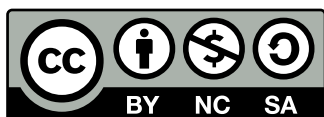


ENHANCING INCLUSIVE POLITICAL PARTICIPATION AND REPRESENTATION IN AFRICA



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Abbreviations

ACDEG	African Charter on Democracy, Elections and Governance
ANC	African National Congress
AU	African Union
AYP	African Youth Parliament
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Civil society organization
DRC	Democratic Republic of the Congo
EMBs	Electoral management bodies
ICCPR	International Covenant on Civil and Political Rights
IDP	Internally displaced persons
IPU	Inter-Parliamentary Union
LGBTI	Lesbian, gay, bisexual, transgender and intersex
NDP	National development plan
MDGs	Millennium Development Goals
NEPAD	New Partnership for Africa's Development
NGO	Non-governmental organization
PLWD	People living with disabilities
SADC	Southern African Development Community
SAP	Structural Adjustment Programme
SDGs	Sustainable Development Goals

EXECUTIVE SUMMARY

This report highlights the shortcomings of and opportunities for improvement in various African countries in adhering to the demands of marginalized groups to participate and be represented in the political process. In addition, the report examines trends on marginalization at the regional and national levels on the African continent. The difference in governance structures between multiparty and single-party polities is explored, as well as the evolving nature of democracy in Africa, which requires a deeper understanding of inclusive and participatory democracy as a developing primary structure for good governance.

These features of Africa's so-called third wave of democracy are examined to define mechanisms that go beyond electoral democracy to enhance governance, law-making and decentralization, among other things. The report highlights the need to understand that inclusive and participatory democracy go beyond voting to decision-making and notes historical efforts to make this a prime feature of African democracy. Using both quantitative and qualitative approaches, reinforced by historical analysis and a political economy lens, this report recognizes efforts by international institutions, such as the adoption of the Millennium Development Goals (MDGs) in response to the Structural Adjustment Programmes (SAPs) promoted by neoliberal institutions in the 1980s.

The historical analysis in this report identifies that lack of funding for programmes for the purposes of citizen participation have obstructed the progress of inclusive democracy across Africa as a whole. The Sustainable Development Goals (SDGs) are acknowledged as a

primary mechanism for reviving citizen participation in the political process, as is the African Union's (AU) Agenda 2063. In addition, data provided by the Afrobarometer Survey and the Mo Ibrahim Index of African Governance show various attempts at the national level to enhance inclusivity in the political process.

This report also examines the impact of international conventions on different marginalized groups in society, such as youth, women, people living with disabilities (PLWD) and refugees. This study shows that women's participation and representation have been promoted by frameworks such as the Convention on the Elimination of all Forms of Discrimination against Women, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the International Covenant on Political and Civil Rights. These treaties have promoted efforts for greater inclusivity of women's representation in a prominent way.

Across Africa as a whole, women's participation and representation have improved slightly, although West African and Central African states lag behind on women's representation in parliament. Youth representation and participation have also benefited from efforts by the AU through programmes such as New Partnership for Africa's Development and the adoption of its 2009–2018 ten-year plan of action for youth empowerment and development. Despite these efforts, however, a 2018 Inter-Parliamentary Union report found that one-third of the 36 African states sampled had no member of parliament under the age of 30 (Krook 2018). This suggests that there has been little improvement in youth empowerment, particularly on decision-making.

With regard to PLWD and refugees, existing frameworks such as the Convention on the Rights of Persons with Disabilities and the Zero Draft on Refugees formulated by the UN Human Rights Council in 2014 focus on ensuring that rights are upheld.

To support the investigation of these conventions, national legal frameworks, which vary from country to country, are explored in case studies on Ghana, Rwanda, South Africa and Uganda. The countries were selected due to their differing political structures and the varying influence of multiparty or one-party politics. For instance,

Rwanda has been applauded for its efforts on women's political empowerment while Ghana is held in high regard for implementing programmes to enhance inclusivity linked to the MDGs and the SDGs. The report also highlights the challenges experienced across the African continent, ranging from high costs to ensuring inclusivity for groups such as PLWD and adequate accountability mechanisms to ensure that countries adhere to the international conventions they have ratified.

The prospects are investigated for more inclusive democracy across the continent through affirmative action policies and legal reforms on a national basis. Rwanda has been cited as an example as article 9 of its 2003 Constitution provides for at least 30 per cent participation and representation of women in all arms of government. At the executive level, the country has exceeded these constitutional requirements since 2010. This case provides good practices for other African countries to follow and shows the potential benefits of implementing measures to increase inclusiveness across the continent. A call is made for enhanced education to facilitate inclusivity and representation, with an emphasis on literacy and numeracy, but also the ability to properly understand and interpret religious material. A particular focus on stigmatization based on gender or disability could contribute to better prospects for enhancing inclusivity on the continent. There is a need to change the planning system and the expectations of civil society, and to demonstrate the ability of organizations to further the goal of inclusive political participation.

In conclusion, this report addresses the struggle particular groups face against exclusion from the political processes. However, not all the groups that face marginalization across the continent are included and there are recommendations for future discussions on the inclusion of LGBTI communities, the elderly, former combatants, and internally displaced and stateless persons. Overall trends, challenges and prospects are highlighted using different examples of governance systems across Africa. Particular case studies demonstrate the extent to which inclusive participation and representation are either a possibility or a reality.

Chapter 1

INTRODUCTION

Democracy, which is itself a widely interpreted concept, is dependent on universal participation and the ability of all adults to be represented in democratic systems. These systems are made up of institutions and processes integral to the democratic self-determination of different groups. The institutions and processes include but are not limited to electoral management bodies (EMBs), elections, constitutional bodies established to support democracy, constitution-making processes, political parties, parliaments and regular voters. Political inclusion guarantees universal participation and representation. Inclusion presupposes that every person, regardless of grounds such as origin, class, age, gender, sexual orientation, ability, group, culture and ethnic or religious background, should have an equal chance to participate in or support the democratic process. Considered from the perspective of political self-determination, it is essential that groups within or categories of the population are able to collectively demand participation or representation, especially for the recognition and protection of the collective interest. This applies to specific population groups such as women, youth, people living with disabilities (PLWD) and refugees seeking to enforce compliance with the principles of participation and effective representation.

Until the mid-1980s, the African continent was mainly characterized by authoritarian political systems of governance. Prominent in this phase were liberation political parties that were so dominant that they either created de facto or legislated for one-party political systems devoid of political inclusion through plurality and representation. However, since 1989 there has been impressive

liberalization and significant progress towards the adoption of competitive multiparty politics and democracy. More countries are undergoing changes from military government or dictatorship and embracing multiparty politics and elections. Africa's democratic expansion has been tracked since 1975, when 41 African countries were classified as non-democracies and only 3 were categorized as democracies (International IDEA 2019). By 1990, when the acclaimed democratic transformation commenced, there were still 39 non-democracies while Namibia's independence from South Africa added to the number of democracies. A new type of 'hybrid regime' was also emerging, however, and three countries fell into that category (International IDEA 2019).

In the democratic expansion of the early 1990s, several countries adopted constitutions that enshrined a bill of rights which fairly domesticated international and regional treaties on civil and political rights (Hatchard, Ndulo and Slinn 2004). This new wave of constitutions incorporated democratic values such as the rule of law, political accountability, good governance, multiparty democracy and an end to political marginalization. This to a large extent promoted stability, legitimacy, accountability and acceptance in the African political sphere. Notwithstanding this progress, a number of countries, such as Botswana, Ethiopia, Namibia, Rwanda, South Africa, Tanzania, are still dominated by a single political party. However, even though single parties are still dominant, countries such as Botswana, Ethiopia, Namibia, Rwanda and Tanzania, have even become more liberal. Nonetheless, the influx of multiparty democracy on the continent has not been translated into a much-needed democratic dividend.

Inclusive participation is still nascent and the processes associated with the choice of representatives in parliament and representation in government are still being fine-tuned in most countries.

In light of the evolving structure of democracy in Africa, it is important to understand the nature of inclusivity and participatory democracy there. Inclusive participation is still nascent and the processes associated with the choice of representatives in parliament and representation in government are still being fine-tuned in most countries. Inclusive participation is not just about voter turnout and elections. The processes associated with post-election behaviour and those which lead to the next election cycle are also important, from elections to governance, law-making, decentralization and the

introduction of innovative mechanisms for sustaining participation and inclusion, especially in the period between elections.

Political inclusion and participatory democracy have been features of Africa's third wave of democracy. In the period when reliance on the Bretton Woods Institutions was high,¹ these institutions promoted the need to include more people through good governance initiatives. The quest for inclusivity was therefore internationally driven by donors. Based on the observation of a number of African countries, it might be argued that it was driven more internationally than nationally. The Structural Adjustment Programmes (SAPs) of the 1990s were criticized for being exclusionary and undemocratic, and most African countries adopted Poverty Reduction Strategies, not least in their efforts to achieve the Millennium Development Goals (MDGs). Political participation is laudable because it is directly linked to the Universal Declaration of Human Rights, article 21(1) of which provides that 'everyone has the right to take part in the government of his country, directly or through freely chosen representatives', thereby underscoring representative democracy. The same provision also stresses electoral democracy as a right based on equality and universality (inclusion). Political participation avoids exclusion, promotes peace and consensus building, and makes democracies more resilient.

The adoption of the African Charter on Democracy, Elections and Governance (ACDEG) in January 2007 represented a regional commitment to the values that underpin democracy, of which elections and governance are key elements. The ACDEG defines the content and parameters of democratic values and the ethos that African countries agreed was common to them and worthy of codification for the purposes of implementation. In the preamble, African states assert their common determination 'to promote and strengthen good governance through the institutionalization of transparency, accountability and participatory democracy', by entrenching 'a political culture of change of power based on the holding of regular, free, fair and transparent elections conducted by competent, independent and impartial national electoral bodies'.

The adoption of the African Charter on Democracy, Elections and Governance (ACDEG) in January 2007 represented a regional commitment to the values that underpin democracy, of which elections and governance are key elements.

¹ The Bretton Woods Institutions are the World Bank and the International Monetary Fund (IMF). They were set up in July 1944 at a meeting of 43 countries in Bretton Woods, New Hampshire, USA. Their mandate was to rebuild a world economy destroyed by war and to promote international economic cooperation throughout the world.

By adopting this instrument, African countries defined democratic standards for themselves, and made inclusion and participation key elements.

Inclusive participation goes beyond the electoral process. It includes involving people directly or indirectly in decision-making and the government's role in soliciting wider public opinion (consultation) on creating solutions to social problems. In state structures, marginalization can occur through systems and processes that determine political and legislative decisions.

Funding for development activities in Africa has changed over the past two decades. The involvement of China, India and the United States has put the focus on private sector partnerships rather than aid effectiveness. The change began with a slow-down of direct donor involvement at the end of MDGs and with the introduction of the Sustainable Development Goals (SDGs). The AU Agenda 2063 and the emphasis in the development agenda on inclusive democracy led to an increased demand for participatory democracy. Participation requires structures, mechanisms and resources, which are discussed below. For analytical purposes, the report identifies three distinct periods: 2000–2012, 2013–2018 and 2018–2030.

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Even though international and regional instruments on specific population groups have been adopted and accepted as binding by African states, the continent still faces the problem of the underrepresentation and exclusion from decision-making of women, youth, PLWD and refugees. Specific conventions on marginalized groups, such as the United Nations Convention on the Rights of Persons with Disabilities and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), and article 25 of the International Covenant on Civil and Political Rights (ICCPR) posit that there are several dynamics involved in participation in politics, which is not limited to the right to vote. Other ways of manifesting political participation include contesting elections, assuming portfolios in government administration at all levels (local, district, regional or national), getting actively involved in the decision-making processes of the country, policy formulation and implementation, and monitoring and evaluation, as well as forming or being a member of a union, which contributes to the political development of the state.

