow change, while others are doing well in facilitating the move towards gender equality and women's empowerment in the Executive.

SADC has observed a gradual increase of women ministers occupying traditionally male-dominated positions such as ministries of Defence; Foreign Affairs; Finance and Economic Affairs. This shift is gradually changing the narrative. However, of particular concern in the regional analysis is the decrease in representation by women in some SADC Member States with the number and proportion of women Ministers dropping, for example, in Angola, Seychelles and Eswatini as shown in this Chapter.

This points to the need to ensure sustainability of gender equality and women's empowerment.

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## RECOMMENDATIONS

## CHAPTER 3 WOMEN IN THE EXECUTIVE

**Sustainability of equality** in the Executive is an emerging theme that illustrates that the SADC region is moving beyond the usual impediments to the next stage of implementation. Member states are now achieving visible results, but the challenge is how to sustain those results, legally, structurally and within the minds of people until it becomes the norm. The following recommendations and options can be considered to sustain gender equality in the Executive, and these are rooted in the *SADC Protocol on Gender and Development* Articles 5, 12 and 13.

1. Enact special measures to increase the **Participation** by women in Executive structures and decision-making processes at all levels from national governance to local and regional levels; and ensure that regional and national protocols, policies and agreements are advanced from laws or stated intentions to actual application, with Cabinet taking a leading role in this initiative.
2. **Generate awareness** to eliminate discriminatory attitudes and practices that discourage women from holding decision-making positions, especially in the public sector, and actively generate awareness among men and women to overcome the attitudes, values, practices and mindset with respect to supporting women in leadership, including by political parties and the media, through active engagement. It is useful in this regard for SADC to recognise Member States that have achieved gender equality in the Executive, including announcement by the outgoing Chair at the annual SADC Summit as well as reference to how this goal was achieved.
3. Strengthen **Capacity-building** programmes for new entrants (men and women) into decision-making positions at all levels (Cabinet, Parliament, Government, private sector, local authorities, and non-state entities); and put in place strong mechanisms to support new entrants into leadership and management positions (men and women).

*The relevant Sections of the SADC Protocol on Gender and Development, on Constitutional Rights and Governance, Articles 5, 12 and 13, are repeated in this section of each Chapter for access and ease of reference for each chapter topic.*

## RECOMMENDATIONS RE IMPLEMENTATION OF SADC PROTOCOL

Member States are urged to adopt special measures and to accelerate the implementation of commitments in Article 5, 12, 13 of the SADC Protocol on Gender and Development which they are parties to, as follows.

### CONSTITUTIONAL RIGHTS

#### Article 5 SPECIAL MEASURES

SADC Member States are party to the SADC Protocol on Gender and Development, and should adhere to obligations contained therein by putting in place "special measures with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation."

### GOVERNANCE

#### Article 12 REPRESENTATION

1. State Parties shall "ensure equal and effective representation of women in decision-making positions -- in the political, public and private sectors – including the use of special measures as provided for in Article 5."
2. "State Parties shall ensure that all legislative and other measures are accompanied by public awareness campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision-making positions, democracy, good governance and citizen participation."

#### Article 13 PARTICIPATION

State Parties shall:

1. "adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting."
  2. put in place policies, strategies and programmes to ensure the equal participation of women and men in decision making by,
    - o Building the capacity of women to participate effectively through leadership and gender sensitivity training and mentoring;
    - o Providing support structures for women in decision-making positions;
    - o The establishment and strengthening of structures to enhance gender mainstreaming; and
    - o Changing discriminatory attitudes and norms of decision-making structures and procedures.
  3. ensure the inclusion of men in all gender-related activities, including gender training and community mobilisation.
- 





# Chapter 4

## WOMEN IN THE JUDICIARY

### 4.0 INTRODUCTION

The judiciary is the system of courts that interprets, defends, and applies the law in the name of the state, and is the branch of government which administers justice according to law. The judiciary can also be a mechanism for the resolution of irreconcilable disputes. The judiciary generally does not make statutory law (which is the responsibility of the legislature) although it sets legal precedents at law, or enforce law (which is the responsibility of the executive) although its rulings set enforcement frameworks, but rather the judiciary interprets, defends, and applies the law to the facts of each case. However, in some countries the judiciary does make common law. The term “judiciary” is used to refer broadly to the courts, the judges, magistrates, adjudicators and other support personnel. The courts apply the law, give legal settlement to disputes, and punish law-breakers according to the law.

This chapter critically analyses the representation and participation of women in the judiciary and the extent to which representation and participation within the judicial structures takes into account issues of gender parity in SADC Member States. The chapter discusses participation of women as attorney generals, chief justices, judge presidents, judges and magistrates as well as registrars. As postulated by Institute for African Women in Law (2021) in making a case for gender parity on the bench, women judges bring lived experiences to their judicial actions, experiences that tend toward a more comprehensive and empathetic perspective that encompasses not only the legal basis for judicial action, but also awareness of consequences on the people affected. Creating a critical mass of women on the bench can therefore, contribute to uprooting the deep-seated stereotypical attitudes that women encounter.

According to the African Legal Information Institute, an **Attorney General** is the legal adviser to the Head of State and/or Government, Government itself, and all the various Government Departments. It is the role of the Attorney General to advise Government on the constitutional and legal issues which arise prior to or at Government meetings, including whether proposed legislation complies with the provisions of the Constitution. In relation to Government Departments and specific public bodies, it is again the Attorney General who provides legal advice as well as serving as the representative of the public in all legal proceedings for the enforcement of law and the assertion or protection of public rights.

The **Chief Justice** is appointed by the Head of State usually on the advice and consent of the legislature. The primary functions of the Chief Justice are to preside over the Supreme or High Court in its public sessions when the court is hearing arguments and during its private conferences when it is discussing and deciding cases. The Chief Justice is usually the chief judge of the Supreme Court as well as the head of the judiciary. In addition to presiding at hearings of the Supreme Court, the Chief Justice has the responsibility of managing the Court including the assignment of Judges to cases coming on for hearing. The Chief Justice is an *ex officio* member of both the High Court and the Court of Appeal.

A **Judge President** is the administrative head of a High Court Division. The Judge President is expected to provide effective leadership to the division to ensure that judges in the division perform their judicial responsibilities diligently and effectively. In particular, the Judge President must ensure that matters are handled in accordance with the norms and standards regulating the performance of judicial functions. The Judge President is also responsible for coordinating the process of allocating cases to individual judges of the High Court. Judge Presidents are supposed to promote collegiality amongst judges and other staff members within the division. Another key responsibility of a Judge President is to coordinate the judicial functions of all Magistrates' Courts falling within the jurisdiction of the division. He or she may delegate some of these functions to the Deputy Judge President (Institute for African Women in Law, 2021).

A **Judge** is a judicial officer who sits in higher courts only, usually the High Court and the Court of Appeal. Judicial officers who sit in lower courts (primary courts, district courts and resident magistrate's courts) are usually referred to as **Magistrates**.

**Registrars** manage both administrative and judicial aspects of hearings and progress of matters in the court. This is why diversity in terms of gender and age reduces the probability that biases, discrimination and misunderstandings will occur and thus make sure such are checked within the judicial system. Consequently, as a court's composition becomes more diverse, its customary practices become less entrenched; the old methods, often based on unstated codes of behaviour, or simply inertia, are no longer adequate.

#### 4.1 WOMEN IN THE JUDICIARY

Gender mainstreaming in the justice sector is particularly important because women have historically suffered discrimination and exclusion from public life, and the legal system has been an instrument of that exclusion. The mere presence of women in a legal decision-making role can counteract both actual bias and perceptions of gender bias, as well as public perceptions that justice institutions are out of touch with realities of the population (Institute for African Women in Law, 2021).

The assessment shows that there is an increase in terms of the number of women who occupy senior positions in the judiciary in most Member States than was the case in 2013, reflecting deliberate commitment by Member States to implement the gender parity principle. This is evident when looking at the total number of women who occupied senior positions in the judiciary between 2013 and 2022. For instance, in 2013, Zimbabwe was the only Member State with a woman Judge President (SGDM 2013). However, as of March 2022, six Member States had a total of 11 women as Judge Presidents including those that have these positions at regional court levels, which is a significant improvement. The six member states are: Angola, Botswana, Mozambique, South Africa, Zambia and Zimbabwe.

However, representation of women as Chief Justices and Attorney Generals has remained relatively low. In 2013, only two Member States, Malawi and Zambia had women as Chief Justices. The figure has dropped to one with the appointment a Chief Justice in Mauritius -- while Malawi and Zambia now have male Chief Justices.



The position of Attorney General has been occupied by women in two countries over the last decade. Botswana is the first member state to have appointed a woman as Attorney General who served from 2005 to 2016. Mozambique appointed a woman Attorney General in 2014, becoming the second country in the region. While the positions are relatively limited in quantity, recognition by Member States of the need to move steadily towards gender parity is worth noting and serves as an opportunity to break barriers and chart new paths in the judicial sector.

According to the SGM (2013), Lesotho and Zambia were the only Member States in SADC to have more than 50 percent representation of women Judges with 65 percent and 54 percent respectively. In 2022, the current assessment shows that the number of Member States who have passed the gender parity target for women judges has increased to three, and these are Lesotho at 65 percent, Mauritius at 70 percent and Zambia at 62.5 percent.

Over the years, there has been a fundamental increase in the number of Member States with at least 50 percent representation of women in the judiciary. While there were only three Member States in 2013, the number has increased to five member states in 2022, as shown in Table 4.1. Significant progress can be noted for Member States such as Tanzania that has increased the number of women in the judiciary from 29 percent in 2013 to 48 percent in 2022 (Table 4.1).

Women in the Judiciary in SADC Member States 2022

Table 4.1

Country	Attorney General		Supreme Court/Court of Appeal/High Court						Magistrates Court	
			Chief Justice		President		Judges		Magistrates	
	Men	Women	Men	Women	Men	Women	Men %	Women %	Men %	Women %
Angola	--	--	--	--	1	2	--	--	63.7	36.3
Botswana	1	0	1	0	0	1	81	19	31.1	68.9
Comoros	--	--	--	--	--	--	--	--	--	--
DRC	--	--	--	-	--	--	--	--	--	--
Eswatini	1	0	1	0	1	0	75	25	54	46
Lesotho	1	0	1	0	1	0	35	65	58	42
Madagascar	--	--	--	--	--	--	--	--	--	--
Malawi	1	0	1	0	1	0	72	28	73.3	26.7
Mauritius	1	0	0	1	1	0	30	70	29	71
Mozambique	0	1	1	0	1	2	69.4	30.6	58	42
Namibia	1	0	1	0	1	0	67	33	50.5	49.5
Seychelles	1	0	0	1	1	0	57.2	42.8	83.4	16.6
South Africa	1	0	1	0	9	4	61.8	38.2	50.2	49.8
Tanzania	1	0	1	0	1	0	60	40	52	48
Zambia	1	0	1	0	0	1	37.5	62.5	73.1	26.5
Zimbabwe	1	0	1	0	0	1	43.2	56.8	59	41

-- No data

Source: National Progress Reports on the implementation of the SADC Protocol on Gender and Development; SADC Gender Monitor 2013 and 2016; and National Judiciary websites

## 4.2 STATUS PER MEMBER STATE

### ANGOLA \_\_\_\_\_

Angola, has been advancing the representation of women in the Judiciary for decades with the first woman to assume the post of Vice-President of the Supreme Court of Angola having been appointed in 1990. In 2008, three women were appointed as Judges of the Constitutional Court of Angola and in 2021 the first woman to serve as the President of the Constitutional Court of Angola was appointed. Statistics submitted in early 2022 by Angola indicate that out of three Judge Presidents, two are women, representing 75 percent. Out of a total of 578 magistrates, 210 are women representing 36.3 percent, an improvement from 17 percent in 2013.

### BOTSWANA \_\_\_\_\_

The first woman Judge of Botswana was appointed to the High Court of Botswana in 1998, while the first woman Attorney General was appointed in 2005. Since then, Botswana has witnessed a gradual increase of women in the judiciary, particularly in decision-making positions. The Judge President is a woman and 68.9 percent of the magistrates are women, a significant increase from 56 percent in 2013. In terms of women judges, the data reflects 19 percent, which is an increase from 5.9 percent in 2013. The registrar, chief justice and attorney general are men.

### DRC \_\_\_\_\_

Under the 2006 Constitution, the court system is divided into three separate jurisdictions: the judicial (civil and criminal); the administrative; and the military. There is no disaggregated data currently accessible on the gender make-up of the judicial system in DRC, but historically, women judges were less than 10 percent of the DRC's judiciary system, with the Member State advancing the recruitment of more women judges, to bring in the gender-conscious dimension to the justice system (Report of the UN Special Rapporteur on the Independence of Judges and Lawyers, 2018).

### ESWATINI \_\_\_\_\_

The country's judiciary comprises of the Courts of General Jurisdiction, the Supreme Court, High Court and Magistrate Courts and other specialized courts, such as Customary Courts. In addition, there is the Industrial Court and the Industrial Court of Appeal which are specialist tribunals whose jurisdiction is confined to Labour disputes. The judges of the superior courts (Supreme and High Courts) and the specialist tribunals are appointed by the King on the advice of the Judicial Service Commission (JSC) and Magistrates are appointed by the JSC. Eswatini has 24 Judges, six of whom are women, representing 25 percent. Out of the 28 Magistrates, 13 are women, representing 46 percent. Eswatini has no woman Attorney General, Judge President or Chief Justice.

### LESOTHO \_\_\_\_\_

The first woman to become Chief Justice in Lesotho was appointed in 2014, and held the position till 2019. In 2013, women represented 65 percent of the judges and the figure has been maintained to date. Women represent 42 percent of the Magistrates. The Attorney General, Chief Justice and Judge President are men. The Ombudsman is also a man, although this position was previously held by a woman in 2010.



## MADAGASCAR \_\_\_\_\_

Madagascar has three levels of courts -- Lower Courts, the Court of Appeals and the Supreme Court which functions as the highest court in the country. The Constitutional High Court is autonomous and reviews laws, decrees, and ordinances and monitors elections and certifies their results. A military court has jurisdiction over all cases that involve national security. The traditional courts (*dina*) continue to handle some civil disputes and recently have been used in criminal cases because of inconvenience and inadequacy of the formal court system. Decisions by *dina* are not subject to the formal procedural protections of the formal court system. However, in some cases, they may be challenged at the Appeals Court level. *Dina's* authority depends upon the mutual respect and consensus of the parties to abide by the ruling. Data was not available to assess the representation of women in the judiciary of Madagascar.

## MALAWI \_\_\_\_\_

The first woman Chief Justice of the Supreme Court of Malawi served in the position from 2013 until 2015. She had been the first woman appointed as Judge of the High Court. In 1997, she became the first woman Justice of the Supreme Court of Appeals. She also served as Chairperson of the Malawi Electoral Commission (MEC) from 1993 to 1997. In 2011, of the 24 judges of the High Court and Supreme Court of Appeal, only four were women (16.6 percent) until the President appointed three more prominent women lawyers to be judges of the High Court in October 2012. This increased the proportion of women judges to 29 percent. Four more judges were appointed to fill vacancies at the High Court in June 2013, two of whom were women, thus increasing the proportion to 37.5 percent. Malawi has maintained this proportion over the years only to decrease to 28 percent in 2022. Women magistrates were at 23 percent in 2013 and have increased to 26.7 percent in 2022. The registrar is a woman, while the chief justice and attorney general are men.

