



CENTRE FOR MULTIPARTY DEMOCRACY
KENYA

Report on the Tracking of the Gender Responsiveness of the April 2017 Political Party Primaries in Kenya

Commissioned by

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Gender & Inclusivity Program
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Disclaimer: at the time of presenting this report, some cases were yet to be settled by the Courts and the IEBC Dispute Resolution Tribunal. Whichever way the cases go could affect the numbers presented in this report.

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United Nations Entity for Gender Equality and the Empowerment of Women



Empowered lives. Resilient nations.

List of Acronyms

ANC	Amani National Congress
CCU	Chama Cha Uzalendo
CMD-Kenya	Centre for Multiparty Democracy
DP	Democratic Party of Kenya
FPK	Federal Party of Kenya
JP	Jubilee Party
KANU	Kenya African National Union
KNC	Kenya National Congress
LPK	Labour Party of Kenya
MCA	Member of County Assembly
MDP	Maendeleo Democratic Party
MNA	Member of National Assembly
NARC	National Rainbow Coalition
NASA	National Super Alliance
NVP	National Vision Party
ODM	Orange Democratic Movement
PDP	Peoples Democratic Party
SEPK	Strengthening Electoral Processes in Kenya
WDM	Wiper Democratic Movement – Kenya

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Executive Summary

This report presents the outcomes of an assessment process on the gender responsiveness of the political parties' primaries held in Kenya between 13th and 30th April 2017. The activity was commissioned by the Centre for Multiparty Democracy (CMD-Kenya) with the funding support from UN Women under the Strengthening Electoral Processes in Kenya (SEPK) project. The project seeks to increase the levels of women representation in political leadership during the 2017 General Elections. The assessment was conducted largely to establish the extent to which CMD-Kenya member parties had remained faithful to the commitments made in the Nomination Strategy for Gender Equality formulated to guide them on how to conduct gender friendly nomination processes.

The tracking process entailed enlisting a single category of 21 observers from each of the 21 CMD-Kenya member parties to track the gender responsiveness of the nomination processes. Thereafter, an independent consultant was engaged to collate and validate the information collected by the 21 women leaders and produce a comprehensive report on the same.

Assessment findings show that on the whole, the numbers of women who presented themselves for nomination in 2017 increased compared to the numbers in 2013. Political parties employed both competitive and direct nomination processes to select women during the primaries. No political party used solely competitive process to pick the candidates. Although the number of women aspirants increased, it only stood at 11% of the total candidates that expressed interest in all seats. The remaining 89% were men. Political parties extended incentives to women who were seeking political office, key among them waiving nomination fees and developing intra-party mechanisms to tame gender based political violence. As a result, there were minimal incidences of gender based political violence registered during the primaries. On a positive note, assessment results show that the country is likely to have first time women Governors and Senators, based on the women candidates who won in major political parties' strongholds. If the success rate of women who won political seats during the General Elections remains 12% as was the case in 2013, the number of women Members of National Assembly is likely to remain the same as it was during the 11th Parliament (16 MNAs) while that of MCAs is also likely to remain the same or have a nominal increase.

Although parties committed to nominate at least 30% of women candidates during the primaries, no party met this promise. There was no proper strategy that political parties could use to realize this without being perceived to have subverted such a democratic process. Also, there were largely fewer women who presented themselves for nomination during the primaries compared to men. Of importance to note is that none of the top 5 performing parties attracted more than 15% of women candidates.

Already, there is goodwill from political parties and demonstrable mechanisms are in place to support women for political leadership. Women should be encouraged to exploit this opportunity to access political leadership. Going forward, CMD-Kenya and other players need to invest in creating a critical mass of women who will present themselves for election in the country's subsequent General Elections. This measure should assume a long-term, grassroots strategy for identifying and preparing women with high potential for political leadership. There is also need to provide timely and highly targeted campaign support to women candidates during and after the party primaries. Aspiring women candidates should be capacitated on how to mobilize resources and create relevant networks on time as a necessary step for beating the problem of inadequate resources needed for political campaigns.

1.0 INTRODUCTION

1.1 Background

This report presents the outcomes of an assessment process on the gender responsiveness of the political parties' primaries held in Kenya between 13th and 30th April 2017. The activity was commissioned by the Centre for Multiparty Democracy (CMD-Kenya) with the funding support from UN Women under the Strengthening Electoral Processes in Kenya (SEPK) project. CMD-Kenya is a membership organization of 21 Kenyan political parties including all the parliamentary parties, the ruling Jubilee Party as well as those in the main opposition the National Super Alliance (NASA)¹.

To address the low representation of women in political leadership in Kenya, CMD-Kenya, with the funding support from UN Women is implementing a project whose goal is to increase the representation of women in the National and County Assemblies in Kenya during the August 2017 General Elections. CMD-Kenya will work with political parties at the National and branch levels to adapt and strengthen their internal mechanisms, mainly those touching on nominations, to make them gender friendly. The project seeks to build networks between women leaders in political parties and their counterparts in the women movement for collective lobbying of establishment of gender quotas in political parties. The project is informed by the **political parties' strategy on gender equality in candidates' nomination in Kenya**, a tool developed in 2016 by political parties to guide the process.