Furthermore, many African states have embraced policy frameworks such as the SDGs, the African Union (AU) Agenda 2063 and the UN Agenda 2030 on the SDGs.

On political participation, Aspiration 3 of the AU Agenda 2063 aspires to an 'Africa of good governance, democracy, and respect for human rights, justice and the rule of law' (paragraph 27).² Africa aspires to have a universal culture of good governance, democratic values, gender equality, and respect for human rights, justice and the rule of law. In this envisioned continent, 'citizens will actively participate in [its] social, economic and political development and management' (paragraph 30). Underscoring inclusion, Aspiration 6 of the Agenda makes women and youth drivers of the development agenda of the continent. Therefore, Agenda 2063 recognizes political participation by all citizens but identifies women and youth in particular as key enablers.

The above policy frameworks are emphatic about the importance of inclusion and strengthening the representation of marginalized groups in social, political and public life in order to eradicate inequalities. Political participation offers both an intrinsic and external value to voters and the government elected to serve the people. This type of freedom is a critical constituent of development and is commonly viewed within the international human rights discourse as of great significance, and enshrined alongside rights to other civil-political and socio-economic freedoms.

Inclusive political participation is not simply about the right to vote in an election. It is about the ability of citizens to get involved in decision-making and the government involving the wider public in creating solutions to their needs. It occurs at different levels from the local to the national, regional and global. Beyond participating in elections to choose leaders, there is a need for citizen participation and involvement in the development process and the setting of local and national priorities to resolve national problems. Therefore, in the quest for inclusive participation, the critical question is whether a high turnout in elections translates into greater and more sustained engagement or involvement by citizens in development

2 On the AU Agenda 2063, see <https://au.int/Agenda2063/popular_version>, accessed 27 April 2022.

policies and programmes after the elections. Accordingly, this report examines the quest for inclusive political participation in Africa. The report identifies key indicators of political participation, notably voter turnout, the proportion of marginalized groups represented in government and their involvement in the decision-making process. The report analyses the inclusion in decision-making of marginalized groups, women, youth, refugees and PLWD.

Chapter 2

OBJECTIVES

This report expands the discourse on inclusive democracy. Specifically, it has the following objectives:

- To assess the state of inclusive political participation in Africa, with a specific focus on vulnerable groups such as women, youth, PLWD and refugees.
- To provide a comparative analysis of the provisions on inclusive political participation in national legislative frameworks in selected African countries.
- To analyse the strengths and weaknesses of regional frameworks on advancing inclusive political participation in Africa.
- To assess the challenges affecting inclusive political participation in Africa.
- To make policy recommendations on strategies for enhancing inclusive political participation in Africa.

Chapter 3

RESEARCH METHODOLOGY

This report adopts a political economy standpoint to understand the quest for inclusive participation in African politics. It also uses historical analysis to understand the political trends in various countries and how these have impacted on the inclusion of all categories of people in political activities. The study was conducted using both qualitative and quantitative techniques in sub-Saharan Africa, relying on continental-wide data sets such as Afrobarometer and the Mo Ibrahim Index of African Governance. In addition, the study reviewed sub-regional and international frameworks on inclusive political participation and legislative frameworks in selected countries. The study further highlights some case studies from sub-Saharan Africa, which were selected based on geographical location, governance and economic performance, as well as other relevant criteria. The proposed indicators, data collection and analysis techniques, and data sources are outlined in Annex A.

Chapter 4

TRENDS

4.1. OVERVIEW

For the past three decades, participation in national elections in Africa has been high compared to other continents, and voter turnout has seen a significant improvement. About 70 per cent of African countries recorded more than 50 per cent voter turnout for parliamentary elections (International IDEA n.d.b). According to Afrobarometer Surveys,³ average voter turnout in Africa between 1999 and 2018 was over 70 per cent. This reflects the inclusive and participatory nature of African politics and elections. In fact, average voter turnout in 2005–2006 was almost 75 per cent, signifying an embrace of multiparty democracy and elections on the continent in that year.

Given the fact that the majority of the adult population in Africa are youth and women, this higher turnout suggests politics and elections have become inclusive and participatory. The high voter turnout reflects the fact that, during election periods, political parties and election candidates often drive the agenda for political participation to ensure that citizens are involved in the election process. Countries such as Benin, Ghana, Guinea, Liberia, Malawi, Sierra Leone and Tanzania have high voter turnout while countries such as Cameroon, Ivory Coast, Gabon, Morocco, Sudan and Tunisia have lower voter turnout. It would appear that countries that practise multiparty democracy as those listed above are more likely to have high voter turnouts than those with authoritarian rule. Nonetheless, the trend

³ All the information on voter turnout and community engagement is sourced from an analysis of the Afrobarometer survey rounds 1 to 7.

analysis reveals that average voter turnout has seen a marginal decline on the continent over the past two decades from about 72 per cent in the late 1990s to about 68 per cent in 2018. Since lower voter turnout usually reflects apathy and mistrust in the political and electoral processes, this marginal decline suggests a slight detachment of citizens from the political and electoral processes.

Other key indicators of inclusive political participation beyond elections are citizens' involvement in decision-making and their attendance at community meetings. Community meetings are avenues for setting the agenda for national priorities, or discussing and resolving local development issues. Citizens' participation in such meetings is therefore a reflection of the participatory nature of the governance process. Citizens' ability to raise issues that affect their community is also a reflection of how inclusive the governance process is. The average attendance at community meetings in Africa over the past two decades is 59 per cent (see Annex, Table B2), while 51 per cent of citizens have either raised an issue or joined others in raising issues that affect their locality (see Annex B, Table B3). This suggests that, on average in comparison with voter turnout, fewer citizens attend community meetings than vote in national elections. It also suggests a worrying possibility either that citizens are less interested in the post-election governance process or that there are no structures to ensure inclusive participation in that process.

The trend analysis of the past two decades reveals that citizens' participation in community meetings was low in the late 1990s but saw a dramatic increase from around 2002 to about 2009. This reflects the view that SAPs, which were implemented on the continent in the 1990s, were highly exclusionary. The adoption and implementation of the MDGs, however, together with other international programmes such as Aid Effectiveness and Poverty Reduction Strategies, led to greater engagement between citizens and government in the implementation of these programmes and frameworks. This led to a serious attempt, driven by international support, to promote participation and inclusion, and bring in a large number of people at the levels of governance and development. Organizations such as the UN, the World Bank and the International Monetary Fund innovated and introduced mechanisms for sustaining participation and inclusion during post-election periods.

The MDG framework, which was adopted by the United Nations General Assembly in September 2000, was embraced by donors, developing countries, civil society and major development institutions alike. A key thematic area highlighted in the UN Millennium Project report was the process for engaging all key stakeholders, both domestic and foreign, in the strategy development process. In undertaking their internal MDG planning and activities, African governments were expected to promote and secure working partnerships with the private sector, non-governmental organizations (NGOs), civil society and citizens to ensure essential MDG-based investments and services (Sachs 2005). To achieve this, most African governments-initiated participation in both the formulation and the implementation of policies, as well as monitoring and evaluation to ensure accountability.

Furthermore, the mechanisms for participation were structured in a myriad of forms, from formally structured deliberative processes created by government to the devolution of policy management and oversight to committees of local users, partnerships between government and community service organizations, and connections between government and local traditional institutions as a means of ensuring accountability in local governance. Governments introduced town hall meetings, annual conferences and deliberative meetings to aid citizen participation in the governance process. These efforts to encourage citizens to get involved were premised on the belief that the ambitious aspirations of the MDGs could only be achieved 'if there are intensive efforts by all parties including CSOs and citizens'. All these programmes provided mechanisms and structures to ensure citizen participation beyond the electoral process.

Unfortunately, the gains made in improving citizen participation were not sustained by national governments after the end of the MDGs process. Funding to sustain the mechanisms and structures for ensuring citizen participation was donor supported. Once the donor funding ended, many of the mechanisms were abandoned by national governments. This is important because whereas civil society can advocate for participation, perform policy tasks in an advocacy role and create pressure for the government to adopt the participation principle, it is government that ultimately legitimizes participation in formal policy-related tasks.

Community engagement began increasing again in 2015, which can partly be attributed to the formulation, adoption and implementation of the SDGs. The SDGs also introduced mechanisms and structures for citizen engagement in the development process. While implementation of the SDGs coincides with AU Agenda 2063, unlike the SDGs, the AU has no structures for rallying citizens at the national level to participate in the implementation of Agenda 2063. Under the SDGs, civil society organizations (CSOs) are to monitor progress (as watchdogs) and provide representation (as voices of the people, especially the 'left behind') to ensure the realization of sustainable development outcomes in service delivery. For instance, in Ghana the Civil Society Platform on Sustainable Development Goals was established in October 2015 to ensure more coordinated civil society efforts to achieve the SDGs.⁴

The platform, which is organized at the national, regional and community levels, captures and presents the aspirations of specific constituents and sections of the population, including young people, women, PLWD, and vulnerable and marginalized groups. It also advocates for improved access to government programmes for vulnerable and marginalized groups and communities to ensure participation by these groups in the implementation of the SDGs. The CSO platform also undertakes monitoring and accountability measures on the SDGs by producing progress report cards based on data collected from grassroots communities, groups and citizens, which it analyses against government records. The platform holds government accountable on behalf of communities and citizens, effectively positioning the SDGs in the public mind-space. Therefore, the push for inclusive political participation on the continent has often been driven by international efforts and funding.

4.2. WOMEN'S PARTICIPATION AND REPRESENTATION

The rise of constitutionalism and democracy on the continent has enabled several countries to embrace modern ways of engaging with women on political affairs. The rate at which several African countries

⁴ See <<https://hffg.org/cso-platform-sdg-ghana/>>, accessed 27 April 2022.

have embraced the rights of women to inclusion and representation is highly commendable. This achievement is demonstrated to an extent in the adoption of national constitutions, as well as regional and international human rights instruments enjoining states to implement these principles.⁵ At the international and regional levels, the ratification by African countries of instruments such as CEDAW, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (African Women's Protocol) and the ICCPR has been significant.

The preamble to CEDAW acknowledges that discrimination has been the major obstacle to the participation of women in all spheres of life, including politics, and that sustainable development requires the full participation of women. Article 7 creates obligations on states parties, including African states parties, to take measures to 'eliminate discrimination against women in the political and public life of the country'. The provision further enjoins states to ensure the participation of women as voters and candidates in elections, and in the formulation and implementation of policies.

For its part, the AU adopted the African Women's Protocol in 2003 to document its commitment to women's participation and representation.⁶ Article 9 of the Protocol provides for the rights of African women to participate in political and decision-making processes, and enjoins states to take 'specific positive action to promote participative governance and the equal participation of women in the political life of their countries through affirmative action'. This provision is proof of the recognition of women as deserving participants in politics and decision-making. The same provision underscores the principle of women's representation 'equally at all levels with men in all electoral processes',⁷ and states are further required to facilitate 'increased and effective representation and participation of women at all levels of decision-making'. The collective point that these treaties make is that women deserve participation and self-representation in democratic

5 All the information used in the analysis of women's representation in the executive, legislature and judiciary is sourced from the Africa Integrity Indicators and the Ibrahim Index of African Governance.

6 Another critical event with regard to the promotion of women's rights in Africa was the AU Solemn Declaration on Gender Equality in Africa (SDGEA), which was adopted by the AU Assembly's Heads of State and Government in Addis Ababa in 2004.

7 Article 9(1)(b), African Women's Protocol.

processes on equal terms with men. No woman should be unfairly left behind on account of any ground, but especially those akin to discrimination. If women are unable to participate personally, the principle of representative democracy should be observed and enforced.