## MAURITIUS \_\_\_\_\_

Mauritius has exceeded the gender parity goal for most positions within the judiciary system. In November 2021, the Mauritian President appointed a woman as the Chief Justice and this was the first time a woman had ever been appointed to the position in the history of the country. The proportion of women judges in Mauritius had almost reached 50:50 with 48.6 percent women and 51.4 men in 2013, and in 2022 Mauritius surpassed the 50:50 target with 16 women out of a total of 23 Judges representing 70 percent. Women magistrates record a high number of 36 out of 51 positions available (71 percent). Out of 15 Attorney General/Director of Prosecutions, there are 13 women, representing 87 percent. The Chief Justice and Registrars are both men.

## MOZAMBIQUE \_\_\_\_\_

The first woman Attorney General of Mozambique was appointed in 2014 and still holds the position to date. She is currently the only woman Attorney General in the SADC region. Mozambique had reached 30 percent women in the judiciary at most levels in 2013 and continues on an upward trend. In 2022, out of a total of 255 judges, 78 are women (30.6 percent), while out of a total of 499 magistrates, 42 percent are women. Of the three Judge Presidents, two are women.

#### NAMIBIA \_\_\_\_\_

The first woman to be appointed as a Judge of the High Court of Namibia was appointed in 1995 and the first woman Attorney General was appointed in 2001. In 2004, a woman Prosecutor General was appointed. As of early 2022, the Registrar, Chief Justice, Judge President and Attorney General are men. Of the total 21 judges, only seven are women (33 percent) an increase from 17 percent in 2013. Of the 93 magistrates, 46 are women representing 49.5 percent, a marginal increase from 45 percent in 2013.

#### SEYCHELLES \_\_\_\_\_

The first woman Judge of Seychelles who also became the first woman to be appointed as Chief Justice of the Supreme Court of Seychelles was appointed in 2015. Seychelles has a total of 14 Judges, six of which are women (42.8 percent). One out of six magistrates in the country is a woman (16.6 percent).

#### SOUTH AFRICA \_\_\_\_\_

The first black woman to be appointed as a Judge of the High Court of South Africa was in 1995 and in 2017, the first black woman was appointed as President of the Supreme Court of Appeal. In November 2011, new judges were appointed to the Supreme Court of Appeal and various other High Courts. Of the 12 judges appointed at national and provincial levels, just one judge appointed to a provincial High Court was a woman. In October 2012, only 65 of the 233 judges were women (28 percent). Six of the 23 judges of the Supreme Court of Appeals were women (26 percent), and there were two women among the 11 judges in the country's highest court, while the Constitutional Court had 18.2 percent. However, four of the nine Regional Court Presidents are women (44 percent) and 628 of the 1906 magistrates (33 percent) are women as well as 40 of the 63 registrars (63 percent). Figures for 2022 show that women Judge Presidents are 4 out of 9 (44.4 percent) and out of 246 judges there are 94 women judges, resulting in 38.2 percent. Women magistrates are 94 out of a total 191 making up 49.8 percent. In South Africa, overall, women in the judiciary represent 48 percent of the judicial officers.

#### UNITED REPUBLIC OF TANZANIA \_\_\_\_\_

In Tanzania, all decision-making positions held by women in the whole judicature are below 50 percent, but the top categories are close to gender parity. Women judges are 40 percent of total judges, and women magistrates at 48 percent, although registrars are only 35.3 percent. The Association of women judges in partnership with Women Rights Coalition took a lead role in facilitating legal reforms of laws which contain discriminative practices in such matters as inheritance, marital rights, and rights of girl children into progressive non-discriminatory laws. The association of women judges was able to push for legal reform of the anti-corruption law which re-defined sexual corruption in terms of power relations hence equated sexual corruption, popularly known as sextortion, as grand corruption equivalent to economic sabotage.



## ZAMBIA

In 2015, the first woman Chief Justice of Zambia was appointed, and in 2016, the first two women to serve as Judges of the Constitutional Court of Zambia were appointed. One of these two women became the first to serve as President of the Constitutional Court of Zambia. In 2013, Zambia had two women Chief Justices, and as of 2022, one man holds the position of Chief Justice. Out of a total of eight judges, five are women

(62.5 percent) and out of a total of 63 magistrates, 17 are women+ (26.9 percent). Zambia has 17 Attorney/prosecutor generals and women represent 70.6 percent of the number. Out of the 12 registrars, only three are women (25 percent).

The Chief Justice of Zambia was quoted to say she was confident that these figures would improve across the judiciary as Zambia continued to address the barriers that cause women and girls to be segregated from key positions due to discrimination on the grounds of sex, lack of resources to pursue an education, gender stereotypes and cultural beliefs. The Chief Justice said male dominance is often entrenched by cultural values and inculcated into children from a very early age.

## ZIMBABWE

In Zimbabwe, the first woman to become a Judge of the Supreme Court was appointed in 2001 and in 2006, the first woman was appointed as the Judge President of the High Court of Zimbabwe. In 2013, five women were appointed to serve as Judges of the Constitutional Court of Zimbabwe. The current Judge President is a woman. Of the 44 Judges in Zimbabwe, 25 are women (56.8 percent), an increase from 29 percent in 2013. Out of the 250 Magistrates, 103 are women (41 percent). Zimbabwe has one Attorney General who is a man. There are a total of six registrars, five of whom are women (83 percent).

### Box 4.1

#### Case Study Woman Judge advancing Gender Equality in the Judiciary

##### Woman Councillor, Masvingo Province, Zimbabwe

Justice Baratang Constance Mocumie, is a Judge in the Supreme Court of Appeal (SCA) and a Judge of Appeal in the South African National Defence Force's Military Court. Justice Mocumie is acutely aware of the struggles that women like her encounter in a male-dominated judiciary. She is a founding member of the South African Women Lawyers Association (SAWLA) and the South African Chapter of the International Association of Women Judges (SAC-IAWJ), an organization that seeks to achieve the emancipation of women on the bench.

Her commitment to attaining gender equality on the High Court bench has contributed to substantial subsequent appointments of women from the magistracy and other career paths to the judiciary, but there is no doubt that much more needs to be done to address the disparity. She served as the President of the SAC-IAWJ and represented women judges and the judiciary at regional and international conferences. She remarked during an interview that her route to the bench has not been an easy one and that she had to work ten times as hard as her male counterparts to get to where she is today. She believes that further work is necessary to address the gender imbalances in society, as women judges are under-represented on the bench.

Despite her busy schedule, Justice Mocumie has made an active effort to mentor young women and girls – sharing her personal experiences and providing career guidance. She is a firm believer in investing in future generations and makes a conscious effort to play her role in inspiring young girls and women. Justice Mocumie is a leader in the judiciary and an excellent example for other young lawyers to follow and aspire to be, women lawyers, in particular, showing that through hard work, determination to rise above and against all odds and tenacity, barriers can be broken down.

Source [www.africanwomeninlaw.com](http://www.africanwomeninlaw.com); [www.sawla.net](http://www.sawla.net)

## 4.3 CHALLENGES TO WOMEN PARTICIPATION IN THE JUDICIARY

### GENDER STEREOTYPES AND CULTURAL ATTITUDES

The assessment shows that judicial promotion for women is often deterred by legal, political and social obstacles which include gender biases. Stereotypes and attitudes

about “incapacity” as lawyers, judges or magistrates can stem from cultural and traditional practices. Gender stereotypes lead to the continued subordination of women in the legal profession. Socio-cultural interpretations of the role of women discourage women from entering into the legal profession.

#### **LACK OF INFORMATION AND TRANSPARENCY ABOUT RECRUITMENT**

At present, it is widely understood that countries with civil law legal systems are more open to female judges than common-law-inspired legal systems. This is because civil systems rely on exams for admittance into the judiciary, whereas common law systems rely on selection processes that focus on elements such as length of service, reputation and experience in law firms, which may allow for patriarchal considerations or indirect discrimination.

#### **UNPAID CARE WORK**

Unpaid care work emerges as a barrier for women to remain in the sector and to compete for positions of advancement. Striking the balance between practical gender roles and the demands of professional roles presents a challenge which women in the sector have to juggle, contrary to their male counterparts who may not necessarily have to worry about practical family responsibilities.

#### **SEXUAL HARASSMENT AND/OR INSUBORDINATION**

Challenges of sexual harassment affecting most women in the workplace do not preclude women judges. This therefore has the potential to accentuate additional security concerns and criticism, as well as gendered forms of intimidation. Just as in cases where women in leadership positions face challenges of insubordination from male colleagues, the situation of women judges is no exception as patriarchal attitudes permeate physical space and barriers. New forms of intimidation are emerging to challenge women in the judiciary, including threats online and cyber bullying. Such experiences therefore have the potential to encourage women to leave the sector.

#### **DENIAL OF OPPORTUNITIES THAT CONTRIBUTE TO DEVELOPMENT AND PROMOTION**

In some cases, women judges can be assigned to cases relating to family affairs, or cases which can be considered soft, and not assigned to more challenging cases. In some contexts, the presence of women judges may be highly concentrated in courts with limited or specialized jurisdiction, or may be excluded from handling certain matters, such as criminal cases or from sitting on religious or customary courts. This is a systematic form of exclusion for women to rise in the judiciary.

#### **CHALLENGES WITH WORK–LIFE BALANCE**

Women face an additional hurdle in being promoted as judges due to multiple roles and the work-life balance phenomenon. If women are to be promoted, in many cases it can involve relocation. Unlike their male colleagues whose families can move with them to the new job location, women spouses cannot usually expect their spouses to be uprooted.



#### 4.4 CONCLUSION AND RECOMMENDATIONS

Generally, in analysing data of the Member States, it can be observed that some are making commendable progress toward gender equality in the Judiciary, while others are not. Regression can be fuelled by biased legal systems that are due to systematic gender stereotyping, and such laws and systems must be changed. There is therefore need for continued gender awareness to enable such consciousness for deliberate efforts to address gender equality and women empowerment.

The commitment by Member States to achieve gender parity by 2030 at all levels of the judiciary can be seen as a strategic goal; not only because it is right for women, but because it is right for the achievement of a more just rule of law that is gender-sensitive. Women judges can play an important role in breaking down the barriers that women and men face in accessing and being part of the justice system.

A diverse judicial workforce can bring different voices and perspectives to the bench. Such diversity and gender balance can also strengthen the integrity of the judiciary, promoting citizens' trust in justice services. Greater participation of women in judicial professions, particularly at senior levels can also help reduce gender stereotypes and increase women's willingness to enforce their rights. In addition, addressing persistent barriers to access judicial positions for women, such as the same gender stereotypes, biases and challenges in reconciling gender needs and roles alongside work also require attention.

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## RECOMMENDATIONS

## CHAPTER 4 WOMEN IN THE JUDICIARY

The commitments by the parties to the SADC Protocol on Gender and Development Articles 5, 12 and 13 to **Special Measures, Representation and Participation** respectively, also apply to the **Judiciary** and are aligned with the Commission on the Status of Women recommendation for 50:50 (CSW 65); and can be applied as follows.

1. Member States are urged to accelerate gender equality and women's empowerment at all levels of the judiciary, and to put in place special measures to achieve this. There is need to **break gender stereotypes and increase commitment** from bar associations, presidents or nominating commissions within the Judiciary in order to increase the representation and effective participation of women in the Judiciary.
2. **Empowerment strategies**, mentorship, networking and professional development opportunities can improve women's presence in the pool of senior judicial positions, and prioritize diversity and gender equality, in terms of composition and in the criteria and procedures applied. Women judges are encouraged to mentor young women to be part of the judiciary system. Quotas can be applied as a special measure to advance the recruitment and appointment of women judges, and advance the role of women in leadership and decision-making within the judiciary.
3. **Discrimination and harassment** that manifests in the nature of judicial assignments given to women judges must also be addressed, and effective measures must be taken to end the various forms of abuse faced by women in the judiciary, including threats and intimidation, online and cyber bullying.

The relevant Sections of the SADC Protocol on Gender and Development, on Constitutional Rights and Governance, Articles 5, 12 and 13, are repeated in this section of each Chapter for access and ease of reference for each chapter topic.

## RECOMMENDATIONS RE IMPLEMENTATION OF SADC PROTOCOL

Member States are urged to adopt special measures and to accelerate the implementation of commitments in **Article 5, 12, 13 of the SADC Protocol on Gender and Development** which they are parties to, as follows.

### CONSTITUTIONAL RIGHTS

#### Article 5 SPECIAL MEASURES

SADC Member States are party to the SADC Protocol on Gender and Development, and should adhere to obligations contained therein by putting in place "**special measures** with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation."

### GOVERNANCE

#### Article 12 REPRESENTATION

1. State Parties shall "**ensure equal and effective representation** of women in decision-making positions -- in the political, public and private sectors – including the use of special measures as provided for in Article 5."
2. "State Parties shall ensure that all legislative and other measures are accompanied by public awareness campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision-making positions, democracy, good governance and citizen participation."

#### Article 13 PARTICIPATION

State Parties shall:

1. "adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting."
  2. put in place policies, strategies and programmes to ensure the equal participation of women and men in decision making by,
    - o Building the capacity of women to participate effectively through leadership and gender sensitivity training and mentoring;
    - o Providing support structures for women in decision-making positions;
    - o The establishment and strengthening of structures to enhance gender mainstreaming; and
    - o Changing discriminatory attitudes and norms of decision-making structures and procedures.
  3. ensure the inclusion of men in all gender-related activities, including gender training and community mobilisation.
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## 5.0 INTRODUCTION

A political party is a group of persons organized to acquire and exercise political power, and prepare a political programme that defines their approach to development, setting out the agenda and policy framework they would pursue should they win elective office.

This chapter analyses women's participation and representation in the leadership and executive structures of the main political parties. The chapter assesses various commitments of political parties including their constitutions, rules, codes of conduct and policies directed at advancing gender equality. The chapter also examines various measures in place to promote gender equality including affirmative action, as well as the gender policies of political parties. The thrust is to assess the extent to which political parties have put in place internal processes which promote the advancement of gender equality and women's empowerment.

A comparison of the responses from Member States across the different indicators shows that the political party section had the least information provided and in some cases was blank. Secondary information was available but patchy and, other than the main political parties, was difficult to verify with authoritative sources. Information on the composition of coalitions in terms of individual political parties was also difficult to access or verify. This chapter is based mainly on the limited information provided in the national progress reports.

## 5.1 POLITICAL PARTIES IN SADC MEMBER STATES

Most SADC Member States adopted a multi-party parliamentary system after independence, based on the inherited colonial model with some variations, and individuals can compete as independent candidates. Most countries still have a multi-party system except for the Kingdom of Eswatini, where individual candidates compete for parliamentary representation based on merit.

The number and type of political parties varies from country to country, and generally these are expected to be "home-grown" without foreign funding, to avoid external interference but in practice that happens, unless specifically illegalized and enforced. Some SADC Member States provide funds for political parties that have acquired seats in parliament.

Some member states have many political parties and some have few, ranging from 2 to 14, according to data from member states, and this is not related to the size or population density of the country, but generally the number of parties does not impact on gender equality and women's empowerment as this is more a factor of the internal structures and organization of each party. However, there is little accessible information for smaller parties as the internal party processes do not receive the same level of scrutiny as the inter-party and national processes.

Within political parties, party constitutions and/or manifestos define parameters for participation, not just of women but other stakeholder groups such as men and youth, in some cases further disaggregating to account for diversity inclusion.

Internal party processes including elections of leaders across all levels, are therefore an important barometer of general electoral outcomes and gender accountability.

The introduction of voluntary quotas by some political parties has led to a rapid increase in the number of women elected to Parliament in some Member States, yielding considerable progress since the year 2000 (SGM 2013, 2018).

## 5.2 CHALLENGES TO WOMEN'S REPRESENTATION IN POLITICAL PARTIES

Data received from Member States as well as secondary sources reveals that the low representation of women in Parliament is attributed to an unfavourable legal and policy framework and structural rigidities in political party nomination systems, as well as electoral systems. While women are the majority of voters by virtue of their numerical strength, this is not reflected at leadership of mainstream party structures or committees, except in women's wings. Political parties by definition and practice remain voluntary organisations, even unregistered in some Member States. However, their claim to being voluntary associations of citizens that aggregate and represent the interests of the people means they should be transparent in their internal party processes, including the election of party leaders across different structures.

Political party leadership remains male-dominated despite proclamations to the contrary. In cases where a woman leads a party, most of the top leadership, if not all, would be men. Political party constitutions are not always publicly available or accessible online, so information on gender equality commitments by political parties was gleaned only from data supplied by Member States which was sparse or from available manifestos. Most party manifestos do recognise gender equality and women's empowerment, but specifically as development beneficiaries rather than potential leaders.

Most political parties subscribe to Codes of Conduct which have been developed through the elections management bodies. Scanning through most of the Codes of Conduct, political parties among other players are prohibited from "discriminating based on race, ethnicity, sex, gender, class or religion". However, the Codes are viewed not across the elections cycle continuum but specific to election voting days, which does not capture intra-party discrimination that may result in lower participation of women in politics and decision-making as reflected in primary elections.

Existing mechanisms to facilitate political parties to implement the gender equality commitments include constitutions, manifestos, policies, structures, processes and representation targets. The latter has been in the form of special measures to co-opt excluded groups within the leadership structures. The most preferred mechanism within parties appears to be adoption of women and youth wings whose leaders are co-opted into the mainstream party structure. Where this is accompanied by conscious efforts to ensure equitable representation within the mainstream, this has increased figures. Whether the quantitative representation equals qualitative gains in voice, choice and increased control remains debatable, especially where the party quotas are not part of a long-term sustainable campaign to transform the internal processes and deliver incremental gains towards parity. Political parties, as governments-in-waiting, cannot purport to be committed to gender equality principles rhetorically only. They also cannot continue to take women's vote for granted, by ignoring the representation of women in their internal leadership.

A rich knowledge base on gender within the governance arena, including in political parties, has also been built over the years. The number of institutions – research, aca-



democratic, policy and advocacy oriented – has also increased over the years. Most of these collaborate in one way or the other with political parties, around integration of gender not just within leadership but as a crosscutting issue. Opportunities also exist in the fact that national constitutions uphold gender equality and women empowerment. The representation of countries under sub-regional, regional, continental, and international bodies also provides opportunities for learning and sharing. Another opportunity is the low but incremental gains in women's representation in political party leadership, which enables the organic inclusion of their voices, choices, and control, albeit limited due to minority status. The pressure on political parties to model, from a gender perspective, the commitment to democracy principles, is another opportunity which has seen parties adopting concessions to increase women's representation.

A key challenge remains that most mechanisms preferred by political parties, increase women's representation, not by de facto integration into mainstream leadership structures, but co-option as a special measure. It is important that political party commitments, processes and outcomes derive from a narrative seeking social and organisational transformation designed to increase consistently and incrementally women's representation in leadership. Current narratives showing fluctuating trends are inadequate. It has been noted that where women have been included in leadership, the barometer measuring performance and capacity is different from that used for men. This has seen situations where the removal of a woman leader is followed by replacement with a man and a prolonged period of non-representation.

This has been shown in the historical leadership trends of the key political parties from inception to date where power was and remains vested in men. Although there have been women in top political party leadership hierarchies in some cases, these have been mostly short-lived compared to the tenure of male counterparts, lending credence to the belief that their elevation was mostly for cosmetic reasons to manage competition among males rather than commitment to gender equality and sustainable empowerment. The fact that political party leadership determines the vision, the mission, objectives, and structures shows the importance of ensuring the inclusion of women in their diversity.

### 5.3 CONCLUSION AND RECOMMENDATIONS

The assessment of existing data has shown that although many political parties commit in principle to addressing gender equality in one form or the other, this is not matched in practice except for the main political parties that have been elected into government and made commitments in this regard. Integration of women in leadership structures is at best sluggish with very few women included in top leadership. Gender equality principles in political party policies, constitutions and manifestos have not been addressed or implemented to ensure equitable representation in leadership structures beyond co-option or negotiated positions.

The fact that party quotas are adopted to inform candidate selection for representation in local or national government but do not necessarily apply in party leadership structures is a cause for the continued poor representation. Political party manifestoes tend to uphold self-determination, equality and inclusion. The gender equality and women's empowerment as a key principle is underplayed in practice.

While women form the majority in most SADC Member States, this is not reflected in leadership of most political party structures or committees. The low representation of women in Parliament is attributed to an unfavourable legal and policy frameworks and structural rigidities in political party nomination systems, as well as electoral systems. Political party leadership generally remains male-dominated despite proclamations to the contrary. Political party constitutions are not always publicly available or accessible online, so information on gender-equality commitments is not easy to locate except for the majority parties which usually have gender clauses and commitments in the party constitution.

#### 1. SADC MEMBERS STATES

Rules and regulations for the registration of political parties should be aligned to gender equality commitments in party structures and policy documents, and in the fielding of candidates for election at various levels, and these internal political party mechanisms, structures, processes, and outcomes must be publicly transparent and accountable to the accepted principles of gender equality and women's empowerment. There is need to ensure that the content of political party constitutions, manifestos and other policy documents resonate with national constitutional guarantees in relation to gender equality and women's empowerment. Party constitutions and related policy documents should be publicly accessible.

#### 2. POLITICAL PARTIES

Political parties need to take responsibility for integrating gender equality and women's empowerment in their internal frameworks, commitments, processes, structures, and outcomes including representation in leadership structures and other levels. Gender reviews or audits could support this process and act as a guide to further promote accountability and transparency and institutionalise gender equality, as well as formulate gender-responsive policy models and guidelines for assimilation by political parties and members. Political parties to develop a framework for measuring gender equality within party structures, processes, policies, and activities, which can inform political party constitutions and policies toward gender equality and empowerment; and establish a baseline on the status of gender equality within political parties.

#### 3. GENDER COMMISSIONS, ELECTORAL COMMISSIONS, CIVIL SOCIETY AND ACADEMIA

The Gender Equality and Women's Empowerment (GEWE) concept, process and context should be shared with political parties and familiarization provided for leadership structures of political parties. Electoral Commissions and Gender Commissions or gender machineries should include this in their awareness programmes and analysis, and continue to play an active role in raising the level of knowledge in this regard. Civil society has a mandate as per the SADC Treaty, to assess the accountability of political parties to SADC commitments such as those made through the revised SADC Protocol on Gender and Development. Evidence-based research by academic and research institutions should be conducted at national level to feed into the regional level process and to provide gender analysis on representation and participation in internal party frameworks as reflected in organisational documents, processes and practices.



The relevant Sections of the SADC Protocol on Gender and Development, on Constitutional Rights and Governance, Articles 5, 12 and 13, are repeated in this section of each Chapter for access and ease of reference for each chapter topic.

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    - o Providing support structures for women in decision-making positions;
    - o The establishment and strengthening of structures to enhance gender mainstreaming; and
    - o Changing discriminatory attitudes and norms of decision-making structures and procedures.
  3. ensure the inclusion of men in all gender-related activities, including gender training and community mobilisation.
-



### 6.0 INTRODUCTION

Progress towards gender equality has been attributed to state capacity in many cases but also in terms of institutional mechanisms for effective policy implementation. In SADC, most Member States have set up independent constitutional bodies to strengthen their capacity to implement, monitor and enforce public policies towards the attainment of political, economic and social goals. These independent bodies are also expected to give views on issues of national importance without bias and may review public services as necessary. These independent public bodies may also be mandated to provide non-partisan analysis of fiscal policy and performance including monitoring compliance.

The Commissions vary, including Gender Commissions, Electoral Commissions and Media Commissions. SADC Member States have established electoral commissions to organize and manage electoral activities in the country. Most member states ratified the Beijing Declaration and Platform For Action (PFA) in 1995 which calls for all countries to develop a national gender policy that makes provision for the establishment of a Gender Commission to monitor and drive progress towards gender equality, but only half of the member states have established these Commissions on Gender Equality. This chapter reviews the independent bodies in Member States and their gender composition and contribution to gender equality and women's empowerment.

### 6.1 WOMEN REPRESENTATION IN GENDER COMMISSIONS

A Commission for Gender Equality (CGE) is an independent statutory body established in terms of national law, usually in the Constitution to advocate for national laws, policies and practices that seek to promote gender equality and to oversee the implementation of the national, regional and international instruments. In addition, they are mandated to promote respect for gender equality and the protection, development and attainment of gender equality. It is also their duty to advise and make recommendations to Parliament or any other legislature with regard to any laws or proposed legislation affecting gender equality and the status of women.

The purpose of such a Commission is to promote, safeguard, monitor and evaluate gender equality through research, public education, policy development, legislative initiatives, effective monitoring and litigation.

**Lesotho, Tanzania and Zambia** do not have gender commissions in place, while **Eswatini, DRC and Malawi** have Human Rights Commissions that deal with issues of women's empowerment and other rights, and gender equality. **Mozambique** has a National Council for the Advancement of Women, as well as a Commission of Human Rights. There was no information available for **Angola, Comoros, Madagascar, Mauritius and Seychelles**.

In **Botswana**, the 2015 National Policy on Gender and Development guides and informs the development and implementation of gender-sensitive and responsive initiatives. Botswana adopted gender mainstreaming as a core strategy for sustainable development, and mandated for the establishment of a National Gender Commission to ensure the effective implementation of the policy. The Commission is made up of 16 commissioners of which 10 (62.5 percent) are women.



**Eswatini** does not have a Gender Commission. However, issues of advancing women's empowerment and gender equality lie within the portfolio of the Commission on Human Rights and Public Administration. The commission has seven Commissioners and two are women representing 28.6 percent.

**DRC** does not have a Gender Commission but issues of gender equality and women's empowerment fall under the National Commission of Human Rights. There are nine Commissioners of whom four are women, for 44.4 percent.

**Malawi** also does not have a separate gender commission however the Malawi Human Rights Commission has established a Gender Equality Committee comprising representation from government, civil society and development partners to assist in monitoring the implementation of the Gender Equality Act. The Committee meets regularly to deliberate on gender issues and conduct monitoring visits to assess the awareness levels and adherence to the Gender Equality Act. The Commission aims to conducting regular gender audits to measure the adherence to this law by both public and private sectors. In collaboration with the Ministry of Gender, Children, Disability and Social Welfare, the Commission developed the Gender Equality Act Implementation and Monitoring Plan (2016-2020) to promote gender equality in Malawi. Out of the nine Human Rights Commissioners, six are women, representing 66.7 percent. The Chair and Deputy Chairperson are women.

**Mozambique** has a National Council for the Advancement of Women which has 19 members from government, civil society, religious configurations, private sector and unions, comprising 8 women and 11 men, 42.1 percent. The Council has achieved successes in the implementation of measures to strengthen the gender agenda in national development and for the inclusion of women in key leadership structures of the commission. According to data provided by the member state, Mozambique has 19 members of the National Council for the Advancement of Women, 8 are women while 11 are men, which is 42.1 percent. The Human Rights Commission's 11 members comprise 5 women and 6 men, 45.5 percent.

**Namibia's** gender commission has 16 commissioners, 14 are women representing 87.5 percent. The work of the gender commission is mainly guided by the National Gender Policy 2010-2020. The Commission works hand in hand with the Ministry of Gender Equality and Child Welfare (MGECW) to ensure that gender is mainstreamed in governance and decision-making; media, information and communication; and human rights, among many of its key focus areas.

In **South Africa** the Commission on Gender Equality (CGE) works closely with the parliament. It reports to parliament on various recommendations that need policy change. In parliament, CGE liaises with the Committee on the Quality of Life and Status of Women, and the Parliamentary Women's Group (PWG), which have played a key role in lobbying for adequate resources to be allocated to the CGE. The Commission also discusses joint initiatives with those bodies in such areas as legislative reform, and ensuring that there is not a decline in the representation of women in parliament during elections. The CGE has further played its educative role by raising awareness on the cultural issues through radio talk shows. The Commission has 11 members of whom 9 are women (81.8 percent).

A CGE Monitor initiative was established to ensure that the Commission for Gender Equality delivers on its mandate to advance gender transformation in South Africa. The CGE Monitor is made up of women's rights, gender equality and human rights organisations from across the country who are involved in promoting gender equality and advancing the needs and rights of women. Some of these organisations are involved in advocacy work and others represent or provide services to different groups or categories of women such as women with disabilities, rural women, HIV-positive women, domestic workers, survivors of gender-based violence and other human rights violations, and gender non-conforming people. The objective of the CGE Monitor is to ensure the effective function of the CGE so that it delivers on its mandate to advance gender equality in South Africa by carrying out the core tasks.

The **Zimbabwe** Gender Commission (ZGC) is one of the five Independent Commissions established in terms of Section 232 and 245 of the Constitution of Zimbabwe Amendment (No. 20) Act of 2013 and operationalised through the Gender Commission Act (Chapter 10:31). The Commission is charged with monitoring issues of gender equality and women's empowerment and to ensure that gender equality is achieved as provided for in the Constitution, and to investigate possible violations of rights relating to gender equality.

The ZGC has been active in advocacy with government and civil society groups use existing opportunities to incrementally increase women's representation at all levels. The Commission also challenges government to outlaw any laws, practices, customs or conduct that hamper women's progress to equality. The Commission debates on legal reforms, for example for inclusion of women in the mining sector value chain to promote decent work, equality, and gender mainstreaming. In 2019 the Commission made a submission for the pre-session working group for the 75th session of the Committee on the Elimination of Discrimination against Women (CEDAW) for the formulation of issues and questions for the review of the Government of Zimbabwe's compliance with CEDAW. The ZGC has eight commissioners of whom six are women (75 percent).