With regard to the policy framework, the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action, the MDGs and the SDGs have all contributed to the advancement of women's participation in the political process in Africa. More recently, the AU's Agenda 2063 has also emphasized the need for gender equality in all spheres of life and an end to discrimination against women in all its forms.

At the executive level, since the election of Ellen Johnson Sirleaf as the President of Liberia in 2006, the continent has had a further five female presidents. This puts Africa on a competitive path with other continents regarding this indicator of women's participation in governance. While this achievement is notable, there are 55 AU member states and only 9 per cent have ever had a woman president. However, some countries have made notable progress in respect of women in other leadership positions.

At the level of the legislature, and access to political power and representation for Africa's women, Africa's performance has improved compared to 10 years ago and the pace of this improvement nearly doubled between 2015 and 2019.

Rwanda and South Africa are shining examples, and have consistently been ranked first and second respectively over the past decade by the Ibrahim Index of African Governance.⁸ Other countries, such as Ethiopia, Guinea-Bissau, São Tomé and Príncipe and the Seychelles, have improved tremendously the representation of women in the executive over the past decade. On the other hand, countries such as Libya and Equatorial Guinea are still consistently ranked among the five worst performing countries on the continent. Cabo Verde, Lesotho, Namibia and Niger, which had been performing well, have seen their performance decline. Cabo Verde, which occupied first position until 2015 when it was rated second with an index score decline of -1.9 points,⁹ has maintained its spot.¹⁰

⁸ <<https://mo.ibrahim.foundation/iiag/downloads>>.

⁹ <<https://mo.ibrahim.foundation/news/2015/the-2015-ibrahim-index-of-african-governance-key-findings>>, accessed 1 July 2022.

¹⁰ <<https://iiag.online/data.html?meas=GOVERNANCE&loc=CV&view=overview>>, accessed 1 July 2022.

At the level of the legislature, and access to political power and representation for Africa's women, Africa's performance has improved compared to 10 years ago and the pace of this improvement nearly doubled between 2015 and 2019.¹¹ The continent has witnessed an increase in women's representation in parliament from just 1 per cent in 1960 to over 20 per cent today.

At the country level, Rwanda continues to be a torchbearer for women's representation in parliament, being ranked first on the continent and in the world for the past decade with a current level of women's representation in parliament of 61.25 per cent. South Africa and Senegal have also made positive strides, with levels of women's representation in parliament of 46.35 per cent and 43.03 per cent, respectively (IPU n.d.). Algeria, Kenya and Somalia have made notable progress on women's representation in parliament over the past decade, but Comoros and Nigeria are performing poorly having been consistently ranked among the last four countries. In fact, until 2016 Comoros had no women in its parliament. Seychelles and Burkina Faso used to perform well but no longer do so.

Generally speaking, the performance of African countries in ensuring adequate representation of women in the judiciary is fairly encouraging compared to the other arms of government. Here, too, the Southern African countries appear to be leading while the North African countries lag behind. East African countries have also improved their performance over the period. By contrast, the West African countries, which were torchbearers on the continent in 2010–2013, have performed poorly since 2014. Among the high performing countries are Angola, Gabon, Liberia, Mauritius, Rwanda, Tunisia, Zambia and Zimbabwe. All these countries have achieved the target in the past decade that 33 per cent of the members of the highest branch of the judiciary should be women. Nonetheless, countries such as Comoros, Equatorial Guinea, Guinea-Bissau, have performed poorly at ensuring women's representation in the highest branch of the judiciary.

¹¹ See the 2020 Ibrahim Index of African Governance Report (Mo Ibrahim Foundation 2020).

4.3. YOUTH REPRESENTATION AND PARTICIPATION¹²

Only 30.2 per cent of members of parliament across the world are under the age of 45, while those under 30 make up 2.6 per cent. While this represents an increase of 0.4 percentage points compared to 2018, 50 per cent of the world's population is under 30. The African Youth Charter defines youth as all those under the age of 35. In 2020, 'Africa's population under 35 represents almost a billion people (540.8 million 0-14 year olds and 454.5 million 15-34 year olds), amounting to 22.7% of the world's total youth population, the second largest after Asia's (58.0%)' (Rocca and Schultes 2020: 1), and they are underrepresented in political office. Sub-Saharan Africa accounts for 1.82 per cent of the world's MPs under 30 and 29.92 per cent of those aged under 45. This raises concerns about the marginalization and underrepresentation of youth in national politics and decision-making. At the national, regional and international levels, there have been various efforts to emphasize the need to include youth-related issues in development plans. Both the MDGs and the SDGs underscored the need for youth empowerment and involvement in governance and decision-making.

At the continental level, the AU deals with youth issues in the New Partnership for Africa's Development (NEPAD) Programme of Action, which emphasizes the need to provide opportunities for youth to get involved in decisions on policymaking and implementation. The AU has also taken advantage of the adoption of the African Youth Charter, as a legal initiative to advocate for youth political engagement. Article 11 of the Youth Charter addresses states' obligations with regard to youth participation. The provision obliges states to guarantee youth participation in parliamentary elections and in decision making in all spheres of society. Article 23 specifically obliges states to take measures to ensure the universal, equal and active participation of girls and young women at all levels of society. Therefore, states must ensure that youth, and girls and young women in particular, fully engage in political participation and are included in all decision-making in public and civic life. Youth political participation and inclusion in decision-making is not implied, but expressly codified.

12 All the information on youth representation in parliament was sourced from the Inter-Parliamentary Union reports as referenced.

The AU also adopted a 2009–2018 ten-year plan of action for youth empowerment and development, implemented the AU youth volunteer corps programme and marks African Youth Day with a celebration, as a way of further mobilizing youth in terms of their participation in political discourses. The West African region in particular has made a number of efforts to encourage young people to become actively involved in national and local politics, of which the Mano River Union is typical. There are Youth Parliament chapters scattered across the West African region, many of which were established to engage in peace- and development-related activities. They broadcast radio programmes to mobilize youth participation in their activities, and issue press statements on issues of concern in the region such as political unrest during elections.

The African Youth Parliament (AYP) is also worth mentioning with regard to the continent's effort to promote youth participation in political discourses. The AYP is 'a continent-wide network of young leaders, peace builders, and social activists from 50 African countries working to promote and advocate for youthful solutions to Africa's developmental challenges' (The Communication Initiative Network 2011). Among other initiatives, the AYP is involved in 'lobby[ing] for policies that create an enabling environment for increased youth participation in economies, societies and governance'. Despite such efforts, however, youth representation in national governments and decision-making has not increased markedly.

According to the Inter-Parliamentary Union (IPU) (IPU 2018), 13 of the 36 African countries sampled (Benin, Cabo Verde, Cameroon, Chad, Côte d'Ivoire, Gabon, Ghana, Mozambique, Namibia, Nigeria, São Tomé and Príncipe, Senegal and Seychelles) had no members of parliament under the age of 30. Only in Gambia were more 10 per cent of parliamentarians under 30 years old. The majority of the remaining countries had just 1 or 2 per cent of parliamentarians under the age of 30. These findings show that young people are under-represented in their national parliaments. In Cabo Verde, Ethiopia, the Gambia and the Seychelles, over 30 per cent of parliamentarians were under 40. In Burundi, Rwanda, Tunisia and Uganda, over 20 per cent of parliamentarians were under 40 (IPU 2018).

Several factors explain the national variations in representation levels of young people in parliament. Countries that operate a proportional representation electoral system appear to be better at ensuring youth representation

Several factors explain the national variations in representation levels of young people in parliament. Countries that operate a proportional representation electoral system appear to be better at ensuring youth representation (Stockemer and Sundström 2018). The 2018 IPU report on youth participation indicated that countries with proportional representation electoral systems are twice as likely to elect young people compared to countries with a mixed system and 15 to 20 times more likely than countries with simple plurality or first-past-the-post systems. The study concluded that countries where laws permit younger people to run for office are likely to have a higher number of MPs who are under the age of 45 (Krook 2018).

However, even if proportional representation systems fare better, the IPU's most recent report on youth participation in national parliaments shows that both proportional representation and first-past-the-post systems restrict representation of youth, but for different reasons. In the former, popular or loyal members are put at the top of the party list, while in the latter youth are often assigned unwinnable areas by their parties.

The report suggests that youth quotas could be an effective antidote to the problem of the exclusion of youth (IPU 2020). Quotas generally fall into three categories. First, there are *reserved seats*, which are parliamentary seats specially set aside for youth representation, which is therefore guaranteed. These seats are usually legislatively reserved and thus an integral part of the electoral process. Second, there are *legislated candidate quotas*, which legally require political parties to have a minimum number of young people on their roster, typically as part of a party list. Finally, there are *political party quotas*. Individual parties adopt their own quotas, without any legal requirement. If properly implemented, legal quotas appear to be an effective way of enhancing youth participation in national legislative assemblies, for the simple reason that each parliamentary session will always have new youth candidates drafted in by any or all of the above types of quota system.

The age requirement for eligibility to stand for electoral office serves as a barrier to youth representation. In most African countries, for instance, the age threshold for contesting parliamentary elections is usually higher than the voting age, the age of consent, the age of

criminal culpability or other markers of social or civic duties (Van Gyampo and Anyidoho 2019). The age requirement is 21 years for Sierra Leone and Ghana, 30 years for Nigeria and 18 years for Kenya and Mozambique. A scenario where the age requirement for contesting parliamentary elections is higher than the voting age effectively raises barriers and excludes many young people from running for office.

While studies have established that youth participation in African elections is generally low (see Resnick and Casale 2011) there are certain dynamics in this relationship. Young people between the age of 26 and 35 are very active in the political process while those aged between 18 and 25 are the least active on the continent. The average voter turnout for young people between the ages of 18 and 25 is 46 per cent, while turnout for 26- to 35-year-olds is 74 per cent. Similarly, young people between the ages of 26 and 35 are more likely to attend community meetings or raise an issue in their community compared to those aged 18 to 26.

Given that young people are poorly represented in government, this finding suggests that young people are apathetic regarding national elections until they reach the age at which they can stand for office, when they become much more active. In addition, given the magnitude of youth unemployment on the continent, it is likely that the high level of political participation in governance issues by older youth is influenced by economic conditions and the need to find solutions to economic problems. It should be noted that the age range 18 to 26 years is usually the period when the majority of young people in Africa attend tertiary education, and this could partly account for such variations.

4.4. POLITICAL PARTICIPATION AND REPRESENTATION OF PEOPLE WITH DISABILITIES

People living with disabilities are another population group that had suffered from exclusion and non-representation for a long time before the advent of recognition of their rights. It is often stated that PLWD require special facilities to cater for their needs before, during and after elections, and that these vary from person to person

depending on the kind of disability. Nothing could be further from the truth. Generally speaking, the disability movement does not demand specific rights and freedoms, but only the ability to exercise the same fundamental rights and freedoms as everyone else on an equal basis. Therefore, political participation by people living with various forms of disability might include membership of disabled people's organizations, membership of a political party, contesting elections, and so on.

At the continental and national levels, there have been various efforts to safeguard the political rights of PLWD in a number of conventions and protocols. As of October 2021, 42 African states had signed and ratified the UN Convention on the Rights of Persons with Disabilities (CRPD), an indication that most African countries acknowledge the challenges PLWD face. The CRPD underlines the right to political participation in many of its provisions. Article 29 of the CRPD sets out mechanisms intended to ensure protection of the rights of individuals living with various forms of disability to actively participate in politics. This secures their right to vote and be voted for. Non-discrimination and equality of opportunity are the two general principles that make up the theoretical framework that underpins the CRPD.

The African Commission on Human and Peoples' Rights formed a Working Group on Older Persons and People with Disabilities in November 2007 to place more emphasis on issues related to disability rights. In March 2014, the Working Group launched the Draft II Protocol on the Rights of Persons with Disabilities in Africa. Clause 16 of the protocol gives AU member states a mandate to ensure that PLWD have the same opportunity to participate in the political sphere as any other citizen. Member states are required to ensure at least 5 per cent representation in the legislature at the national and local levels through seats reserved for people with disabilities. Member states have also been tasked with implementing public education programmes in order to encourage PLWD to get actively involved in politics.

The protocol further mandates political parties in the various states to make reservations and provide the necessary assistance to PLWD at the political party level, in order to encourage their engagement in politics. Political parties are tasked with ensuring that voting

can be accomplished by means of a secret ballot. The difficulty with these provisions, however, is how to ensure their successful implementation and monitoring by the AU in a way that ends the marginalization of PLWD.

4.5. POLITICAL PARTICIPATION OF REFUGEES

The UN High Commission for Refugees (UNHCR 2021) reports that of the 82.4 million people worldwide forcibly displaced as a result of persecution, conflict, violence, human rights violations or events seriously disturbing to public order as of the end of 2020, 48.0 million were internally displaced persons (IDPs) and 26.4 million were refugees. A further 4.1 million were asylum seekers. Sub-Saharan Africa accounted for 11.1 million of these internal displacements. Of the 26.4 million refugees scattered throughout the world, many will be excluded from political representation and participation in decision-making, even on decisions that affect them as refugees.

The ongoing policy debates on the care and protection of refugees largely focus on the humanitarian, social and economic implications of large-scale forced migration. Consequently, issues related to refugees' and asylum seekers' civic and political participation in decision-making processes in both host and origin countries continue to be underexplored (International IDEA n.d.a). Where participation is facilitated, refugees have the potential to make an impact on the political life of both their host countries and their countries of origin. Refugees often seek to maintain contact with their countries of origin while at the same time assimilating in host communities. The dual role of refugees and asylum seekers as political actors in host and origin countries should be recognized and given effect. Nonetheless, host states take different approaches to refugees' participation in political life, notwithstanding the liberal approach taken by key instruments that provide for refugee protection under the UN and AU.

Two key instruments stand out as partly defining the right of refugees to political participation in decision-making in their host country. These are the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems

Where participation is facilitated, refugees have the potential to make an impact on the political life of both their host countries and their countries of origin.

in Africa. It is well documented that the extent to which refugees can engage in the political life of their host country is a matter of some controversy. However, the irony of the controversy is that the right to hold and express a political opinion is fundamental, and it is the suppression of this and other rights that often leads to persecution and induces refugee situations. Unfortunately, the two key instruments are silent on the political activity of refugees. This state of affairs essentially leads to universal reliance on international human rights law and customary international law on state responsibility. Both these sources make a distinction between the position of nationals (citizens) and that of aliens, including refugees.

Article 25(b) of the ICCPR again takes centre stage as it recognizes that the rights to vote and to stand for election in lawful periodic elections characterized by universal and equal suffrage are reserved for citizens. Although there is universal suffrage, this suffrage has limitations and article 25(a) allows for 'reasonable restrictions'. Restricting access to citizens or nationals may reflect the emphasis on the presence of a social bond between a person and their country of residence that was predominant at the time of the adoption of the 1951 Refugee Convention. The degree of reasonableness of such a restriction and the prerogative to determine this have been left to states. The processes for acquiring and qualifications for naturalization for refugees in order to acquire citizenship are also left in the domain of states. It is notable in the literature and the development of the principle of universal suffrage that the grounds for restrictions on holding an elective office are more far-reaching than restrictions on the right to vote (Novak 2005: p. 578). States should be encouraged to permit foreign residents to vote in local elections, for instance, given that refugees have a legitimate interest in decisions made at that level. Other similar initiatives could be explored.

Just because refugees or asylum seekers acquire the right to vote or to stand for political office, this does not necessarily mean that they will automatically exercise these rights. Ruedin (2017) argues that political participation in the electoral process by naturalized citizens is relatively low compared to that by citizens by birth. In addition, the proportion of elected representatives who have a migrant background is significantly lower than native citizens (Bloemraad 2013; Morales-

diez De ulzu, Morales and Giugni 2016). This raises questions about why an entitlement to electoral rights does not lead to the same levels of political participation.

It is also expected that refugees should have opportunities to have a say in the political, economic and social affairs of their host countries, with or without citizenship or legal status, beyond formal participation in the electoral processes. The UN Human Rights Council in 2014 formulated a Zero Draft on Refugees, which admonishes states and various stakeholders to involve refugees in key political discourses, decision-making and institutions, especially women and youth. Objective 16 of the Zero Draft of the Global Compact for Safe, Orderly and Regular Migration also supports migrants' political participation as an essential factor in their acceptance into host states and societies, and notes that such migrants are in a better place to contribute to economic prosperity than other migrants without such rights.

In cases where legal restrictions mean that there are no possibilities for the formal political involvement of refugees, less formal approaches could be used to make their voices heard. In resorting to non-formal political participation approaches, refugees can employ mechanisms such as CSOs, consultative bodies or protests and grassroots initiatives. Each of these approaches is likely to leave relevant and positive imprints on the political life of the host state.

Chapter 5

CASE STUDIES

Rwanda continues to be an example of good practices in Africa in relation to the inclusive political participation of citizens, especially with regard to women and youth.

5.1. RWANDA

Rwanda continues to be an example of good practices in Africa in relation to the inclusive political participation of citizens, especially with regard to women and youth. Over the years, its governments have introduced mechanisms and structures to ensure citizen participation in governance processes. The Rwandan Government uses various mechanisms to engage with its citizens on the planning and preparation of the national budget. The council in each district is represented by a citizen, providing room for citizens to add their voices or opinions before its budget proposal is forwarded to the provincial council, where there is also good representation of citizens.

Members of parliament also play a role in continuing this chain by passing on the opinions of the people to the Ministry of Finance, where they are compiled before decisions are made. There is also the *Umuganda*, where citizens undertake compulsory monthly cleaning activities, after which community leaders note down the opinions of locals at a meeting and submit these to higher stakeholders. Town hall meetings also discuss strategies with regard to the budget and other policy matters.

On the representation of women, as noted above, article 9 of the 2003 Constitution of Rwanda specifies at least 30 per cent women's representation in all three arms of the government. The Rwandan Government applies this constitutional requirement (see Cole 2011). At the executive level, the country has consistently exceeded the constitutional requirement since 2010, in some cases achieving

gender parity. Since the formation of a new cabinet in 2017, the number of women ministers has achieved gender parity. Women do not just form an integral part of President Kagame's cabinet, but lead essential ministries in the government. This constitutes significant progress in the representation of women in Africa. To ensure compliance with gender equality, the country has established a Gender Monitoring Office with responsibility for monitoring adherence to gender parity across public, private, non-governmental and religious institutions.

Rwanda has a bicameral parliament. Over the past decade, the country has had the highest levels of representation of women in parliament in the world. The 2013 parliamentary election saw a significant increase in women's representation to 64 per cent, but this declined marginally to 61 per cent after the 2018 legislative elections. The Chamber of Deputies has consistently seen levels of women's representation over 50 per cent and the Senate also achieves the 30 per cent constitutional requirement. All this stems from deliberate efforts by the government to ensure gender and youth representation in parliament. During the 2001 and 2006 local elections, for instance, the government used a triple ballot, where each voter was given three ballots in the voting booth—a general ballot, a youth ballot and a women's ballot—and selected one candidate from each ballot.

Women are significantly represented at the highest levels of the judiciary. There has been a deliberate policy by the judiciary to ensure that women are well represented at all levels. The Supreme Court, as the apex court in Rwanda, has at least 50 per cent women's representation, and in some cases up to 57 per cent of the bench are women. This trend is consistent with Rwanda's overall positive regional and international performance in promoting participation and inclusion of women decision-making.

5.2. GHANA

Ghana is touted as a beacon of multiparty democracy on the continent. Since the return to constitutional rule in 1992, the country has innovated and implemented several programmes and mechanisms aimed at promoting inclusive citizens' participation.

Most of these structures have been driven by international programmes and structures. Over the past two decades, the country has implemented programmes on the MDGs, the Ghana Poverty Reduction Strategies 1 and 2, and the SDGs, all of which have provided structures for citizen engagement. Current SDG implementation, for instance, is premised on multi-stakeholder partnership and collaboration arrangements that comprise government, private sector organizations, civil society, traditional authorities and development partners engaging on SDG and related issues, such as data awareness, resource mobilization and capacity building.

The main structure for implementing the SDGs is the decentralized planning system, which allocates development planning to the ministries, departments and agencies of government. Regional Coordinating Councils (RCCs) are responsible for coordinating, monitoring, evaluating and providing technical backstopping for their districts. The National Development Planning Commission is responsible for coordinating these roles at the national level. This planning system ensures that all stakeholders (CSOs, youth, PLWD, the private sector and the traditional authorities) are involved and consulted at all the planning stages. There is also a High-Level Ministerial Committee (HLMC), an SDG Implementation Coordinating Committee and a National Technical Committee, which serve as platforms for inter-sectoral coordination and multi-stakeholder engagement and collaboration at all levels. The CSO platform for the SDGs is represented on all these bodies and committees.

Despite all these efforts to promote citizens' participation in decision-making, the country still lags behind many others in addressing inclusive representation with regard to the active participation of women, youth and PLWD in politics and development planning.

The government allows its citizens to participate in the budget process by sending in their input. An advertisement is published in the country's major newspapers to request submission of the public's opinions in connection with preparation of the budget statement. The advert provides an email address and a postal address. An information desk is also set up at the Ministry of Finance for people who wish to deliver their submissions in person. In addition, a number of public meetings are held by the government in the country's regional and national capitals, although attendance at such events is often limited to a few members of the public.

Despite all these efforts to promote citizens' participation in decision-making, the country still lags behind many others in addressing inclusive representation with regard to the active participation of women, youth and PLWD in politics and development planning. The country has had a woman Speaker in parliament and two women Chief Justices. In addition, one of the two major political parties (the National Democratic Congress) appointed a woman running mate for the first time (for the December 2020 general elections). Nonetheless, much still needs to be done to achieve gender parity in representation. Since 1992, the level of women's representation in parliament has remained below 12 per cent.

The December 2020 general elections saw a rise in the number of women parliamentarians from 36 to 40, but this represents a paltry 15 per cent of seats, well below the 30 per cent global benchmark. The proportion of women appointed ministers and district chief executives (DCEs) has been consistently below 20 per cent since independence. Only 12.3 per cent of all politically appointed Ambassadors and High Commissioners in the Fourth Republic are women (see Dzradosi, Agyekum and Ocloo 2018; Dzradosi et al. 2018).

Nor has the voice of youth been well represented in local governance and local economic development. There are a large number of young people living in the various metropolitan, municipal and district catchment areas with no educational qualifications or job, and few healthcare facilities or social amenities to serve the needs of their communities. Although local government is the frontline institution for development in these communities, they lack the resources and competences required to address emerging challenges. The Affirmative Action Bill, which was expected to promote political representation in the country by ensuring gender parity in politics, has still not been passed into law. Successive governments have only paid lip-service to the passage of the Bill.

5.3. SOUTH AFRICA

The system of democratic governance in South Africa allows for credible regular elections, strong rule of law and freedom of the

press and other media. Article 1 of the Constitution of South Africa clearly establishes universal suffrage, equality and non-sexism as among the fundamental values on which the country's democracy is based. A legislative framework has also been put in place that promotes gender equality in South Africa, including but not limited to the Promotion of Equality and Prevention of Unfair Discrimination Act (Equality Act) of 2000, the Criminal Law (Sexual Offences and Related Matters) Amendment Act of 2007 and the Children's Act of 2005, which aims to promote the gender responsive treatment of girls in conflict with the law.

The country has seen and continues to experience encouraging participation levels of women in governance positions, in a trend that began after the apartheid system ended and the first democratic elections were held in 1994.