From the data presented in Table 6.1, it is evident from the countries that submitted data that the percentage of women appointed to gender commissions is generally high and often above 50 percent, with Namibia the highest at 87.5 percent, followed by South Africa, Malawi, Zimbabwe, Botswana, DRC, Mozambique, and Eswatini.

**Women Representation in Gender Commissions**

Table 6.1

Country	Total Commissioners	Women Commissioners	% Women
Angola	--	--	--
Botswana	16	10	62.5
Comoros	--	--	--
Eswatini*	7	2	28.5
DRC*	9	4	44.4
Lesotho	na	--	--
Madagascar	--	--	--
Malawi*	9	6	66.7
Mauritius	--	--	--
Mozambique*	19	8	42.1
Namibia	16	14	87.5
Seychelles	--	--	--
South Africa	11	9	81.8
Tanzania	na	--	--
Zambia	na	--	--
Zimbabwe	8	6	75

\*Eswatini, DRC and Malawi have Commissions on Human Rights which deal with gender issues; Mozambique has a National Council for the Advancement of Women, as well as a Commission of Human Rights.

--no data

Not applicable (na) as Lesotho, Tanzania and Zambia do not have gender commissions in place  
Source: National progress reports on implementation of the SADC Protocol on Gender and Development, 2022

## 6.2 WOMEN REPRESENTATION IN MEDIA COMMISSIONS

The SADC Protocol on Gender and Development Part 9 on Media, Information and Communication, Articles 29, 30 and 31 are instructive in guiding on how Member States should promote equal representation of men and women in decision-making structures in the media, information and communication, with Article 29, especially sub section 3 urging that “State Parties shall by 2030 take measures to promote the equal representation of men and women in decision-making structures in the media, and ownership of media houses in accordance with Article 12.1.” Part 9 of the Gender Protocol therefore, will be used to assess if Member States are aligned to what is enshrined in the Protocol.

Media Commissions are established to uphold, promote and develop freedom of the media, promote and enforce good practices and ethics in the media, and receive and consider complaints from the public. When appropriate, they may take appropriate action against journalists and other persons employed in the media or broadcasting industries who are found to have breached any law or code of conduct applicable to them. With the emergence of cyber-bullying and gender-based violence through online media platforms, media commissions are addressing the new and emerging related issues.

Based on primary data provided by the Member States, a total of 8 out of 16, which is half of the SADC Member States indicated that they do have functional Media Commissions established by their governments.

The media commission in DRC which has the title of Higher Audio-Visual and Communications Commission, has 15 commissioners of whom 3 are women, for 20 percent.

The Eswatini Communications Commission (ESCCOM) is the body responsible for regulating the communications sector in Eswatini, consisting of telecommunication services and networks, broadcasting services, postal services, and the use and allocation of the radio spectrum. It derives its mandate from the Swaziland Communications Commission Act no. 10 of 2013. The commission has 15 Commissioners, of whom four are women (26.6 percent).

The Media Council of Malawi (MCM) is registered under the Trustees Incorporation Act of the Laws of Malawi as an independent, non-profit, non-political and self-regulating organization with the mandate to promote professionalism in the media industry by setting standards in the interest of the public in Malawi. Out of the 11 commissioners, five are women, a proportion of 45.5 percent.

According to primary data provided by Mozambique, the member state has attained more than 50 percent representation of women in the media regulatory body, the Higher Mass Media Council (CSCS) which is enshrined in the Mozambican constitution. Out of the 17 commissioners, 11 are women (64.7 percent).

The Namibia Media Commission supports gender equality and has ensured that media outlets mainstream gender in their reporting. However, women are under-represented in the media sector and the commission has only two women out of 10 commissioners (20 percent). Among other domestic documents and policies that guide its work, the commission is also bound by the statutes of the SADC Protocol on Culture, Information and Sport.

The Seychelles Media Commission has nine members, of whom seven are women, representing 77.7 percent. The commission is the media regulator and has other func-

tions that preserving the freedom of the media, improving and maintaining high standards of journalism in Seychelles. In 2019, the media commission in partnership with the Gender Unit of Seychelles conducted consultations with media houses on various actions that are required of the media in line with the strategies laid out in the gender plan to advance gender equality and women empowerment in the media.

The Media Commission in South Africa was established to ensure equitable treatment of all political parties by broadcasting services; and to ensure that State-financed publications and State information services are not, directly or indirectly, used to advance the interests of any political party during an election but rather promote and contribute to a climate that is favourable to free political participation and a free and fair election.

Women are still under-represented as reporters, news sources, and audience members in South Africa including as commissioners. The media commission has 10 commissioners, and only three are women (30 percent).

The Zimbabwe Media Commission (ZMC) is one of the Independent Commissions whose purpose is the entrenchment of a democratic society driven by respect for the Constitution, rule of law, democracy and human rights among other objectives. One of the Commission's objectives is to promote accountable governance through facilitating public access to information held by public entities, public commercial entities and statutory bodies for the purposes of transparency, accountability and protection of rights. The Commission is established to, among others, uphold, promote and develop freedom of the media; as well as to promote and enforce good practices and ethics in media.

The Zimbabwe Media Commission has nine Board Members of whom four are women (44.4 percent). Despite the vast number of media houses and news sources in Zimbabwe, there are disparities between women and men in news coverage, according to the Zimbabwe Gender Commission. Though women make up more than half of Zimbabwe's population, less than a quarter of what is seen, heard or read in the media are the voices of women. In an attempt to address this, the Zimbabwe Media Commission brought together various media houses to stimulate a dialogue on the gender inequality that persists in media. The event covered various key issues regarding the representation and portrayal of women and men in the media; strategies for addressing these; and measures that can be taken by Media Houses to ensure gender balance in the media. The Commission recognized that women are often simply missing in the media and are physically absent from certain categories such as sport and politics, and hence took up initiatives to address this gap.

Table 6.2 provides a summary of status for SADC Member States as indicated above. Angola, Botswana, Tanzania and Zambia do not have media commissions, while data for Comoros, Lesotho, Madagascar and Mauritius was not available.

Women in Media Commissions in SADC MS 2022

Table 6.2

Country	Total Commissioners	Women Commissioners	% Women
Angola	na	--	--
Botswana	na	--	--
Comoros	--	--	--
DRC	15	3	20
Eswatini	15	4	26.7
Lesotho	--	--	--
Malawi	11	5	45.5
Madagascar	--	--	--
Mauritius	--	--	--
Mozambique	17	11	64.7
Namibia	10	2	20
Seychelles	9	7	77.7
South Africa	10	3	30.0
Tanzania	na	--	--
Zambia	na	--	--
Zimbabwe	9	4	44.4

--no data  
Not applicable (na) as Angola, Botswana, Tanzania and Zambia do not have media commissions  
Source: Data collection tool for monitoring of SADC Protocol on Gender and Development, May 2022

### 6.3 WOMEN REPRESENTATION IN ELECTORAL COMMISSIONS

The Electoral Commissions are independent organisations established under the national Constitution, and are publicly funded and accountable to parliament. Electoral Commissions are described as autonomous, non-partisan bodies whose primary purpose is to conduct free and fair elections efficiently and effectively in accordance with universally accepted electoral principles and practices. Most SADC Member States have specific electoral laws that provide for the establishment and constitution of the Electoral Commission, its powers and functions.

Gender equality is a fundamental human-rights issue that cuts across all spheres of life and is intrinsic in all the pillars of sustainable development in any society. Although no single strategy can completely address the gender inequalities that span the world in all spheres of life, the Electoral Management Bodies (EMBs) can contribute to the achievement of gender equality through the way that they manage internal operations and processes. Following the adoption of the Beijing Declaration and Platform For Action in 1995, several SADC Member States put in place national gender policies and structures that aim to operationalize the commitments articulated in national legal frameworks, and in regional and international agreements.

The national EMBs have or are expected to develop internal gender policies to align their systems and practices with national constitutions, legislation and international frameworks that promote gender equality. The umbrella body in the SADC region, the Electoral Commissions Forum of SADC countries, has taken a lead in supporting EMBs in the development and implementation of these policies and tracking other related emerging issues.

The number of Member States with women serving as Chairpersons of Electoral Commission has increased.

The **Zimbabwe** Electoral Commission has the highest women representation with 62.5 percent, and the Chairperson of the Commission is a woman. The Namibia Electoral Commission is also chaired by a woman and has a 50 percent gender representation. The Electoral Commission of Namibia stipulates that at least two of its four Electoral Commissioners (50 percent) must be women in order to ensure gender representation and balance in the leadership of the EMB (Electoral Commission of Namibia, 2016).

**South Africa** has attained 60 percent gender representation in the Independent Electoral Commission and a woman serves as Deputy Chairperson. Electoral Commissions in **Botswana**, **Seychelles** and **Tanzania** have significantly increased the representation of women compared to what it was in 2011 (Table 6.3).

The Electoral Commission of **Zambia** which had 60 percent representation by women in 2011 has dropped 40 percent as 2 of the 5 commissioners are women, with one of the two serving as a Deputy Chairperson. The **Eswatini** Electoral Commission also reduced its gender representation to 33.3 percent from 40 percent in 2011, and DRC from 37.5 percent in 2011 to 22.2 percent with 2 women among the 9 commissioners.

SADC Member States that have not seen a change in the representation of women in electoral commissions are **Angola** and **Mauritius**, and Mauritius has the lowest gender representation in its Electoral Commission of 14.3 percent (Table 6.3).

Gender Composition of Electoral Commissions in SADC 2011 and 2022 Table 6.3

Country	2011			2022		
	Total	Women	Women %	Total	Women	Women %
Angola	11	3	27.3	11	3	27.3
Botswana	7	1	14.3	6	3	50
Comoros	--	--	--	--	--	--
DRC	8	3	37.5	9	2	22.2
Eswatini	5	2	40	6	2	33.3
Lesotho	3	1	33.3	3	1	33.3
Madagascar	21	3	14.3	9	0	0
Malawi	7	3	42.9	7	2	28.6
Mauritius	7	1	14.3	7	1	14.3
Mozambique	13	2	15.4	17	3	17.6
Namibia	5	2	40	4	2	50
Seychelles	5	1	20	7	3	42.9
South Africa	5	2	40	5	3	60
Tanzania	7	2	28.6	7	3	42.9
Zambia	5	3	60	5	2	40
Zimbabwe	9	4	44.4	8	5	62.5

--no data Source National progress reports on implementation of the SADC Protocol on Gender and Development, 2022

From the data presented in Table 6.3, it is evident that gender parity in Electoral Commissions in SADC Member States is sliding back compared to what it was a decade ago. In 2022, only one-fifth of the member states have achieved at least 50 percent representation by women in electoral commissions. These countries are Namibia, South Africa and Zimbabwe (with 62.5 percent). This gap is evidence that Electoral Commissions have a task to push to increase women representation in their structures.

#### 6.4 CONCLUSION AND RECOMMENDATIONS

The assessment shows that the role of independent bodies is critical in advancing gender empowerment, a fact foreseen by the Beijing Platform for Action 27 years ago. However, gender equality in these bodies is not yet a reality in most SADC Member States. In addition, the SADC Protocol on Gender and Development advocates for the establishment of Gender Commissions by member states, however these have been established in only a few SADC countries. The independent bodies should have the technical capacity for setting standards, monitoring performance of other public institutions, reviewing legislation, and disseminating information for public awareness. As relatively new structures in most Member States, an assessment of their effectiveness is hampered by paucity of data. However, some recommendations for improvement among these independent public bodies are shown below.

**Independent Bodies** including Gender, Media and Electoral Commissions need to work to achieve and support the commitments and goals made by the parties to the SADC Protocol on Gender and Development in Articles 5, 12 and 13 to support the achievement of gender equality and women's empowerment, including in their own structures. Eligibility criteria of appointing Commissioners should specifically consider gender representation. A 50:50 balance should be one of the selection criteria for the appointment of commissioners in all independent bodies in SADC.

1. Although most Member States ratified the Beijing Declaration and Platform for Action 1995 which calls for all countries to develop a National Gender Policy that makes provision for establishment of a Gender Commission, progress has been slow and only a few SADC Member States have these Commissions in place, established in terms of national law, usually the Constitution, to promote, safeguard, monitor and evaluate gender equality, to advocate for national laws, policies and practices that promote gender equality, and to oversee the implementation of national, regional and international instruments. Member States that have not yet established a **Commission for Gender Equality** are urged to do so.
2. **Media Commissions** should ensure that the media is sensitized to gender issues, gender policy and national/regional commitments in this regard, are well-informed in their coverage, and actively seek reliable information and capacity-building in this regard. Media houses should develop and implement a gender policy. Media commissions should create gender-sensitive and gender-transformative content, break gender stereotypes, and challenge traditional, social and cultural norms and attitudes regarding gender perceptions, both in content and within the media houses to create an enabling environment for women in the media.
3. All SADC Member State have established an **Electoral Commission** to organize and manage electoral systems and processes in the country, and these should be obliged to adhere to commitments on gender equality and women's empowerment, both in their work and in their structures which should be 50:50 at all levels, including commissioners and staff.

The relevant Sections of the SADC Protocol on Gender and Development, on Constitutional Rights and Governance, Articles 5, 12 and 13, are repeated in this section of each Chapter for access and ease of reference for each chapter topic.

#### RECOMMENDATIONS RE IMPLEMENTATION OF SADC PROTOCOL

Member States are urged to adopt special measures and to accelerate the implementation of commitments in **Article 5, 12, 13 of the SADC Protocol on Gender and Development** which they are parties to, as follows.

##### CONSTITUTIONAL RIGHTS

###### Article 5 SPECIAL MEASURES

SADC Member States are party to the SADC Protocol on Gender and Development, and should adhere to obligations contained therein by putting in place "**special measures** with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation."

##### GOVERNANCE

###### Article 12 REPRESENTATION

1. State Parties shall "**ensure equal and effective representation** of women in decision-making positions -- in the political, public and private sectors -- including the use of special measures as provided for in Article 5."

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

### **Article 13 PARTICIPATION**

State Parties shall:

1. "adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting."
  2. put in place policies, strategies and programmes to ensure the equal participation of women and men in decision making by,
    - o Building the capacity of women to participate effectively through leadership and gender sensitivity training and mentoring;
    - o Providing support structures for women in decision-making positions;
    - o The establishment and strengthening of structures to enhance gender mainstreaming; and
    - o Changing discriminatory attitudes and norms of decision-making structures and procedures.
  3. ensure the inclusion of men in all gender-related activities, including gender training and community mobilisation.
- 





### 7.0 INTRODUCTION

Increasing women's control over decisions that affect their lives is widely acknowledged as central to combating poverty, and investment in women has been shown to have significant positive impacts, as noted in the Beijing Declaration and Platform for Action (PFA) issued by the Fourth World Women Conference in 1995 (and renewed in several commitments since including the Sustainable Development Goals), in which leaders agreed to establish mechanisms for gender equality and women's empowerment in partnership with, among others, **the private sector**.