Although there are no clearly stated quotas for women in politics in the South African Constitution, political parties have taken the lead in encouraging the equal participation of women in the political affairs of state. For instance, the party constitution of the African National Congress (ANC) provides for a quota of not less than 50 per cent of women in all elected structures. The country has seen and continues to experience encouraging participation levels of women in governance positions, in a trend that began after the apartheid system ended and the first democratic elections were held in 1994.

Since 1994, South Africa has performed well in ensuring women's representation in the executive arm of government. As of 2013, 39 per cent of ministers and 46 per cent of deputy ministers were women. The Southern African Development Community (SADC) Gender and Development Index ranked South Africa second in the region in 2012. The country has made significant progress since 1994. Before the 1994 elections, only 2.7 per cent of parliamentarians were women, but the 1994 election witnessed a significant increase to 27 per cent but dropped down to 25 per cent in 1995 (IPU 2015). In 1999 that figure increased to 30 per cent and then to 32.7 per cent in 2004. After the 2009 national elections women's representation reached 42 per cent (SA Government 2018). Since 2015, the proportion of women in cabinet and deputy ministerial positions has consistently been above 40 per cent. In 2019, 44 per cent of ministerial positions and 42 per cent of deputy minister positions were held by women. This progress is not surprising as the ruling ANC party has had an age-old policy of gender inclusion and representation at the legislative and executive levels (Mo Ibrahim Foundation 2020).

In recent years, women have been well represented in the legislature, reaching at least 30 per cent in the past decade and 44 per cent in 2014. Of the cabinet ministers in 2018, 42 per cent were women, and 52 per cent deputy ministers were women. Women currently constitute 36 per cent of the membership of the National Council of Provinces. The high level of representation in South Africa can be attributed to a number of factors. Under the list proportional representation (list PR) system, each party or grouping presents a list of candidates for a multi-member electoral district, the voters vote for a party, and parties receive seats in proportion to their overall share of the vote. This allows political parties to include women MPs on the list. The policies and commitment of political parties—especially the governing ANC—to ensuring equal gender representation have also contributed to this achievement.

While South Africa has improved women's representation in the judiciary from one judge in 1994 to 69 in October 2012, the country has not been a good example of increasing women's representation in the judiciary. Currently, only 26 per cent of Appeal Court Judges are women and 30 per cent of the members of the Constitutional Court of South Africa are women (Mo Ibrahim Foundation 2020).

The South African Government launched Operation Phakisa in 2014 to implement its national development plans (NDPs) (SA-VNR Report 2019: 18). Other government programmes include Working for Ecosystems, the Youth Environmental Services (YES) Programme and the Expanded Public Works Programme (EPWP), which aim to achieve progress in the context of the SDGs and NDP (SA-VNR Report 2019: 18–19). The African Monitor-led CSO platform for dialogues and information-sharing on the implementation and domestication of the SDGs is also noteworthy (SA-VNR Report 2019: 20). A virtual hub, the South Africa SDG Hub, sensitizes citizens and forms partnerships on the SDGs.

South Africa provides for only a limited level of participation for its citizens with regard to the budget-making process. Although citizens are able to send in their concerns by email, the process is not thought to be effective and leaves citizen participation in the process very weak. The emails lines are usually opened in November at a time when major decisions have already been made, which means that

such emails make little or no difference to the process. However, some municipalities, such as Drakenstein, Cape Town in the Western Cape and Gauteng province, hold workshops to facilitate participation in their budget-setting processes.

5.4. THE CASE OF REFUGEES IN SOUTH AFRICA

Under the Constitution, every individual is entitled to join a political party of their choice. The Constitution does not grant refugees the right to stand for political office. However, this does afford refugees the opportunity to influence political ideas and discourse, as well as policy positions.

The largest group of refugees in South Africa are Congolese. The Constitution of South Africa guarantees equal civil rights for everyone. The 1996 Bill of Rights—which covers everyone in South Africa, including refugees—stresses rights such as freedom of expression and association; freedom to demonstrate, picket and petition; freedom of opinion; and equality. Only citizens are entitled to electoral rights, however, but this does not rule out the involvement of non-citizens in the politics of the state.

Under the Constitution, every individual is entitled to join a political party of their choice. The Constitution does not grant refugees the right to stand for political office. However, this does afford refugees the opportunity to influence political ideas and discourse, as well as policy positions. The Constitution further allows for refugees to engage in lawful protest, affording them the right to express their concerns and garner the support of the masses on certain contentious issues.

There are, however, concerns that refugees who engage in political activities in South Africa might end up losing their refugee status or negatively affecting any decision on extending residence permits. Some refugees see this as a limitation on their participation in informal political processes at the grassroots level. There are no restrictions on the formation of refugee associations or CSOs focused on refugee issues. Structures have been established to give support to such associations, ranging from faith-based or community-based organizations to social and developmental organizations. Consequently, there are a number of CSOs in South Africa that represent or are represented by refugees, and permit membership and involvement by both citizens and non-citizens. This has enabled the majority of refugees to become actively involved

in or support the activities of refugee associations, grassroots initiatives and CSOs.

5.5. THE CASE OF REFUGEES IN UGANDA

Refugees from the Democratic Republic of the Congo (DRC) and South Sudan, and asylum seekers are the largest communities of refugees in Uganda. Under the laws of Uganda, refugees are not entitled to participate in formal political activities such as national and local elections, or to join political parties. There are very strict restrictions on the naturalization of long-term refugees, which are permitted as a result of the ambiguity of Uganda's Constitution. Nonetheless, a limited but active role is played by Refugee Welfare Committees as consultative bodies for the wider refugee community.

Refugees are able associate within CSOs and other social organizations provided that they do not have any political or profit-oriented motives, as stipulated in article 29(g) of the Refugees Act of 2006. These restrictions are further outlined in article 35(d), which explains that recognized refugees do not have the right to engage in political activities in Uganda, be they local or national, but are only entitled to come together as groups on the basis of religion, culture and other social needs, and to some extent, to augment the processes of governance of humanitarian service delivery. Article 35(e) further restricts refugees from participating in any political activities in either Uganda or their countries of origin.

Under the laws of Uganda, refugees are not entitled to participate in formal political activities such as national and local elections, or to join political parties.

Chapter 6

CHALLENGES

Various challenges have affected the quest for inclusive political participation in Africa. These are highlighted below in no particular order.

Extending inclusive participation to beyond voting: Inclusive participation should include policymaking and manifesto creation. The electorate should be able to influence policy changes between elections. CSOs and international organizations should start advocacy work straight after elections to ensure that governments are constantly reminded of their obligations to the electorate as far as inclusivity is concerned.

Lack of disaggregated data: There is a need for disaggregated data that reflects the paucity of participation at different levels. Most African countries do not currently collect data disaggregated by disability status, gender, refugee status or age. In countries where some of this data does exist, it is not collected regularly enough and soon becomes outdated. Ghana, for instance, has some sex-disaggregated data but even here it is not collected regularly. The African countries with the fewest gender indicators are Kenya and Lesotho, while Ghana has the highest number. South Africa collects gender indicator data most frequently, while Ethiopia declares data too late to be useful slowest gender indicator source in Africa. South Africa collects gender indicator data most frequently, while Ethiopia declares data too late to be useful. Therefore, Ethiopia has the lowest gender indicator source in Africa (Open Data Watch 2019).

Lack of regular vulnerability assessments and the need for local ownership of governance assessments: Most assessments are conducted based on the needs of the international donors that fund projects. As a result, these organizations determine what data should be collected and the most critical analyses required. Local experts are hired to meet the requests of the donors and because there is a lack of local ownership of such assessments, the commitment of technocrats to enforcing their recommendations is low. In most African countries, local organizations are challenged by the high cost of monitoring domestic electoral activities, especially with regard to excluded groups. Closely related to the need for data on excluded groups is the need to regularly conduct vulnerability assessments in order to ascertain the most urgent needs of particular communities and tailor government policies to their inclusive participation.

Information provision: The information people have on excluded groups is often narrow and skewed. The promotion of inclusive education, especially at the primary level, can go a long way to integrate the excluded into social activities and promote their subsequent participation in politics. The use of information and communication technology to increase information about, and make information available to, members of excluded groups can enhance inclusive participation. In Kenya, it was observed that many young people lack civic awareness and knowledge of what is required in the political process (Mzalendo Trust 2019).

Cultural stigmatization and narrow categorization of excluded groups: Culturally, those in the above-mentioned excluded groups are marginalized in local and national political activities. The colloquial terms used to refer to them are often derogatory and they lack the confidence to participate in mainstream political activities. There is a need to broaden the definition of excluded groups. In view of current trends, it is inadequate to just focus on women, youth, refugees and PLWD. Such a definition excludes minorities such as sexual minorities (LGBTI), the aged, people with mental health problems and former combatants. People in all these categories are excluded and deliberate efforts need to be made to enable them to actively participate in politics at both the local and the national levels. In Ghana, over 95 per cent of people with disabilities reported that their political marginalization was significantly affected by existing cultural

stigmatization (Virendrakumar et al 2017). Women candidates in Kenya complained of receiving messages of intimidation (Mzalendo Trust 2019).

Administration and policymaking, particularly inadequate decentralization mechanisms: The centralized planning adopted in most countries does not encourage inclusive participation. National development policies are drafted at the national level and do not take account of the needs of particular marginalized groups. It is easier for such plans to gloss over the needs of PLWD, refugees, youth and women. Empowering citizens through institutional strengthening and capacity building can go a long way to ensure that the goals associated with inclusion are realized. In Ghana, for example, although decentralization is discussed in the Constitution, most local agencies are not strong enough to ensure accountability at the grassroots level.

High cost of political participation: The excluded often cannot afford the costs of participating in political activities. Governments can provide subsidies or tax rebates for people who are interested in participating in politics. In South Sudan, which has a disability inclusion policy, many disabled people cannot easily contest elections due to other challenges, particularly the expense of political participation. The cost of running for political office in Ghana is currently approximately USD 85,000 having increased by 59 per cent between 2012 and 2016 (Westminster Foundation for Democracy 2020). In Kenya, the cost of participation in politics is a major disincentive (Mzalendo Trust 2019).

Limited human resource pool: There is a need to build the capacity of workers who promote inclusivity, such as those who ensure that legal frameworks are adhered to and those who advocate or train others to implement laws to promote inclusivity. Such training takes a long time and is often very expensive. The few trained experts are therefore overworked and unable to handle all the challenges associated with ensuring that activities are organized. The limited number of women and physically challenged legislators throughout Africa attests to the weak position of the personnel working to ensure inclusivity.

Non-inclusive unresponsive budgets: The most inclusive budgets in Africa are the gender-responsive ones. Most of the budgets linked to issues of inclusivity address these issues only after the budget has been approved. Marginalized groups are not invited to be part of budget creation so in cases where their needs are factored into the budget, this is done based on the assumptions of those who do not understand their concerns. Issues regarding groups such as women, refugees, youth and PLWD are often an afterthought in budgets. There is also a need to meet the human resources and financial needs of those who are most excluded. Training should be provided for the administrative personnel who address issues concerning the different groups, and money must be invested in obtaining logistics to facilitate their active involvement in political activities. There is a need to involve marginalized groups in budget creation and implementation. In Kenya, women politicians receive very little of the public funds disbursed to political parties (Mzalendo Trust 2019).

Inadequate structures for ensuring the implementation of legislation and policies to promote inclusive political participation: The most common case in point in this regard concerns laws on making buildings accessible to PLWD. Even in countries where the Convention on the Rights of Persons with Disabilities has been ratified, it is rare to find public buildings that are easily accessible for people with mobility-related disabilities. There is a need to ensure that such buildings are made accessible, especially at the district level, to enable people to participate in local governance. A report by Sightsavers (Virendrakumar et al 2017) found that the electoral commissions in Liberia, Nigeria and the DRC had regulations that took almost no account of the limitations of voters with mobility or physical impairments, or the distance between or inaccessible locations of polling stations.

Inadequate accountability mechanisms: In most African countries, mechanisms for ensuring that countries adhere to ratified international conventions are either porous or non-existent. Currently, different assessments are conducted by different groups with varying objectives. When this occurs, there can be issues with the conceptualization of issues, terms of access and the use and geographical coverage of the data collected. There is a need for complementarity in governance assessments made by governments,

civil society, academic institutions and the donor community. This would make governance assessments domestically owned and more cost-effective, because the costs would be shared among a number of groups.

Infrastructure and transportation: Advocating inclusivity involves intensive campaigning and lobbying at various levels of governance. It also involves participation in public forums at various locations and extensive travel both locally and abroad. Very often, the logistics required for such programmes are non-existent or too expensive to be obtainable for many groups. The work therefore falls on a select few who end up becoming the faces of these advocacy reforms. In cases where such ambassadors suddenly pass away or become indisposed, this adversely affects campaigning efforts.

Covid-19 and deteriorating civil space, public participation and human rights promotion: The youth-led protests in Nigeria during the period of the pandemic are a reflection of how the electorate can behave when confidence is lost in the ruling government. Nigerian youth deployed several strategies to their advantage. The use of technology, the activism of the main leaders and the mobilization of international sympathy all worked in their favour. This made it easier for their message to reach a wider audience in a short time span and forced the government to pay closer attention to their demands. Although police personnel resisted the efforts of the youth, they succeeded in drawing attention to how side-lined they believed they had become over the years.

Chapter 7

STRATEGIES FOR ENHANCING INCLUSIVE POLITICAL PARTICIPATION IN AFRICA

Efforts to promote inclusive political participation should be multigenerational and multifaceted in approach in order to achieve maximum results in a short period and over a wide area. The points discussed below apply to different excluded groups, but particularly to those highlighted in this report.

7.1. STRATEGIES FOR GOVERNMENTS

Legal reform and affirmative action policies

There is a need to promulgate/enact laws that promote affirmative action and inclusivity. National laws should conform to the international conventions that have been adopted in the countries concerned. Several countries, such as Ghana, Mauritius and Tanzania, have laws that enable disabled voters to actively participate in electoral processes. Affirmative action should be provided for in law so that its enforcement is justiciable in the courts.

Implement genuine quota systems

Governments should set electoral quotas for marginalized groups such as women, youth and PLWD, and enact laws in order to prevent discrimination against them. The preferred quota system is the legislative one, in which the law stipulates the number of seats reserved for a particular population group and the consequences of non-compliance. This enables CSOs, NGOs and coalitions advocating for inclusion to work towards more realistic targets supported by legal provisions for the purposes of enforcement. However, a

concrete policy framework needs to be adopted to support holders of quota-based seats/positions to ensure long-term sustainability.

Universal design for political inclusivity

Guided by regional and international instruments and best practices, governments are encouraged to progressively adopt universal design when developing infrastructure for political participation, such as that which supports voting and public service. Such infrastructure would include assistive devices and technologies that facilitate voter registration, campaigning and voting while taking account of various forms of disabilities in order to give full effect to universal suffrage.

Covid-19 response planning

Governments should ensure that the pandemic is not used as an excuse to block political participation. As a minimum, governments should adopt proportionate measures and strike a balance between public health and political participation. One indicator of the impact of the pandemic on governance has been the postponement of elections in Africa, as governments or EMBs decide that it is unsafe to hold elections. The adoption and enforcement of lockdown measures has also seen freedom of association and assembly curtailed, but these are critical to political expression.

Disaggregated data collection at the country level

There is a need to ensure the disaggregation of data on participatory democracy, for example, by providing data on voter turnout as part of the drive for inclusive participation. Data should be collected by government agencies and publicly shared in order to facilitate use by individuals and organizations interested in using it for planning purposes.

Intrench technology into political participation initiatives

Technology can be used to reduce exclusion by serving as a tool for advocacy and participation. As a tool for advocacy, it can be adopted to facilitate interaction and participation within and among marginalized groups and wider society. As a tool for participation, technology can be leveraged to enhance the participation of excluded people. One example of leveraging technology as a tool for participatory democracy is setting up effective national birth registers, which would automatically register youth once they

reach voting age, thereby creating an enabling environment for their participation in politics. Given the proliferation of technology use in most countries, there is a need for governments to invest in technology as a tool for information dissemination and inclusion promotion, since it will make it cheaper for citizens to participate. In Nigeria, young people enrolled in the National Youth Service Corps are trained for election day operations (International IDEA 2015).

Harmonization of legal requirements for political participation

Guided by regional legal instruments adopted at the AU, governments should seek to harmonize the legal requirements for voting eligibility and for standing for political office. Disparities in these requirements from country to country will perpetuate unbalanced participation and coordination of initiatives to promote participation and inclusion on the continent. To the extent that the age of majority for the purposes of marriage is harmonized through human rights instruments, so should age eligibility criteria for rights and freedoms regarded by African countries as common values.

7.2. STRATEGIES FOR NON-STATE ACTORS

Non-state actors to mobilize around political participation and inclusion

Organizations that advocate for people in marginalized groups should promote self-advocacy by group members. More importantly, they should mobilize for the purpose of lobbying national and regional governments to adopt legislative and other measures to promote political participation and inclusivity in decision-making by marginalized population groups such as women, youth, refugees and PLWD. Regional bodies are known to have adopted instruments on the rights of special interest groups as a result of repeated lobbying by non-state actors.

Increasing civic awareness

Non-state actors should collaborate with governments to raise awareness about political participation. This would enable citizens to understand the challenges that confront those in marginalized groups. Training material, which should be reflective of the cultural context, should be developed and used for educational purposes.

Such material should be in appropriate formats to make it accessible to all. Possible formats include audio-visual, large print and braille versions. The material should break down cultural barriers that promote exclusionary behaviour and stigmatization.

Consolidate cooperation between national and regional institutions of governance

Planned cooperation between national and regional governance institutions is essential. Membership of sub-regional parliaments such as the SADC Parliamentary Forum and regional ones such as the Pan-African Parliament is drawn from national parliaments. When national representatives are elected or appointed to regional parliaments, mechanisms must be in place to ensure that marginalized groups are represented.

Define the role of political parties in political participation

Political parties are key players in the political participation and decision-making of all age and population groups. There is empirical evidence to show that most political parties focus more on elections and vote winning, while ignoring or downplaying issues associated with exclusion. Party manifestos are created in an exclusionary manner as most of those in excluded categories are not represented at their formulation and implementation. Governments have limited mandates and terms of office. It is imperative for governments to involve all political parties in their drive for inclusive democracy so that leading opposition parties can continue the agenda of incumbent parties and the quest for inclusive participation is successful in a relatively short period of time.

Chapter 8

CONCLUSION

The above list of groups excluded from political participation and decision-making is long but far from exhaustive. While paying close attention to issues associated with refugees, gender, youth and PLWD, future discussions on inclusive participation in Africa should include categories such as the LGBTI communities, the elderly, and linguistic, ethnic and religious minorities, among others, which are unique groups that are often included in discussions on inclusive participation. Although countries such as Kenya, South Africa, South Sudan and Uganda have practised it in recent times, parliamentary recall is not particularly common in Africa. Citizens are therefore very particular in ensuring that the people they vote for are people who can be trusted to work effectively and efficiently during their mandate period.

Participatory democracy significantly improves planning, particularly in developing countries. There is a synergy between participation, empowerment and social capital. When people are allowed to contribute to decision-making and governance, they feel empowered and responsible for whatever developments occur in their community. Those who participate in decision-making processes are selected based on the social capital they have in their communities. Their ability to deliver hinges on the confidence reposed in them and they therefore do their best to ensure that they do not betray that confidence, and that their communities are better developed within the time frame of their mandate. When such leaders are empowered to lead social change, and to influence the design and implementation of policies, and the rules that guide and monitor the evaluation of the policies formulated, that is the epitome of genuine

inclusion and participation in community processes as promoted by several regional and international human rights and political instruments discussed above.

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Annex A. Considerations regarding direct public funding

Research question	Indicator(s)	Data collection/ analysis methods	Data source
What is the impact of inclusive political participation on democratic governance in Africa?	<ol style="list-style-type: none"> 1. The proportion of women, youth, refugees, people with disabilities who are represented in the highest form of government. 2. The proportion of women, youth, refugees and people with disabilities who are involved in decision-making processes. 3. Voter turnout for parliamentary and presidential elections disaggregated based on gender and age. 	<p>The study considered the definition of inclusive political participation. It will analyse numbers, trends, quality, level of participation and influence of inclusive political participation in Africa with specific focus on selected countries.</p>	<p>Secondary data source:</p> <ol style="list-style-type: none"> 1. African Integrity Initiative Indicators 2. Afrobarometer 3. Other relevant sources

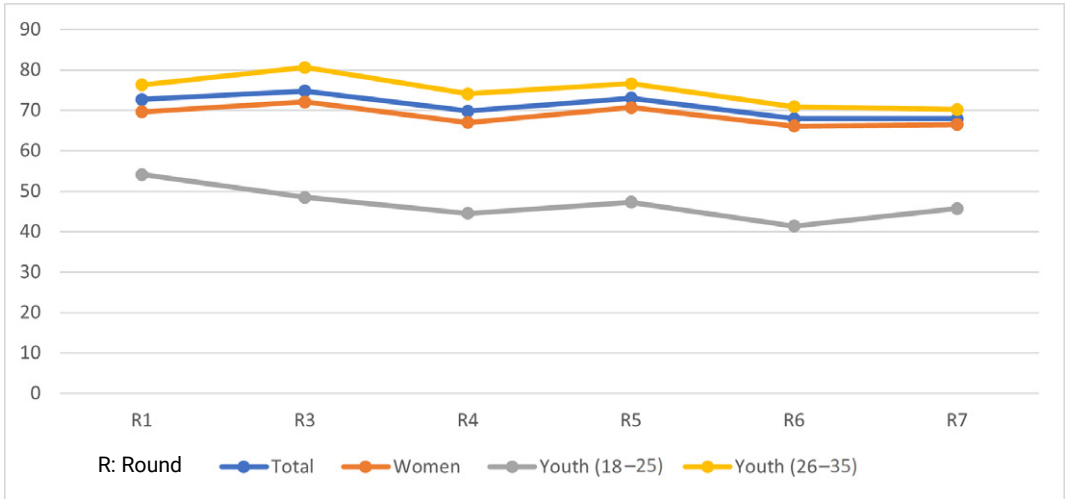
Research question	Indicator(s)	Data collection/ analysis methods	Data source
What has been the progress against regional and international frameworks on inclusive political participation across Africa?	The state of achievement of inclusive political participation in Africa vis-a-vis benchmarks/targets from regional and international frameworks.	Secondary data: Review of international and regional frameworks in promoting inclusive political participation and participatory democracy within and among African countries analysing the strength and weaknesses of such frameworks, and how they impact on country level progress as well as also identify Africa's position globally.	<ol style="list-style-type: none"> 1. AU Agenda 2063 2. MDGs 3. SDG Agenda 2030 4. UN Convention on the Rights of Persons with Disabilities 5. Convention on the Elimination of all forms of Discrimination Against Women
What are some of the comparative	The relationship between legislative provisions on inclusive political participation and country level progress.	Secondary data: Comparative review and analysis of provisions on inclusive political participation highlighting the strength and weaknesses of such provisions for selected countries and how they affect country level progress.	National Constitutions and other legislative instruments from different countries

Research question	Indicator(s)	Data collection/ analysis methods	Data source
What are the existing barriers to inclusive political participation for women, youth, people living with disabilities and refugees?	Legislative and regulatory frameworks, governance system, financial capacities, cultural norms and other factors that limit participation.	<ol style="list-style-type: none"> 1. Country level interviews and focus group discussions with key experts and informants on the subject matter. 2. Desk review of existing literature/ theories on existing barriers to political participation. 3. Based on the information collected from countries above, the study will assess challenges facing African countries on inclusive political participation. 	Primary and secondary data