*“National mechanisms and institutions for the advancement of women should participate in public policy formulation and encourage the implementation of the Platform for Action through various bodies and institutions, including the private sector, and where necessary should act as a catalyst in developing new programmes in areas that are not covered by existing institutions.”* (Beijing PFA 1995)

SADC Member States are party to the Beijing Declaration/PFA and resulting institutions such as the global Commission on the Status of Women as well as SDG5 on gender equality, and SADC Member States have created our own mechanism which we are party to and which draws from and builds on those initiatives. That mechanism is the SADC Protocol on Gender and Development, and its clauses on Special Measures, Representation and Participation which commitments have been reviewed in the national progress reports used to compile this report.

These processes belong to SADC Member States who should celebrate and adhere to obligations contained therein by putting in place “**special measures** with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation” (Article 5). SADC Member States signed and ratified, and then discussed and amended their SADC Protocol on Gender and Development.

This important SADC Protocol is one of the mechanisms drawn from the processes and results of that ground-breaking conference in Beijing that was in fact guided by two visionary woman leaders from Southern Africa, from SADC Member States, Namibia and the United Republic of Tanzania -- in the person of the Secretary General and Chair of the Fourth World Women Conference, Hon Gertrude Mongella from Tanzania who later became the first President of the Pan-African Parliament, and Hon. Netumbo Nandi-Ndaitwah who was Rapporteur General of the Beijing Conference, now the Deputy Prime Minister and Minister of International Relations and Cooperation of Namibia (see Chapter 8 of this report).

Gender empowerment measures are also enshrined in the Solemn Declaration on Gender Equality in Africa (SDGEA, 2016) and should focus on strategic issues:

- ❖ political participation and decision-making power;
- ❖ economic participation and decision-making power; and
- ❖ power over economic resources.

These three components are measured by: (i) women's representation in parliaments, cabinet and diplomatic posts; (ii) women's share of positions as legislators, senior officials and managers, (iii) women's share of jobs as professional and technical workers, and (iv) women's and men's estimated earned incomes.



The African Union Assembly declared the period 2020 to 2030 as the Decade on Financial and Economic Inclusion for African Women. In their declaration, African leaders recommitted to scaling up actions for progressive gender inclusion towards sustainable development at the national, regional and continental levels. In 2019, SADC adopted a Regional Multi-Dimensional Women’s Economic Empowerment Programme, aimed at promoting women’s economic empowerment and gender-responsive development. The programme seeks to ultimately ensure gender equality and women’s empowerment across sectors at regional and national levels ([www.sadc.int/2021](http://www.sadc.int/2021)). It is therefore imperative for member states to take stock of their own progress, examining the success factors and the challenges on the economic front, focusing particularly on the private sector, state-owned enterprises and parastatals.

This chapter analyses data on women’s access to and control over economic resources and processes by assessing women’s share of jobs as professional and technical workers in state-owned enterprises, parastatals and private sector. It assesses the extent to which women have access and control over the economic resources, particularly drawing from Part 5 of the SADC Protocol on Gender and Development Article 19 on Equal Access to Employment and Benefits which states that:

- ❖ State Parties shall by 2030:
  - *review, amend and enact laws and policies that ensure women and men have equal access to wage employment, in all sectors, in line with the SADC Protocol on Employment and Labour.*
  - *achieve full and productive employment, decent work including social protection and equal pay for work of equal value for all women and men,*
- ❖ State Parties shall review, adopt and implement legislative, administrative and other appropriate measures to ensure:
  - *equal pay for equal work and equal remuneration for jobs of equal value for women and men;*
  - *the eradication of occupational segregation and all forms of employment discrimination.*

## 7.1 WOMEN IN LEADERSHIP IN THE PRIVATE SECTOR

While most SADC Member States have commitments to Gender Equality and Women Empowerment (GEWE) through their national constitutions, none have reported policies in place for enforcement of its implementation in the private sector. Therefore the inclusion of women becomes the prerogative of the industry players, albeit guided by their convictions on the importance of GEWE. Nonetheless, as part of national reports tracking progress on the gender protocol, member states submitted statistics on the performance of their top five companies in promoting the participation by women in leadership and decision-making. Data shared by 8 out of the 16 SADC Member States reflects that, generally the participation of women in leadership positions in the private sector is very low.

Table 7.1 summarizes this situation based on information from the Member States that submitted data, and Figure 7.1 provides an illustration of the data.



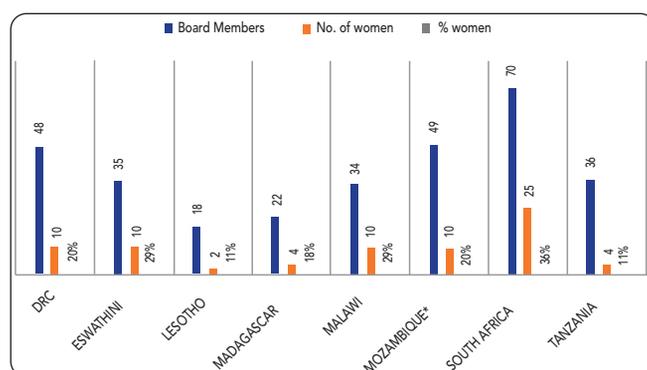
Women as CEOs and Board Members in the Top 5 Private Sector Companies per Member State

Table 7.1

Country	CEOs	No. of Women	% Women	Board Members	No. of women	% Women
DRC	5	0	0	48	10	20
Eswatini	5	1	20	35	10	29
Lesotho	5	1	20	18	2	11
Madagascar	3	0	0	22	4	18.2
Malawi	64	7	11	34	10	29
Mozambique*	-	-	-	49	10	20.4
South Africa	5	0	0	70	25	35.7
Tanzania	5	0	0	36	4	11.1

Source: Member States primary data (March 2022) \*Mozambique submitted consolidated statistics

Figure 7.1 Women in Decision Making Positions in the Corporate Sector



Source Table 7.1

Lessons that may be of interest from other parts of the world could be the introduction of further binding commitments at national level. The introduction of employment sector reforms through expansion of protection of women in the workplace has the potential of increasing inclusion of women in strategic positions in the workplace. For example, the prohibition of employers from asking women about their marital or family status and from requiring women to agree not to have children as an employment condition contributed to increased gender diversity in China. Key areas

such as recruitment, retention and promotion improved by 75.3 percent, skills and executive training by 62.3 percent and remuneration by 59.1 percent as a result of these reforms (Webster and Rosseau (2019).

Continued sharing of statistical data as evidence of the implementation of the Protocol in line with the articles under review is another yardstick that the region could use to measure commitment and set national goals for feeding into the regional outcome, which in turn would feed into continental and global processes.

Table 7.2 shows an analysis of the top performing companies as reported by Member States, based on profits earned by December 2021. It reflects that there is a large gender disparity in leadership roles. In the majority of cases, women are still marginalized and outnumbered by men.

## 7.2 WOMEN IN LEADERSHIP IN STATE-OWNED ENTERPRISES

The legal instruments that establish and govern State Owned Enterprises (SOEs) are sub-divided into two categories. These are individual acts of Parliament which establish and govern statutory corporations referred to as “Parastatals” and the Companies Act

## Analysis of gender disaggregated data in selected companies

Table 7.2

Country	Company	Executive Management			Board		
		Men	Women	Total	Men	Women	Total
Angola	TRANSAFRIK International Limited	2	1	3	5	2	7
Botswana	Debswana Diamond Company	8	1	9	8	5	13
Comoros	-	-	-	-	-	-	-
DRC	RAWBANK	12	2	14	8	1	9
Eswatini	Royal Eswatini Sugar Corporation	5	1	6	10	2	12
Lesotho	Econet Telecom	-	-	-	7	3	10
Madagascar	MADARAIL	11	1	12	6	2	8
Malawi	Press Corporation Limited	17	1	18	9	2	11
Mauritius	Swan Life Ltd	10	2	12	9	1	10
Mozambique	Mozal Aluminium	6	2	8	5	3	8
Namibia	Bidvest Namibia	1	2	3	30	6	36
Seychelles	Cable & Wireless Seychelles	5	1	6	-	-	-
South Africa	Unilever South Africa	10	4	14	7	6	13
Tanzania	NMB Bank Plc	9	2	11	6	2	8
Zambia	Atlas Mara Bank Zambia Limited	10	2	12	6	2	8
Zimbabwe	Delta	7	1	8	9	1	10

Source: Company Websites

\*This information is for top-performing companies based on the company's current annual market capitalisation in each Member State

which establishes corporatized entities referred to as “State Enterprises” (www.sahrc.org.za). It is however possible that some member states use the terminology interchangeably. Notwithstanding, SOEs are seen as legal entities that are created by government in order to partake in commercial activities on its behalf. They can be either wholly or partially owned by a government and are typically earmarked to participate in specific commercial activities. *This section assesses representation in the top five SOEs in terms of revenue in each SADC Member State.*

Table 7.3 shows that women are significantly under-represented as CEOs of State-Owned Enterprises. Of the eight Member States that submitted data, only six women are CEOs out of 40 accounting for only 15 percent. Malawi submitted data for Directors in their top five SOEs and only 6 out of 30 are women. However, women are slightly better represented as Board Members, with South Africa having 52.1 percent of women representation, followed by Lesotho which has 47.9 percent and Eswatini 36.8 percent. Although representation is better for women as Board Members, the numbers are still significantly low as they represent only 26 percent on average as shown in Figure 7.2.

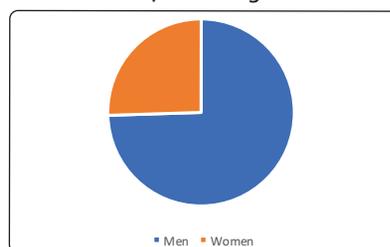
## Women CEOs and Board Members in State Owned Enterprises

Table 7.3

Country	CEOs	No. of Women	Board Members	% Women
Angola	5	1	--	--
Botswana				
DRC	5	1	48	20.8
Eswatini	5	1	38	36.8
Lesotho	5	1	48	47.9
Madagascar				
Malawi	30*	6	--	--
Namibia	5	0	30	30
Seychelles				
South Africa	5	2	46	52.1
Tanzania	5	0	36	11.1
Zambia	5	0	37	35.1
Zimbabwe	5	1	39	33.3

Source: Data from Member States

Figure 7.2 Board Members in top five performing SOEs in SADC



Source: Table 7.3

### 7.3 WOMEN IN LEADERSHIP IN PARASTATALS

A parastatal organisation means any corporate body or association established through an Act of Parliament and can be funded in whole, or at least in part to 51 percent, from funds derived from taxation, grants or loans from Government or external public financial sources. The entity may be required to meet its expenditure from income derived from its activities or is subsidised in whole or in part by public funds (www.lawinsider.com).

Given their reliance on public funds, the inclusion of women in the leadership of parastatals becomes a matter of public interest and naturally puts them under the spotlight, particularly in assessing the extent to which women hold decision-making positions. Given that member states are party to the Revised Protocol, it is imperative that they put in place measures to advance the participation of women in strategic decision-making positions, as part of their commitment to meeting the 2030 goal of gender equality and women's empowerment. According to data submitted, Member States generally have higher statistics of women participation in parastatals than in SOEs. The readiness for inclusion of women in non-profit spaces raises the question of women's access and power over resources, and therefore questions the level of commitment in that regard. Table 7.4 depicts the situation in Member States parastatals.

Women CEOs and Board Members in Parastatals

Table 7.4

Country	CEOs	No. of Women	Board Members	% Women
Angola	4	2	--	50%-
Botswana	5	2	28	42.9
DRC	--	--	--	--
Eswatini	5	2	36	33.3
Lesotho	3	2	33	51.5
Madagascar	4	1	26	23.1
Malawi*	47	12	--	--
Mauritius	--	--	--	--
Mozambique	--	--	--	--
Namibia	5	1	17	40.3
Seychelles	4	1	31	35.5
South Africa	--	--	--	--
Tanzania				
Zambia				
Zimbabwe	5	1	42	47.6

Source: Data from Member States

two are headed by women, for 50 percent representation. However, the general picture accentuated from the foregoing data is a narrative that women's active participation in the access and control of resources in the corporate sector is a long way from reality. Board members are policy makers in any entity and therefore determine the direction of socio-economic wellbeing. Having fewer women in those positions means their voices are already overshadowed, and by implication, gravitate towards exclusion.

### 7.4 CHALLENGES

Information gleaned from literature suggests that structural and cultural barriers often hinder women's economic participation at multiple levels. Some of these challenges are:

- **Social attitudes and norms:** According to Hampel-Milagrosa (2011), women may avoid taking up economic opportunities for fear of negative attitudes and behaviour of people in the public arena. Such stigma is complicated by a lack of understanding of women's triple roles in struggling to balance the productive, reproductive and community roles. This contributes to time poverty and constrains the ability of some women to engage in paid employment, although that is changing.
- **Access to financial services and markets:** The general lack of collateral held by women and lack of access to strategic financial information can hinder the ability to engage effectively or ability to access available funding.

- **Sexual harassment and gender-based violence:** According to the International Labour Organisation (ILO), sexual harassment and gender-based violence are widespread and undermine equality at work (www.ilo.org, March 2022). Although no data was provided by Member States, there is a strong possibility that this vice may hinder more effective participation of women in SOEs and parastatals in the SADC region. Embracing the ILO guidelines on dealing with this challenge as well as the enactment of frameworks to mitigate its prevalence can significantly contribute to the creation of enabling environment for women to realise their full potential as leaders.

## 7.5 CONCLUSION AND RECOMMENDATIONS

The assessment shows that more effort is required to ensure the corporate sector embraces more women in its positions of authority, particularly in entities that use public funds to run their commercial enterprises. Data from Member States shows that more needs to be done if the vision of Gender Equality and Women's Empowerment is to become a reality by 2030. Should the above figures be a yardstick of progress then attainment of the goals are still far away. It is imperative that member states move with each other, bound by their common commitment to improving the lives of women and ensuring that no one is left behind.

Women representation goes beyond numbers in seeking gender parity. It is imperative for the corporate sector in member states, both public and private sector to acknowledge that strategic positioning of women in decision-making is an empowerment tool, not just for the women occupying the position, but for their male colleagues, the corporate entity and the society, as results will reflect a broader diversity of lived experience, knowledge and skills.

Below are some of the interventions that Member States can consider for women in the corporate sector.

## RECOMMENDATIONS

### CHAPTER 7 CORPORATE SECTOR

The commitments by the parties to the SADC Protocol on Gender and Development to **Special Measures, Representation and Participation** under Articles 5, 12 and 13, should be taken up by the Corporate Sector, which was identified by the Fourth World Women Conference in Beijing as an active participant and a catalyst in achieving gender equality and women's representation.

#### The Corporate Sector is urged to:

1. Conduct regular Gender Audits/Reviews to assess the extent of the application of policy instruments that speak to equality and equal opportunity for both women and men; Measure and report publicly on the progress of mainstreaming gender in private and public employment spaces; Commit to instituting structures that can track performance in this regard across the private sector, SOEs and Parastatals that will also serve as motivational benchmarks for progress on gender equality actions and commitments; and ensure gender equality and opportunity at all levels within their own structures, taking a leading role as a catalyst in this regard.
2. Use their umbrella bodies in the sector to lobby companies to commit to gender equality in making executive appointments, and to go beyond that by establishing gender-conscious policies to Create safer spaces and an enabling environment for participation by women as well as men; Promotion of gender awareness, particularly on the multiple roles of women which have often held back opportunities for promotion, education, training and professional development.