Research question	Indicator(s)	Data collection/ analysis methods	Data source
What can be done to improve inclusive political participation in line with democratic standards and obligations?	Legislative and regulatory frameworks, governance system, financial capacities, cultural norms and other factors that limit	<ol style="list-style-type: none"> 1. Country level interviews and focus group discussions with key experts and informants on the subject matter. 2. Desk review of existing literature/ theories on key proposals for improving political participation. 3. Based on the information collected from countries above, the study will provide policy 	

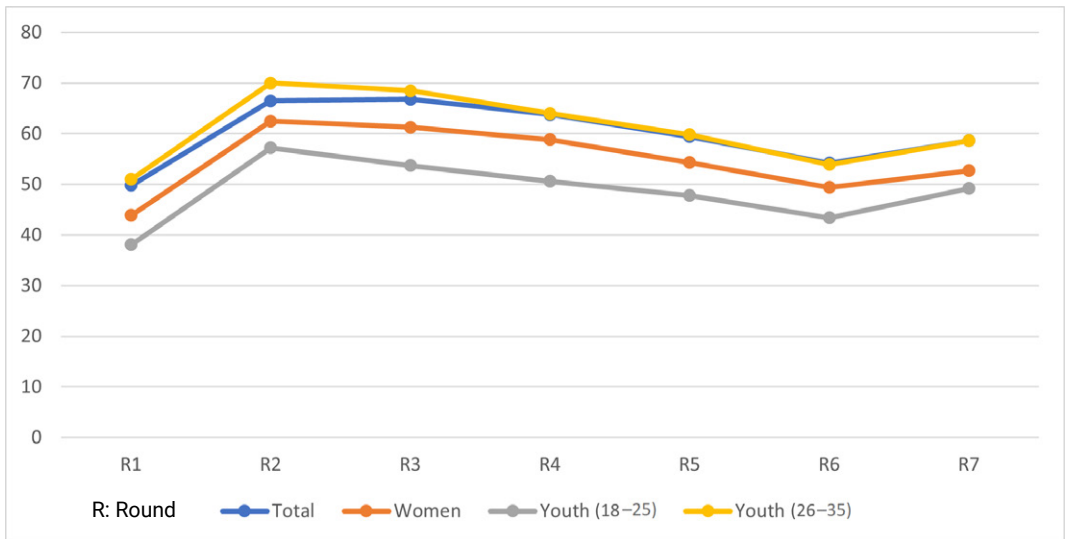
Annex B. Afrobarometer data

B1. Voted in most election



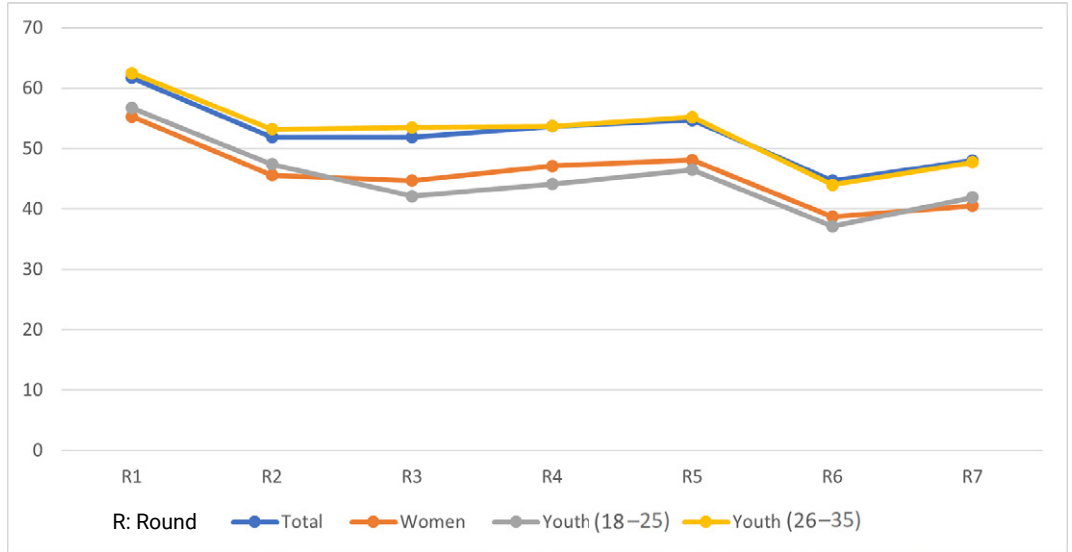
Source: Author's compilation using Afrobarometer, 1999–2018.

B2. Attended a community meeting



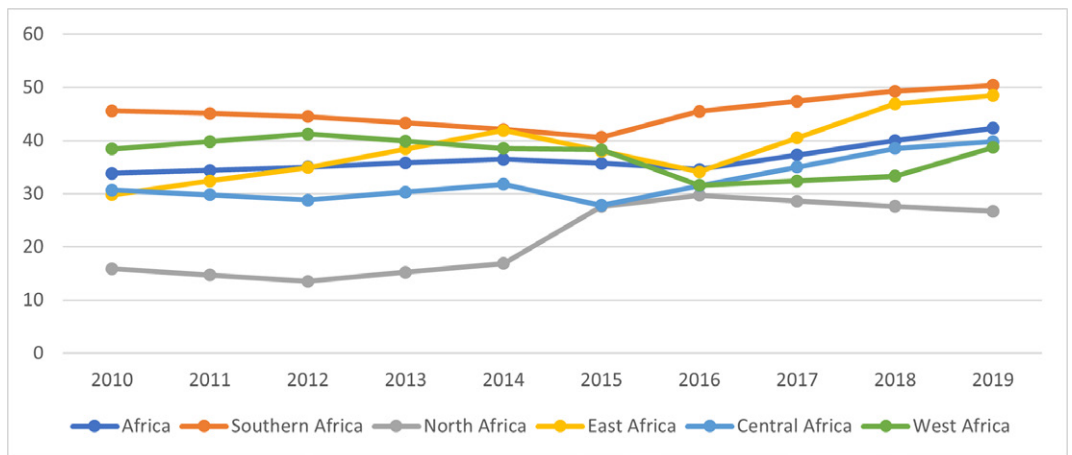
Source: Author's compilation using Afrobarometer, 1999–2018.

B3. Join others to raise issues



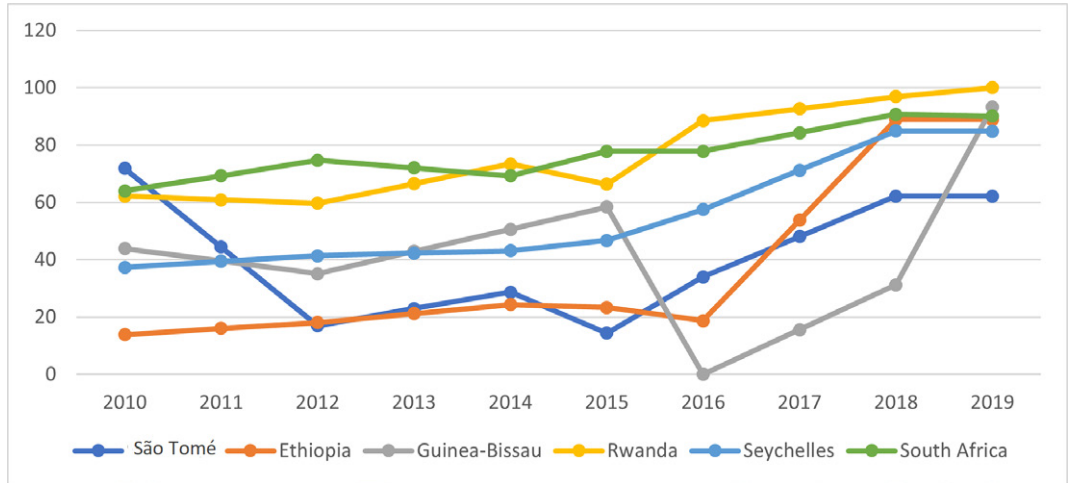
Source: Author's compilation using Afrobarometer, 1999–2018.

B4. Representation of women in the executive – subregional performance



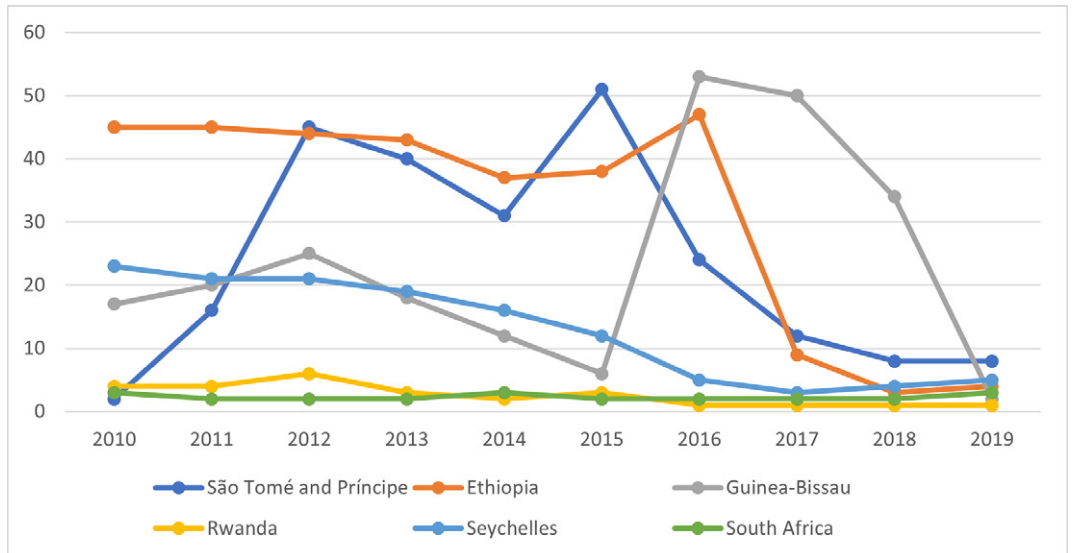
Source: Author's compilation, 2020 using all indicators.

B5. Representation of women in the executive (score) – selected high performing countries



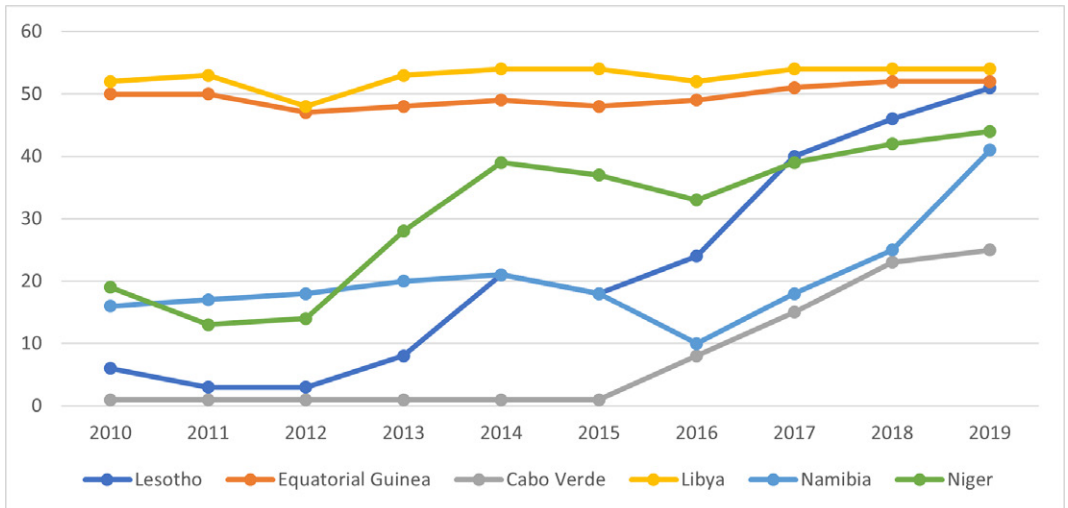
Source: Author's compilation, 2020 using all indicators.

B6. Representation of women in the executive – selected high performing countries



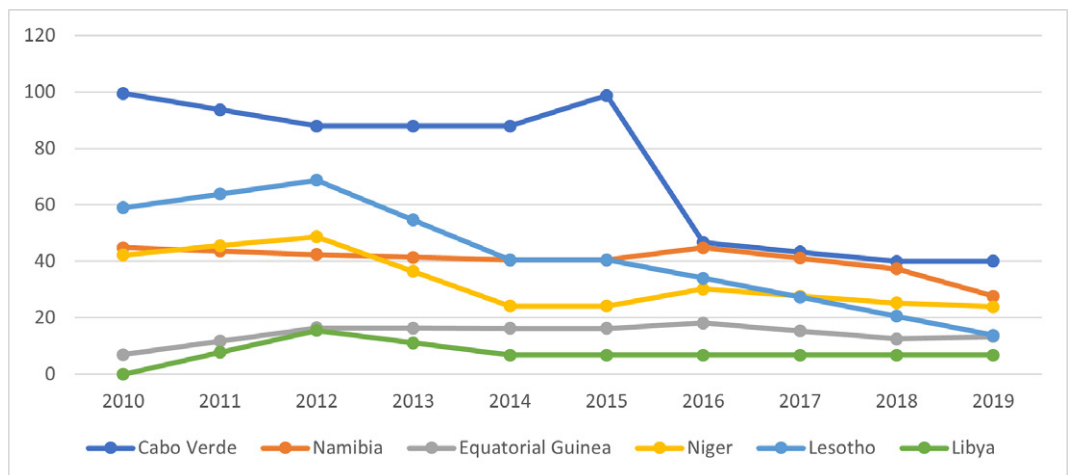
Source: Author's compilation, 2020 using all indicators.

B7. Representation of women in the executive – selected low performing countries



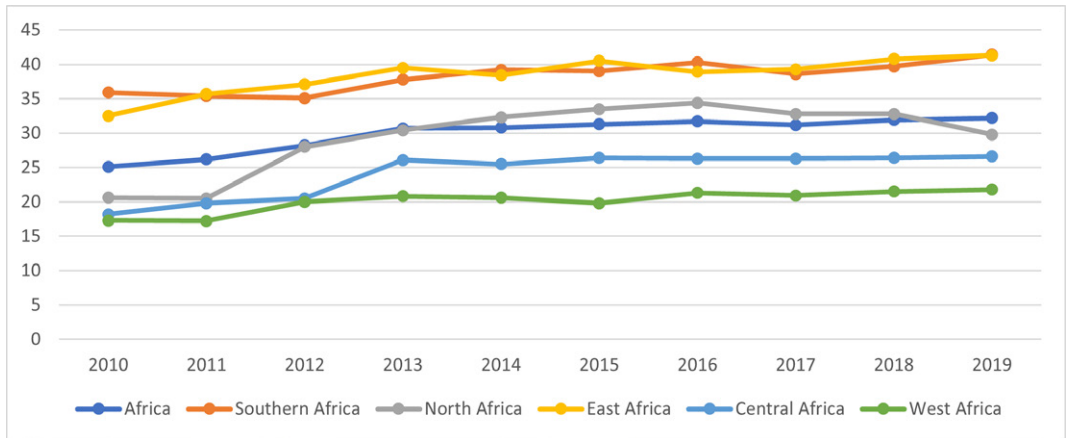
Source: Author's compilation, 2020 using all indicators.

B8. Representation of women in the executive (score) – selected low performing countries



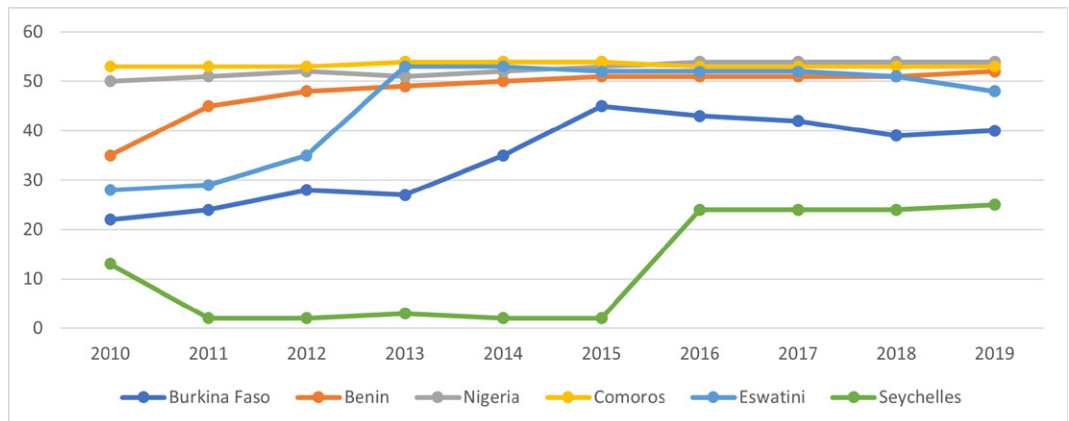
Source: Author's compilation, 2020 using all indicators.

B9. Representation of women in parliament – subregional performance



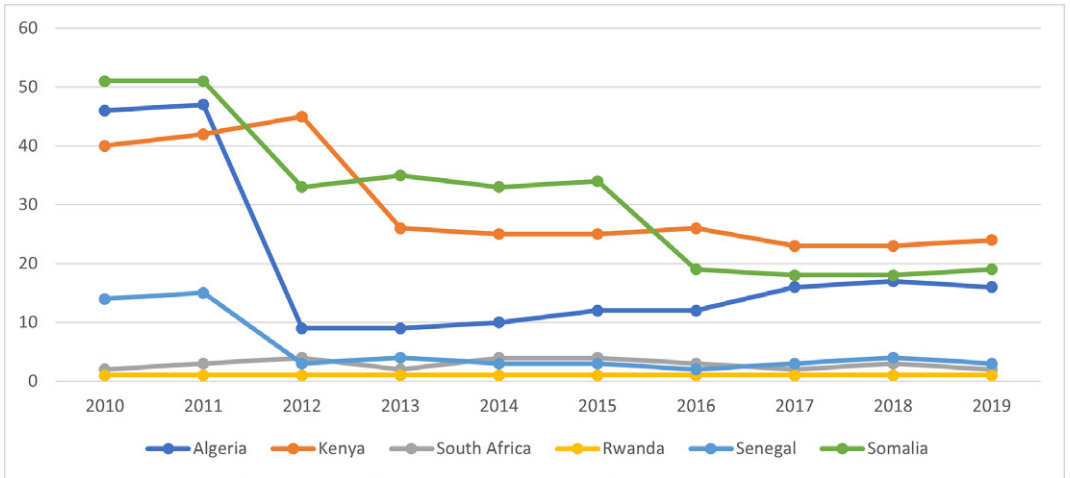
Source: Author's compilation, 2020 using all indicators.

B10. Representation of women in legislature – rank selected low performing countries



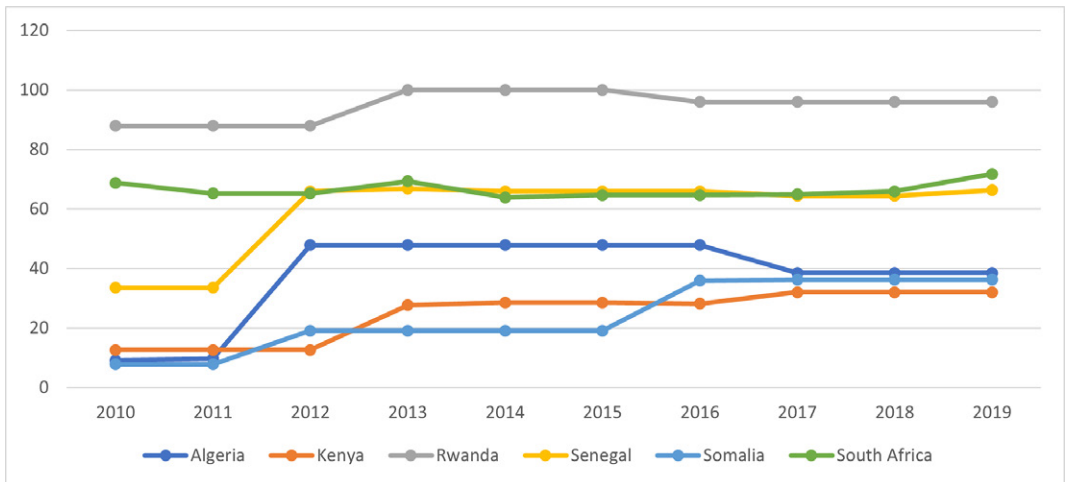
Source: Author's compilation, 2020 using all indicators.

B11. Representation of women in parliament – rank high performing countries

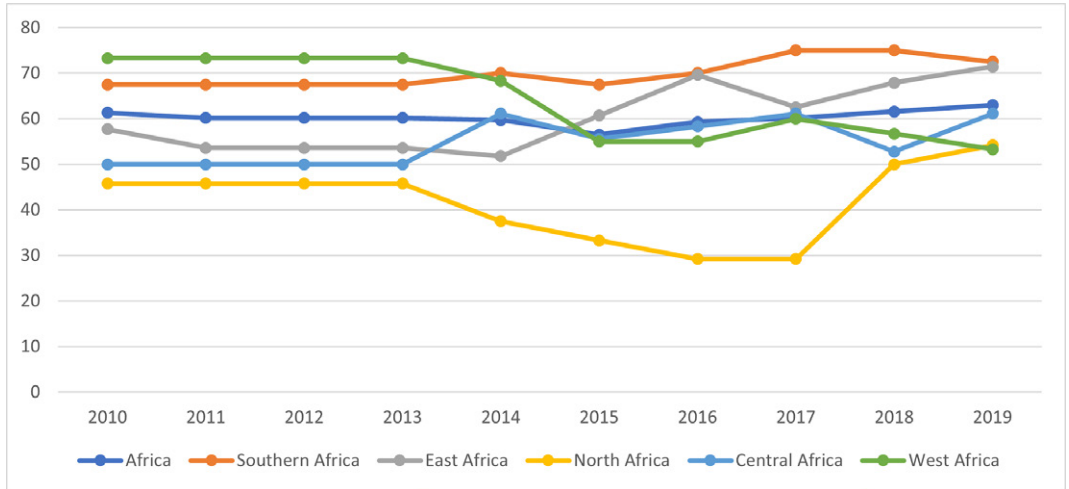


Source: Author's compilation, 2020 using all indicators.

B12. Representation of women in parliament (score) high performing countries



Source: Author's compilation, 2020 using all indicators.

B13. Representation of women in the judiciary – subregional performance

Source: Author's compilation, 2020 using all indicators.

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About International IDEA

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Africa has made significant progress in enhancing inclusive political participation and representation, mostly for women, youth and people living with disabilities. This report unpacks the trends and challenges of inclusive participation in Africa. The domestication (though at varying levels) of global and regional normative frameworks such as the Convention on the Elimination of all Forms of Discrimination against Women, the African Youth Charter, and the African Charter on Democracy, Elections and Governance has enhanced traction towards inclusive political participation across the continent. However, traction towards progressive legislative frameworks to enhance political participation and representation of refugees remains weak. The thrust for a multigenerational and multidimensional focus in addressing barriers to inclusive political participation and representation should be strengthened.

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