3. Conduct regular Gender-sensitive training to aid companies in the private and public sector to appreciate the various gendered needs of employees in workspaces; Incorporate capacity-building and leadership training modules that are gender-sensitive and unique to each area of study, particularly at tertiary levels; Improve access to affordable and efficient family support infrastructure, and widen the range of childcare choices for working parents. Raise gender awareness, strengthen the accountability of private sector actors, and improve data collection and analysis of the gender dimensions and strengths in corporate sector operations.

The relevant Sections of the SADC Protocol on Gender and Development, on Constitutional Rights and Governance, Articles 5, 12 and 13, are repeated in this section of each Chapter for access and ease of reference for each chapter topic.

#### RECOMMENDATIONS RE IMPLEMENTATION OF SADC PROTOCOL

Member States are urged to adopt special measures and to accelerate the implementation of commitments in **Article 5, 12, 13 of the SADC Protocol on Gender and Development** which they are parties to, as follows.

##### CONSTITUTIONAL RIGHTS

#### Article 5 SPECIAL MEASURES

SADC Member States are party to the SADC Protocol on Gender and Development, and should adhere to obligations contained therein by putting in place "**special measures** with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation."

##### GOVERNANCE

#### Article 12 REPRESENTATION

1. State Parties shall "**ensure equal and effective representation** of women in decision-making positions -- in the political, public and private sectors – including the use of special measures as provided for in Article 5."
2. "State Parties shall ensure that all legislative and other measures are accompanied by public awareness campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision-making positions, democracy, good governance and citizen participation."

#### Article 13 PARTICIPATION

State Parties shall:

1. "adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting."
2. put in place policies, strategies and programmes to ensure the equal participation of women and men in decision making by,
  - o Building the capacity of women to participate effectively through leadership and gender sensitivity training and mentoring;
  - o Providing support structures for women in decision-making positions;
  - o The establishment and strengthening of structures to enhance gender mainstreaming; and
  - o Changing discriminatory attitudes and norms of decision-making structures and procedures.
3. ensure the inclusion of men in all gender-related activities, including gender training and community mobilisation.



### 8.1 MAIN OBSERVATIONS

This 8th edition of the SADC Gender and Development Monitor has sought to collect, synthesise and analyse data from Member States to assess progress made towards the attainment of the gender parity commitments articulated in the 2016 Revised SADC Protocol on Gender and Development. This is with respect to progress by Member States in the implementation of provisions of the Protocol as enunciated in

- ❖ Part II Constitutional Rights (Article 5 Special Measures), and
- ❖ Part III Governance (Article 12 Representation and Article 13 Participation).

This report has reviewed the extent to which Member States have domesticated the Protocol through ensuring practical steps at national level, such as the transformation of laws and policies into concrete actions aimed at increasing the representation and participation by women in politics and decision-making, towards gender parity by 2030.

The SADC Protocol on Gender and Development has consolidated key provisions on gender equality and women's empowerment from regional, continental and international frameworks that Member States are party to and have committed to adhere to. Through the Protocol, the SADC Member States have consolidated their obligations to international, continental and regional conventions that commit to Gender Equality and Women's Empowerment (GEWE), and therefore have a responsibility to incorporate these commitments into legislation and national policy, and to facilitate implementation that achieves the requisite goals.

Pursuant to the regional commitments on increasing representation and participation of Women in Politics and Decision Making, this assessment highlights the fact that voluntary measures are not sufficient to make the goals of GEWE a reality. Without supporting legislation and clear policy objectives, the results are often short term and cannot be sustained over the longer term. Rather, legal reforms, and especially those that are enshrined in the national constitution, have far more enduring impact than voluntary measures. Further, Member States that employ a combination of temporary measures such as voluntary quotas together with constitutional measures tend to move faster towards the goal of gender equality than those that have not done so.

Results from the assessment of electoral systems in the region support this observation. For example, electoral systems and practices in countries such as Mozambique, Namibia and South Africa where quota systems, whether constitutional commitments or party measures or both, have tended to guarantee more favourable outcomes in terms of participation by women and representation in parliament. However, it can be observed that without other supporting factors such as political will, these measures including constitutional provisions may be overlooked. To this end, more definite measures such as the imposition of mandatory minimum quotas for women when registering political parties or submitting candidate lists for elections may need to be considered to generate more action and thus results pursuant to the provisions of the gender protocol. Overall, some Member States have made significant progress but most still have a long way to go in terms of having more women represented in the legislature, with some countries having made gains while others have regressed according to the results of the most recent elections.



The assessment shows that SADC Member States are generally responding well to the need to institute legal and policy frameworks that seek to ensure greater participation by women, whether in the Legislature, the Executive, Local Government or the Judiciary. Greater emphasis has been put on representation in the legislature with notable results. For example, the majority of Member States have electoral laws that are inclined towards non-discrimination of women and other vulnerable groups when participating in elections, while in other cases legislated measures have been put in place to ensure gender equality. However, a key observation from the assessment is that, despite the presence of such legal measures, implementation is still slow.

Only five Member States have attained 40 percent or more representation by women in either the national assembly (South Africa, Namibia, Mozambique) or the upper chamber of parliament (Zimbabwe, Eswatini).

Political will remains a major factor if GEWE is to become a reality. Representation in the Executive where posts are available through election but mostly by appointment presents a clear picture, starting at the top. All of the women who have held the post of President in SADC Member States have been indirectly elected to complete the terms of elected male Presidents, as has been the case in Malawi, Mauritius and United Republic of Tanzania. No woman in SADC is yet to ascend to the post of President through a direct election for a full term.

A more positive outlook can be seen for women having ministerial posts in the Cabinet which is trending upwards in many cases. By early 2022, Mozambique and South Africa have attained the gender parity goal of 50 percent in Cabinet, and this important milestone should be well acknowledged. The appointment of women to posts previously dominated by men such as Minister of Defence, Foreign Affairs, Finance, Justice and Commerce is changing, with more women being appointed to these positions. In most Member States however, women's representation in Cabinet remains low, with the previous goal of 30 percent yet to be achieved by six countries, according to latest data from Member States. These are DRC, Eswatini, Lesotho, Mauritius, Zambia and Zimbabwe.

The review shows that gender stereotypes and cultural attitudes that for long have remained major impediments to gender equality in the region are slowly changing. The assessment of Women in the Judiciary shows that five Member States have attained 50 percent representation in the justice sector in 2022 compared to three in 2013. While Zimbabwe was the only country in 2013 with a Judge President, as of March 2022 six Member States had a total of 11 women as Judge Presidents including those that have these positions at regional court levels -- Angola, Botswana, Mozambique, South Africa, Zambia and Zimbabwe. The number of Member States with women Chief Justices remained at two in 2013 (Malawi and Zambia) and in 2022 (Mauritius and Mozambique). Gender mainstreaming in the justice sector is particularly important because women have historically suffered discrimination and exclusion from public life, and the legal system has been a key enabler of that exclusion.

Political parties as organised groups for the acquisition and exercise of political power generally remain without legal obligation to advance women representation and participation in politics in SADC. This is because in most jurisdictions in SADC, political parties are regarded as voluntary organisations with no legal requirement for adhering to gender equality. This dispensation is a major shortcoming in the dictates of democracy as it does not obligate political parties to adhere to equality in political representation

and this can have a negative impact on the Legislature, the Executive, and Local Government institutions. Opportunities for political parties to implement the gender equality commitments exist in their constitutions, manifestos, policies, structures, processes and representation targets, but this documentation is not among the requirements for the registration of political parties in most SADC Member States.

A key challenge remains that most mechanisms preferred by political parties to increase women's representation are not by de facto integration into mainstream leadership structures but by co-optation as special measures. Few parties have constitutions that mandate quotas of women representation such as in the case of major parties in Mozambique, Namibia, South Africa, and Tanzania which has enabled those countries to fare generally better in terms of representation in parliament. This assessment has shown that although most political parties commit in principle to addressing gender equality in one form or another, this is not matched in practice. Integration of women in leadership structures is at best sluggish with very few women included in the top leadership.

With progress towards gender equality attributable to state capacity in many spheres but more importantly in terms of institutional mechanisms for policy effectiveness, the establishment of independent bodies whose main role is to enhance state capacity has taken root in SADC. Many Member States have established independent bodies such as Gender Commissions as envisaged in the Gender Protocol with significant women representation. However, women representation in other equally important independent bodies such as Media Commissions and Electoral Management Bodies still falls short in most SADC Member States, although the role of these commissions is key in shaping the societal narratives and creating an environment conducive for fair participation. By early 2022, only Namibia, South Africa and Zimbabwe had 50 percent or higher representation by women in their Electoral Commissions.

While most Member States have commitments to GEWE through their national constitutions, evidence from the study shows that none have reported having policies in place for the enforcement of implementation in the private sector. The inclusion of women in leadership thus becomes the prerogative of industry players, in many instances guided by their conviction on the importance of equality or lack of importance. Eight of the 16 Member States provided data for the top five State-Owned Enterprises or Parastatals, reporting a low proportion of women occupying leadership positions in the private sector. Evidently, more effort is required to ensure that the corporate sector provides more opportunities for women to advance to positions of authority, particularly in entities that use public funds to run their commercial enterprises.

The overall picture is that much has been done in terms of putting in place the legal and policy frameworks as well as the institutions that are necessary to advance towards the attainment of GEWE by 2030. However, these efforts need to be matched with robust action to implement these measures in order to change the situation on the ground. While the temporary special measures that have indeed helped to increase the representation by women in the legislature by dismantling the barriers that prevent half the population from fully participating in leadership positions, these measures are not sustainable unless fully integrated into permanent structures, but should remain until gender parity goals are achieved. In order to safeguard the gains achieved so far, these special measures should remain until more permanent measures such as constitutional and other legal measures are in place.



The SADC Gender and Development Monitor 2022 has discussed some of the challenges contributing to gender inequality in participation and representation in decision-making, and going forward, the following recommendations can be proposed.

## 8.2 MAIN RECOMMENDATION

This report, the SADC Gender and Development Monitor 2022 focuses on three clauses of the SADC Gender and Development Protocol in which SADC Member States have committed to gender equality and women's empowerment through Article 12 Representation, Article 13 Participation, and Article 5 on Special Measures.

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Member States are urged to accelerate the implementation of commitments contained in **Article 5, 12, 13 of the SADC Protocol on Gender and Development** which they are parties to, as follows.

### CONSTITUTIONAL RIGHTS

#### Article 5 SPECIAL MEASURES

SADC Member States are party to the SADC Protocol on Gender and Development, and should adhere to obligations contained therein by putting in place "special measures with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life and create a conducive environment for such participation."

### GOVERNANCE

#### Article 12 REPRESENTATION

1. State Parties shall "ensure equal and effective representation of women in decision-making positions – in the political, public and private sectors – including the use of special measures as provided for in Article 5."
2. "State Parties shall ensure that all legislative and other measures are accompanied by public awareness campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision-making positions, democracy, good governance and citizen participation."

#### Article 13 PARTICIPATION

State Parties shall:

1. "adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting."
2. put in place policies, strategies and programmes to ensure the equal participation of women and men in decision making by,
  - a) Building the capacity of women to participate effectively through leadership and gender sensitivity training and mentoring;
  - b) Providing support structures for women in decision-making positions;
  - c) The establishment and strengthening of structures to enhance gender mainstreaming; and
  - d) Changing discriminatory attitudes and norms of decision-making structures and procedures.
3. ensure the inclusion of men in all gender-related activities, including gender training and community mobilisation.

## 8.3 MAIN POINTS OF RECOMMENDATIONS BY CHAPTER

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### RECOMMENDATIONS

### CHAPTER 1 ELECTORAL SYSTEMS

In the context of the above Articles of the SADC Protocol on Gender and Development SADC Member States are urged to:

1. Accelerate the **Implementation** of existing legal commitments at national and regional levels to achieve gender equality and women's empowerment, and ensure that regional and national protocols, policies and agreements in this regard are advanced from laws or stated intentions to actual application.
2. Review the **Electoral Systems** used by SADC Member States to consider whether the electoral system used at national level is achieving the results required by the SADC Protocol on Gender and Development and determine what special measures are needed to achieve the required results; as the national progress reports submitted by Member States show that the Proportional Representation (PR) system with legal quotas or using the "zebra" party lists of alternating men and women candidates is more effective in this regard than the single-constituency system of First Past The Post (FPTP), and that a Mixed system that combines PR and FPTP in various ways is also effective, although the weaknesses of the FPTP system remain in the Mixed system.
3. Engage the SADC Electoral Advisory Council (**SEAC**) which provides an advisory role on issues pertaining to elections and governance in the SADC region, and the Electoral Commissions Forum of SADC Countries (**ECF-SADC**) to help to ensure that electoral systems and governance reflect the specific concerns, values, experiences and needs of women and youth as well as men; and draft indicators in this regard for use by the SADC Electoral Observation Missions (SEOM) in their work.

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### RECOMMENDATIONS

### CHAPTER 2 WOMEN IN THE LEGISLATURE

In the context of the legally binding commitments made in the SADC Protocol on Gender and Development, SADC Member States are urged to:

1. Accelerate the **Implementation** of Articles 5, 12, and 13 to achieve gender equality and women's representation in the Legislature.
2. Engage men and women in general, and politicians in particular to mentor emerging candidates and to ensure that political parties adopt **Gender equality strategies and policies** including special measures to achieve results in party structures and to advance the involvement of women in politics and decision-making processes.
3. Strengthen **Monitoring of the implementation and impact** of the SADC Gender and Development Protocol at national level at regular intervals to advance progress and measures needed, and to post data updates on the existing Gender Live portal, to share successes and challenges, track progress and trends.



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## RECOMMENDATIONS

## CHAPTER 3 WOMEN IN THE EXECUTIVE

**Sustainability of equality** in the Executive is an emerging theme that illustrates that the SADC region is moving beyond the usual impediments to the next stage of implementation. Member states are now achieving visible results, but the challenge is how to sustain those results, legally, structurally and within the minds of people until it becomes the norm. The following recommendations and options can be considered to sustain gender equality in the Executive, and these are rooted in the **SADC Protocol on Gender and Development Articles 5, 12 and 13**.

1. Enact special measures to increase the **Participation** by women in Executive structures and decision-making processes at all levels from national governance to local and regional levels; and ensure that regional and national protocols, policies and agreements are advanced from laws or stated intentions to actual application, with Cabinet taking a leading role in this initiative.
2. **Generate awareness** to eliminate discriminatory attitudes and practices that discourage women from holding decision-making positions, especially in the public sector, and actively generate awareness among men and women to overcome the attitudes, values, practices and mindset with respect to supporting women in leadership, including by political parties and the media, through active engagement. It is useful in this regard for SADC to recognise Member States that have achieved gender equality in the Executive, including announcement by the outgoing Chair at the annual SADC Summit as well as reference to how this goal was achieved.
3. Strengthen **Capacity-building** programmes for new entrants (men and women) into decision-making positions at all levels (Cabinet, Parliament, Government, private sector, local authorities, and non-state entities); and put in place strong mechanisms to support new entrants into leadership and management positions (men and women).

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## RECOMMENDATIONS

## CHAPTER 4 WOMEN IN THE JUDICIARY

The commitments by the parties to the SADC Protocol on Gender and Development Articles 5, 12 and 13 to **Special Measures, Representation and Participation** respectively, also apply to the Judiciary and are aligned with the Commission on the Status of Women recommendation for 50:50 (CSW 65); and can be applied as follows.

1. Member States are urged to accelerate gender equality and women's empowerment at all levels of the judiciary, and to put in place special measures to achieve this. There is need to **break gender stereotypes and increase commitment** from bar associations, presidents or nominating commissions within the Judiciary in order to increase the representation and effective participation of women in the Judiciary.
2. **Empowerment strategies**, mentorship, networking and professional development opportunities can improve women's presence in the pool of senior judicial positions, and prioritize diversity and gender equality, in terms of composition and in the criteria and procedures applied. Women judges are encouraged to mentor young women to be part of the judiciary system. Quotas can be applied as a special measure to advance the recruitment and appointment of women judges, and advance the role of women in leadership and decision-making within the judiciary.
3. **Discrimination and harassment** that manifests in the nature of judicial assignments given to women judges must also be addressed, and effective measures must be taken to end the various forms of abuse faced by women in the judiciary, including threats and intimidation, online and cyber bullying.

While women form the majority in most SADC Member States, this is not reflected in leadership of most political party structures or committees. The low representation of women in Parliament is attributed to an unfavourable legal and policy frameworks and structural rigidities in political party nomination systems, as well as electoral systems. Political party leadership generally remains male-dominated despite proclamations to the contrary. Political party constitutions are not always publicly available including online, so information on gender-equality commitments are not easily accessible except for the majority parties which usually have gender clauses and commitments in the party constitution.

### 1. SADC MEMBERS STATES

**Rules and regulations for the registration** of political parties should be aligned to gender equality commitments in party structures and policy documents, and in the fielding of candidates for election at various levels, and these internal political party mechanisms, structures, processes, and outcomes must be publicly transparent and accountable to the accepted principles of gender equality and women's empowerment. There is need to ensure that the content of political party constitutions, manifestos and other policy documents resonate with national constitutional guarantees in relation to gender equality and women's empowerment. Party constitutions and related policy documents should be publicly accessible.

### 2. POLITICAL PARTIES

**Political parties need to take responsibility for integrating gender equality** and women's empowerment in their internal frameworks, commitments, processes, structures, and outcomes including representation in leadership structures and other levels. Gender reviews or audits could support this process and act as a guide to further promote accountability and transparency and institutionalise gender equality, as well as formulate gender-responsive policy models and guidelines for assimilation by political parties and members. Political parties to develop a framework for measuring gender equality within party structures, processes, policies, and activities, which can inform political party constitutions and policies toward gender equality and empowerment; and establish a baseline on the status of gender equality within political parties.

### 3. GENDER COMMISSIONS, ELECTORAL COMMISSIONS, CIVIL SOCIETY AND ACADEMIA

The Gender Equality and Women's Empowerment (GEWE) concept, process and context should be shared with political parties and familiarization provided for leadership structures of political parties. Electoral Commissions and Gender Commissions or gender machineries should include this in their awareness programmes and analysis, and continue to play an active role in raising the level of knowledge in this regard. Civil society has a mandate as per the SADC Treaty, to assess the accountability of political parties to SADC commitments such as those made through the revised SADC Protocol on Gender and Development. Evidence-based research by academic and research institutions should be conducted at national level to feed into the regional level process and to provide gender analysis on representation and participation in internal party frameworks as reflected in organisational documents, processes and practices.



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## RECOMMENDATIONS

## CHAPTER 6 INDEPENDENT BODIES

**Independent Bodies** including Gender, Media and Electoral Commissions need to work to achieve and support the commitments and goals made by the parties to the SADC Protocol on Gender and Development in Articles 5, 12 and 13 to support the achievement of gender equality and women's empowerment, including in their own structures. Eligibility criteria of appointing Commissioners should specifically consider gender representation. A 50:50 balance should be one of the selection criteria for the appointment of commissioners in all independent bodies in SADC.

1. Although most Member States ratified the Beijing Declaration and Platform for Action 1995 which calls for all countries to develop a National Gender Policy that makes provision for establishment of a Gender Commission, progress has been slow and only a few SADC Member States have these Commissions in place, established in terms of national law, usually the Constitution, to promote, safeguard, monitor and evaluate gender equality, to advocate for national laws, policies and practices that promote gender equality, and to oversee the implementation of national, regional and international instruments. Member States that have not yet established a **Commission for Gender Equality** are urged to do so.
2. **Media Commissions** should ensure that the media is sensitized to gender issues, gender policy and national/regional commitments in this regard, are well-informed in their coverage, and actively seek reliable information and capacity-building in this regard. Media houses should develop and implement a gender policy. Media commissions should create gender-sensitive and gender-transformative content, break gender stereotypes, and challenge traditional, social and cultural norms and attitudes regarding gender perceptions, both in content and within the media houses to create an enabling environment for women in the media.
3. All SADC Member State have established an **Electoral Commission** to organize and manage electoral systems and processes in the country, and these should be obliged to adhere to commitments on gender equality and women's empowerment, both in their work and in their structures which should be 50:50 at all levels, including commissioners and staff.

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## RECOMMENDATIONS

## CHAPTER 7 CORPORATE SECTOR

The commitments by the parties to the SADC Protocol on Gender and Development to **Special Measures, Representation and Participation** under Articles 5, 12 and 13, should be taken up by the Corporate Sector, which was identified by the Fourth World Women Conference in Beijing as an active participant and a catalyst in achieving gender equality and women's representation.

**The Corporate Sector is urged to:**

1. Conduct regular **Gender Audits/Reviews** to assess the extent of the application of policy instruments that speak to equality and equal opportunity for both women and men; Measure and report publicly on the progress of mainstreaming gender in private and public employment spaces; Commit to instituting structures that can track performance in this regard across the private sector, SOEs and Parastatals that will also serve as motivational benchmarks for progress on gender equality actions and commitments; and ensure gender equality and opportunity at all levels within their own structures, taking a leading role as a catalyst in this regard.

2. Use their umbrella bodies in the sector to lobby companies to commit to gender equality in making executive appointments, and to go beyond that by establishing gender-conscious policies to **Create safer spaces and an enabling environment** for participation by women as well as men; Promotion of gender awareness, particularly on the multiple roles of women which have often held back opportunities for promotion, education, training and professional development.
3. Conduct regular **Gender-sensitive training** to aid companies in the private and public sector to appreciate the various gendered needs of employees in workspaces; Incorporate capacity-building and leadership training modules that are gender-sensitive and unique to each area of study, particularly at tertiary levels; Improve access to affordable and efficient family support infrastructure, and widen the range of childcare choices for working parents. Raise gender awareness, strengthen the accountability of private sector actors, and improve data collection and analysis of the gender dimensions and strengths in corporate sector operations.

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## RECOMMENDATIONS

## A CONCLUDING NOTE

Noting that national progress reports on implementation of the SADC Gender Protocol Articles 5 on Special Measures, Article 12 on Representation, and Article 13 on Participation have shown little progress on domestication of regional agreements that would facilitate gender equality and women's empowerment in decision-making positions; and Noting further that regional agreements on gender equality and women's empowerment are legally binding and must be domesticated and implemented at national level through constitutional and other legal commitments so as not to remain statements of intent:

SADC Member States are urged to accelerate the domestication of Article 5 Special Measures, Article 12 Representation, and Article 13 Participation this year ahead of the next round of national elections which in some cases are the last opportunity to achieve the agreed gender equality targets before 2030. Barriers to women in contesting elective office and decision-making positions must be addressed legally and morally, and barriers removed before the next national elections.

SADC Member States are further urged to ensure the implementation of women's empowerment goals through making it mandatory for the registration of political parties that there is gender equality in the political party's constitution and executive structures, and ensure that equal participation is mandatory in candidates for election, as enforced when registration is facilitated and when candidate lists are submitted for an election. Member States further urged to set up a "SADC Gender Equality" award system that recognises those countries that have performed well in compliance with the 50:50 gender parity targets as enshrined in the SADC Gender Protocol and other relevant continental and international agreements.



## INTRODUCTION

This chapter gives highlights of prominent leaders and influential women in the SADC region who have made a difference or positive impact in the public sector as well as international organizations. The chapter gives pictorial highlights and brief profiles of the prominent women leaders who have defied the odds through showing that women can assume leadership roles previously reserved for men. The content is drawn from official sources and profiles. The list is by no means exhaustive but shows a few examples of women who serve as role models and inspiration to young women in the SADC region. In keeping with the theme of the publication on Women in Politics and Decision Making, only examples from this sector have been considered.

## HEADS OF STATE AND GOVERNMENT



**Her Excellency Samia Suluhu Hassan**  
**President of the United Republic of Tanzania (2021-Present)**

Her Excellency Samia Suluhu Hassan took office and became the sixth President of Tanzania in March 2021 following the death of President John Magufuli who had appointed her as Tanzania's first woman Vice-President following the 2015 general election. She served as the Member of Parliament for Makunduchi constituency from 2010 to 2015 and was Minister of State in the Vice-President's Office for Union Affairs from 2010 to 2015. In 2014, she was elected as vice-chairperson of the Constituent Assembly tasked with the drafting of the country's new Constitution. She had previously served as a Cabinet Minister in the semi-autonomous region of Zanzibar during the administration of President Amani Abeid Karume. President Hassan has a long record of campaigning for gender empowerment, equality and equity. In 2016 she was a member of the UN High Level Panel on Women's Economic Empowerment responsible for east and southern Africa.



**Her Excellency Dr. Joyce Banda**  
**President of Malawi (2012-2014)**

Dr Joyce Banda was elected by the Parliament as Malawi's fourth President becoming the country's first woman President and Africa's second, from 2012 to 2014. She was the country's first woman Vice President (May 2009 to April 2012). Before her tenure in the presidency, she served as Minister of Gender, Child Welfare and Community Services (2004-2006) and Foreign Minister (2006-2009). Dr Banda was instrumental in the formation of the African Federation of Women Entrepreneurs (FAWE), and she has been a strong advocate for empowerment of rural women.



**Her Excellency Agnes Monique Ohsan Bellepeau**  
**Acting President of Mauritius (March – July 2012**  
**and May – June 2015)**

Agnes Monique Ohsan Bellepeau was the Acting President of Mauritius from 31 March 2012 to 21 July 2012. She bridged the transition period between the resignation of President Anerood Jugnauth and the inauguration of the new President Kailash Purryag. She served again as Acting President between the resignation of President Purryag and the inauguration of President Ameenah Gurib-Fakim 29 May 2015 – 5 June 2015.

**Her Excellency Ameenah Gurib-Fakim  
President of Mauritius (2015-2018)**

Ameenah Gurib-Fakim served as President of Mauritius from 2015 to 2018. She was selected to be a Presidential candidate in 2014 following the resignation of the then President Kailash Purryag. She was unanimously elected President by the National Assembly. Gurib-Fakim received the L'Oréal-UNESCO Award for Women in Science, Laureate for the National and Economic Council, and the African Union Award for Women in Science.



**Hon Saara Kuugongelwa-Amadhila  
Prime Minister of Namibia (2015-Present)**

Saara Kuugongelwa-Amadhila's career in government began in 1995 as Director General of the National Planning Commission, a position with the rank of Minister. She was appointed as Minister of Finance in 2003. She was sworn in as the 4th Prime Minister of Namibia on 21 March 2015, the first woman to occupy that position in Namibia. Kuugongelwa-Amadhila went into exile from pre-independence Namibia in 1980 at the age of 13 and received her primary and secondary education in Sierra Leone, later going to the United States for tertiary education. She was 27 years old when she became Director-General of the National Planning Commission. She has been a member of the National Assembly since 1995. She speaks passionately about gender equality.



**Hon Luísa Dias Diogo  
Prime Minister of Mozambique (2004-2010)**

Luísa Dias Diogo has broken barriers in the public and private sectors when she became the first woman Prime Minister of Mozambique in 2004. Prior to becoming Prime Minister, Diogo was the Deputy Minister of Planning and Finance (1994-2000), and Minister of Planning and Finance from 2000 to 2005. During her time as Prime Minister, she was appointed as co-chair of the High-Level Panel on the United Nations System-wide Coherence in 2006, and to the UN High-Level Panel on Global Sustainability in 2010. Diogo is a member of the African Union Foundation and has continued to engage with issues of gender equality and women's empowerment through the recently launched Network of Women Ministers and Parliamentarians (MUNIPA).



**Hon. Netumbo Nandi-Ndaitwah  
Deputy Prime Minister and Minister of International Relations and Cooperation Namibia (2015-Present)**

Deputy Prime Minister Netumbo Nandi-Ndaitwah's political career started in 1966 when she joined the liberation movement to work for the independence of Namibia achieved in 1990. Hon. Nandi-Ndaitwah was the Rapporteur General of the Fourth World Women Conference held in Beijing, China in 1995. She served as Minister of Women Affairs and Child Welfare from 2000-2005, and has played an active role in advocating for the protection of the rights of women and children. Hon. Nandi-Ndaitwah became the Minister of Information and Broadcasting 2005-2008, after which she served as the Minister of Environment and Tourism. In December 2012, Hon. Nandi-Ndaitwah was assigned to the Ministry of International Relations. In 2015, she was appointed Deputy Prime Minister and Minister of International Relations and Cooperation, the dual responsibilities she has now.





**Hon Eve Bazaiba Masudi**

**Deputy Prime Minister and Minister for Environment and Sustainable Development of DRC (2021-present)** Hon Masudi is the first woman to achieve the rank of Deputy Prime Minister since independence in 1960, although women have reached the post of President of the National Assembly and Cabinet Ministers. In November 2011 she was elected MP for Basoko in Kisangani (formerly Orientale Province), and since 2012 she was President of the Socio-Cultural Commission of the National Assembly. She has been Secretary General of the Mouvement de Liberation du Congo (MLC) since December 2014. From the opposition, she moved into government in 2021 as Deputy Prime Minister following the elections in 2018.



**Hon Dr Joice Mujuru**

**Vice-President of Zimbabwe (2004 -2014)**

Joice Mujuru served as Vice President of Zimbabwe for a decade having been a government minister since independence in 1980. She was the youngest minister in the first Cabinet of Zimbabwe becoming a minister at the age of 22, in the portfolio of Sports, Youth and Recreation. She also served as Minister of Telecommunications; Minister of State in the Prime Minister's Office; Minister of Community Development, Co-operatives and Women's Affairs; Governor of Mashonaland Central province; and Minister of Rural Resources and Water Development.



**Hon Phumzile Mlambo-Ngcuka**

**Deputy President of South Africa (2005-2008) and Former Executive Director of UN Women (2013-2021)**

Mlambo-Ngcuka served as Deputy President of South Africa from 2005 to 2008, and was the first woman to hold the position in the history of South Africa. During her service as Deputy President, she oversaw programmes to combat poverty and ensure inclusive benefits from the advantages of a growing economy. She later served as the first Executive Director of UN Women with the rank of Under-Secretary-General of the United Nations from 2013 – 2021.



**Hon Dr Baleka Mbete**

**Deputy President of South Africa (2008-2009)**

Dr Baleka Mbete is a South African politician who served as the country's Deputy President from 25 September 2008 to 9 May 2009. She served as Speaker of the National Assembly of South Africa from 2004 to 2008, and again from May 2014 to May 2019 for a second term. She was elected National Chairperson of the party in government in 2007, re-elected in 2012 and served until 18 December 2017.



**Hon Inonge Mbikusita Lewanika Wina**

**Vice President of Zambia (2015-2021)**

Inonge Wina served as the 13th Vice President of Zambia from 2015 to 2021. She was the first woman to hold the position, making her the highest-ranking woman in the Zambian government. She became a Member of Parliament in 2001 and she has chaired a number of portfolio committees, including the Committee on Human Rights, Gender and Governance, and the Women Parliamentary Caucus. She returned to parliament in 2011 after being appointed National Chairperson for the party in government. Wina's involvement in community work began in the 1970s when she volunteered in support of women's movements. She served on a number of boards of non-governmental organisations and the public sector where she actively promoted the agenda for women's human rights.

### **Hon Mutale Nalumango**

#### **Vice President of Zambia (2021-Present)**

Mutale Nalumango is an educator and politician who is the 14th and current Vice President of Zambia, the second woman to hold the position. She became a member of the National Assembly in 2001 representing the Kaputa Constituency. She later served as Deputy Minister of Information and Deputy Speaker of Parliament, the first woman to hold that position.



### **Hon Thokozani Khupe**

#### **Deputy Prime Minister of Zimbabwe (2009-2013)**

Dr Thokozani Khupe was appointed Deputy Prime Minister in 2009 in the Government of National Unity of Zimbabwe, becoming the first woman to hold this position. She was elected Member of Parliament in the 2000 elections and became Vice President of her party in 2006, later Acting President following the death of the party Founder Morgan Tsvangirai in February 2018. She started her political career as a trade union activist in the 1980s and a founder of the party in 1999. She was served as President of the Global Power Women Network Africa which promotes gender equality and women empowerment in the area of HIV and sexual and reproductive health and rights in Africa.



## **LEADERSHIP IN THE LEGISLATURE**

### **Hon Nosiviwe Mapisa-Nqakula**

#### **Speaker of the National Assembly of South Africa (August 2021-Present)**

#### **Minister of Defence (2012-2021)**

Nosiviwe Mapisa-Nqakula was the longest serving woman Minister of Defence and Military Veterans for South Africa, in office for 9 years from 2012 to 2021.

She was also the Chairperson of the Joint Standing Committee on Intelligence and a member of the Joint Standing Committee on Defence since 1994. She has been a Member of Parliament from 2004 and a member of the National Executive Council (NEC) of the party in government (since December 2007). She is now the Speaker of the National Assembly since August 2021.



### **Hon Verónica Nataniel Macamo Dlhovo**

#### **President of Assembly of the Republic in Mozambique (2010-2020)**

#### **Minister of Foreign Affairs and Cooperation (2020-Present)**

Verónica Macamo was appointed in January 2010 as the first woman to serve as President (Speaker) of the Assembly of the Republic in Mozambique and she served with distinction until her appointment to Cabinet by President Nyusi in January 2020 as Minister of Foreign Affairs and Cooperation. She was first elected to the Assembly in 1999 and as Vice President of the Assembly the same year, a position she held until her election as President of the Assembly. She was also a member of the Pan-African Parliament from 2004. She is a lawyer who was known as a strong parliamentary leader and played an important role in law-making, including laws concerning teenage marriage and child abuse. In 2018, she was elected to chair the SADC Parliamentary Forum for a two-year term and accepted the challenge of transforming the Forum into a SADC Regional Parliament. She actively mobilized for the Regional Parliament which was approved by the SADC Summit in 2021.





**Hon Dr Tulia Ackson**

**Speaker of National Assembly of Tanzania (February 2022-Present)**

Honourable Dr Tulia Ackson is Speaker of the National Assembly of the United Republic of Tanzania, in office since February 2022. Dr Ackson was a university lecturer before joining politics. She served briefly as a deputy Attorney General before she was appointed into the National Assembly where she would later contest and win the position of Deputy Speaker of the Assembly, a position she held until her elevation to be the first woman Speaker of the National Assembly.



**Hon Gladys Kokorwe**

**Speaker of National Assembly of Botswana (2014-2019)**

Honourable Gladys Kokorwe was elected Speaker of the National Assembly of Botswana in 2014, taking over from Hon Margaret Nasha and remained in the seat until 2019. She became a Member of Parliament in 1999. She became Deputy Speaker of the National Assembly in 2004 to 2008 when she was the first woman to occupy the position. She served as Assistant Minister in the Ministry of Local Government, and as Minister of Youth, Sport & Culture, a position she held until 2009. From 2009 to 2014, she served in the diplomatic service before returning to parliament.



**Hon Margaret Nasha**

**Speaker of National Assembly of Botswana (2009-2014)**

Margaret Nasha was elected as the Speaker of the National Assembly in 2009, becoming the first woman to hold such a position in Botswana. As Speaker, she insisted on the independence of the National Assembly, at times defying orders from the Executive in her quest to strengthen the separation of powers between the Executive and the Legislature. Nasha worked as a journalist and civil servant before entering politics, and also served a term as Botswana's High Commissioner to the United Kingdom. She entered the National Assembly at the 1994 general election, and served as a minister in the governments of Presidents Ketumile Masire and Festus Mogae.



**Hon Frene Ginwala**

**Speaker of National Assembly of South Africa (1994-2004)**

Frene Ginwala was the first Speaker of the National Assembly of South Africa and the first woman to occupy the Speaker's chair. She is a lawyer and journalist who was in exile in Tanzania, Zambia, Mozambique and the UK, and before returning home in 1990, she headed the political research unit in the office of Oliver Tambo where she conducted research on the transfer of military and nuclear technology. She helped to set up the Women's National Coalition comprising organisations from across the political spectrum, and was elected national convenor. As Speaker of the National Assembly for the first decade, she provided leadership for the many significant changes in a parliament that had served apartheid for several decades as a racially exclusive and male-dominated institution.



**Hon Loide Kasingo**

**Deputy Speaker of Parliament of Namibia (2010-Present)**

Loide Kasingo has been Deputy Speaker of Parliament since 2010. She is also Vice President of the Pan African Parliament since May 2012. Kasingo rose to prominence as a key figure in the late 1980s as an activist of the National Union of Namibian Workers. Following independence in 1990, Kasingo continued as a high-level member of NUNW in various functions. She was appointed to

the National Assembly by President Nujoma and as Deputy Minister of Local and Regional Government and Housing. Kasingo was a public prosecutor from 1990 to 1996 for the Ministry of Justice in the Windhoek courts. From 2000 to 2005, she was the Deputy Minister of Home Affairs.

## KEY PORTFOLIO MINISTERS \_\_\_\_\_

### **Hon Oppah Muchinguri-Kashiri**

#### **Minister of Defence of Zimbabwe (2018-Present)**

Oppah Muchinguri Kashiri is the Minister of Defence and War Veterans Affairs in Zimbabwe. She has held several portfolios since becoming a full government minister in 1997 when she was appointed Minister of State in the President's Office. She has served as Minister of Women's Affairs, Gender and Community Development; Minister of Higher and Tertiary Education; and as Minister of Water, Environment and Climate. Muchinguri is a Member of Parliament of the party in government and she is the National Chairperson of the party since 2017.



### **Hon Thandi Modise**

#### **Minister of Defence of South Africa (2021- Present)**

Thandi Modise was appointed Minister of Defence and Military Veterans since August 2021 succeeding Hon Mapisa-Nqakula. She served as the Speaker of the National Assembly in May 2019 until August 2021. She was also the Chairperson of the National Council of Provinces which was set up to ensure that provincial interests are taken into account in the national sphere of government in the Fifth Parliament of South Africa. She also currently serves as Chancellor of the Cape Peninsula University of Technology (CPUT).



### **Hon Lindiwe Sisulu**

#### **Minister of Defence of South Africa (2009-2012)**

Lindiwe Sisulu was appointed Minister of Defence and Military Veterans in South Africa from 2009-2012. She has been Member of Parliament since 1994, and is a member of the National Executive Committee (NEC) of the party in government. She served as Minister of Housing (2004 to 2009), Minister of Public Service and Administration from 2012 to 2014, and Minister of Human Settlements, Water & Sanitation from 2014 to 2021. She was appointed as Minister of Tourism in August 2021.



### **Hon Vera Esperança dos Santos Daves de Sousa**

#### **Minister of Finance of Angola (2019-Present)**

Vera Esperança dos Santos Daves de Sousa was appointed Minister of Finance in October 2019 at age 35, the first woman finance minister in Angola, and tasked with restructuring the country's economy, Africa's fifth largest. She has had to deal with the impact of the COVID-19 pandemic on the national budget, and the low price of oil in an oil-producing country. She has been described as "very disciplined, well prepared and competent". Until the date of her appointment she was Secretary of State for Finance and Treasury. She has worked in several financial technical positions in state enterprises and the private sector, and as a lecturer in financial markets and public finance. From 2014 to 2016 she was Executive Director of the Capital Market Commission and she chaired the Commission from September 2016 to October 2017.





**Rindra Hasimbelo Rabarinirinarison**  
**Minister of Finance of Madagascar (2021-Present)**

Rindra Hasimbelo Rabarinirinarison was appointed by the President as Minister of Finance in August 2021, one of 11 women promoted to a Cabinet expanded from 25 to 32 ministers, vice ministers and secretaries of state. Previously, she served in a senior role at the Ministry of Finance after heading the public procurement commission for a period. She studied Leadership in Public Management at Georgia State University in the United States.



**Dr Gaositwe Chiepe**  
**First woman Cabinet Minister in Botswana (1974-1995)**

**Served in portfolios of Commerce, Minerals and Water, and External Affairs**

Dr Chiepe is described as educator, intellectual, daughter, mother, grandmother, politician, cabinet minister and diplomat. She was instrumental in the formulation of Botswana's education system as well as serving as a diplomat. She was the first woman Cabinet minister in Botswana at a time when few countries in the region had any women in Cabinet and some countries were not yet independent. She was first appointed as Minister of Commerce (1974-1977) and served as Minister of Mineral and Water Resources (1977-1984), both very senior positions in Cabinet, before being appointed as Minister of External Affairs (1984-1995). She was the first woman to serve in that position in Southern Africa and during a very key period in the region's history and development when apartheid still ruled in Namibia and South Africa at the height of destabilization of the region by South Africa.

**HEADS OF REGIONAL AND INTERNATIONAL BODIES** \_\_\_\_\_



**Hon Dr Nkosazana Dlamini-Zuma**  
**Chairperson of the African Union Commission (2012- 2017)**  
**Minister for Cooperative Governance and Traditional Affairs, South Africa**

In July 2012, H.E Dr Dlamini Zuma was elected as Chairperson of the African Union Commission by the Heads of State and Government. She was the first woman to lead the continental organization. This was a milestone achievement for her and her country as well as the SADC region. For the first time since the formation of the Organisation of African Unity (OAU) in 1963, which transformed into the African Union in 2002, a woman was successfully elected to this high post. She is a medical doctor who has served in various Cabinet posts including as Minister of International Relations and Cooperation, and is currently the Minister for Cooperative Governance and Traditional Affairs.



**Hon Dr Stergomena Lawrence Tax**  
**Executive Secretary of SADC (2013-2021)**  
**Minister of Defence of Tanzania (September 2021-Present)**

Dr Stergomena Lawrence Tax was the 6th Executive Secretary of the Southern African Development Community (SADC) and the first woman to serve in that post. She was appointed by Heads of State and Government in September 2013 and re-elected in 2017, serving two terms until August 2021. Milestones during her tenure include the development and rollout of the SADC Industrialisation Strategy and Roadmap 2015-2063, and recalibration of the regional development plan, the Revised Regional Indicative Strategic Development Plan (RISDP) 2015-2020, the RISDP 2020-2030, and the SADC Vision 2050. Dr Tax is now the Minister of Defence and National Service in Tanzania, the first woman to hold this post.

**Hon Chileshe Mpundu Kapwepwe**  
**Secretary General of COMESA (2018- date)**

Chileshe Mpundu Kapwepwe is a Zambian who was appointed Secretary General of the Common Market for Eastern and Southern Africa (COMESA) from July 2018. Her prior assignments included serving as the Executive Director of the International Monetary Fund (IMF) Africa Group One Constituency in Washington DC. She also served in the Zambian Government as the Deputy Minister of Finance and National Planning.



**Hon Gertrude Mongella**  
**President of the Pan-African Parliament (2004-2009)**

**General Secretary and Chair of the Fourth World Women Conference in Beijing (1993-1995)**  
Gertrude Mongella is a Tanzanian politician and diplomat who served as the first President of the Pan-African Parliament from 2004-2009. She served in the Prime Minister's office responsible for Women's Affairs in Tanzania from 1982 to 1985. She was a Member of Parliament in Tanzania, as well as in the East African Legislative Assembly and the Pan-African Parliament. In 1993-1995, as a diplomat to the UN, she led the Beijing Fourth World Women Conference as the General Secretary and Chair, where she contributed significantly to the success of the conference which earned her the moniker "Mama Beijing".



**Dr. Asha-Rose Migiro**  
**Deputy Secretary-General of the United Nations (2007-2012)**

Dr Migiro assumed the office of the United Nations Deputy Secretary-General in February 2007, the third woman to be appointed as Deputy Secretary General since the post was established in 1997. She served as the Minister of Foreign Affairs and International Cooperation from 2006-2007, the first woman in the United Republic of Tanzania to hold that position since independence in 1961. She also served as the Minister for Community Development, Gender and Children for five years.



**Anna Tibaijuka**  
**UN Under-Secretary-General and Executive Director UN-HABITAT (2001- 2010)**

Anna Tibaijuka is the first African woman elected by the UN General Assembly as Under-Secretary-General of a United Nations programme and she served two four-year terms as the Under-Secretary-General and Executive Director of UN-HABITAT. She is currently a member of the World Health Organization Commission on the Social Determinants of Health, also a member of the Advisory Board of the Commission on the Legal Empowerment of the Poor.



**Margaret Thwala-Tembe**  
**UNFPA Head of Office (2018-Present)**

Margaret Thwala-Tembe joined UNFPA in Eswatini in 2006, Programme Specialist. She briefly left the organisation and later rejoined UNFPA in 2014 as the Assistant Representative. In 2018 she assumed the role of Officer in Charge. Prior, she served in various capacities in the civil society with interests in sexual reproductive health, prevention and response to HIV and gender-based violence. She has also served as senior lecturer focusing on development of competency-based midwifery curriculum in Eswatini.



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