1.2 Rationale of the Assessment

The assessment was conducted largely to establish 'how serious' Kenyan political parties are with the matter of gender and inclusivity in political leadership, with particular focus on the party primaries. The levels of gender inequality and also dismal performance of women in Kenyan political leadership is a serious matter of concern both in policy and practice. Although policy and legislative frameworks for promoting gender equality and women's political empowerment is in place at both the national and political party levels, the provisions are only

¹ Refer to Annex I for a full list of CMD-Kenya member parties at the time of the assessment

listed in political party constitutions, manifestos and election regulation rules as merely a requirement and hardly as a commitment, a core value or strategic objective. The organizational culture of most political parties in Kenya is male dominated; characterized by rhetoric and emergency interventions in an attempt to accommodate women, usually around election period. The largely male dominated political parties have a male perspective on the subject of gender equality and women's political empowerment that disillusion women.

Such were reflected in the weak performance of women during the 2013 general elections. Women were and continue not being elected because the structures of political parties, electoral systems and legislative assemblies often create systemic barriers to women's full and equal participation in government. Political parties in Kenya act as gatekeepers that decide which candidates are in and which are out.

The challenge for political parties in Kenya is not only in establishing legislations that ensure inclusion of the women but promote internal mechanisms that ensure realization of inclusion and gender equality principles in line with existing laws, international conventions and agreements. Indeed, reorganization of political party policies and sensitization, while recognizing the contextual specificity within which the women candidates operate will be a realistic strategy for ensuring increased visibility and activity of women in political processes and leadership and in Kenya. It is against this that CMD-Kenya has been working with political parties to foster enabling environment for equal participation of women in the country's political leadership. The assessment serves as a learning process to also establish areas for further intervention and strengthen political parties to become truly gender sensitive.

1.3 The Consultancy

Understanding the important role of party primaries in the electoral process in Kenya, CMD-Kenya commissioned a consultancy to audit of the outcomes of the party primaries, ascertaining how many women were nominated and in which Constituencies, mainly in their strongholds. The assessment came against a backdrop of overt commitments by political parties to observe a gender friendly nomination process, through the formulated nomination strategy for gender equality. The assignment encompassed the following:

- a. Working with the women league leaders in political parties and CMD-Kenya Secretariat, conduct an audit of the gender responsiveness of the entire nomination process among individual political parties.
- b. Identify incidences that may have facilitated or hindered effective participation of women in the nomination process and in which political parties.
- c. Capture the number of women nominated by different political parties in different Constituencies.
- d. Based on the number of nominated women candidates at various levels, make an analytical projection of the possible number of women who will likely win political seats during the August 2017 General Elections.
- e. Make recommendations on how any challenges experienced by women candidates during the party primaries may be overcome in future by political parties.

1.4 Scope of the Consultancy

Of the 6 elective seats, the consultancy focused on five elective seats namely the Presidency, Gubernatorial, Senatorial, Member of National Assembly (MNA) and member of County Assembly (MCA). The assessment did not focus on the Women County Representative (WCR) seat since the seat already belongs to women. The interest of the assessment was to establish how much women had gained in winning seats traditionally perceived to belong to men and the support levels political parties had put in place to ensure this is realized. The assessment also targeted only 21 CMD-Kenya member parties.

2.0 ASSESSMENT METHODOLOGY

The assessment process was twofold as follows:

- a. The 21 observers were part of the political parties' women caucuses and had taken part in CMD-Kenya activities on gender and the electoral process. Additional requirements included their ability to expediently access their respective parties to extract relevant information for the assignment. A precise and well-structured

tracking tool² was developed by CMD-Kenya and pretested with the 21 leaders of the women leagues who were taking part in the assessment. Prior to the deployment, a half-day training session was held for the observers. Training session covered among others assessment objectives, significance of the assessment, methodology, the data collection tool, how to answer various questions depending on the political parties' nature of the primaries conducted. The methods used to communicate during the training were lectures, discussions and field practice interview. The training was conducted and monitored by CMD-Kenya's Gender and Inclusivity Program team.

- b. Secondly, an independent consultant was engaged to collate and validate the information collected by the 21 women league leaders to arrive at objective conclusions of the gender responsiveness of the political parties' nomination processes. Data on various issues was obtained through a combination of techniques including visits to political parties, telephone conversations with selected leaders in political parties, analysis of media reports and observation of the party primaries. The consultant aggregated quantitative data collected, coded qualitative data analyzed accordingly.

3.0 RESULTS AND DISCUSSION

3.1 Nature of Party Primaries Conducted

Political parties selected candidates during their primaries through competitive process; by giving direct nominations while others utilized a hybrid system (both competitive as well as giving direct nominations) in selecting their candidates. Assessment results show that a vast majority of the political parties (62%) employed a hybrid system in the selection of candidates to contest political office during the August 2017 General Elections. The remaining 38% of the participating parties issued direct nominations to candidates. No political party selected its candidates purely through competitive process. The assessment established that political parties mainly issued direct nominations in areas they enjoy limited support and conducted competitive

² Refer to Annex II for the tool

primaries in their strongholds. A summary of the nature of the party primaries conducted are summarized as under:

Table 1: Nature of Political Party Primaries Conducted by CMD-Kenya Member Parties

No.	Party	Competitive Party Primaries	Direct Nominations	Both
1.	Agano Party		X	
2.	Amani National Congress (ANC)			X
3.	Chama Cha Uzalendo (CCU)			X
4.	Democratic Party of Kenya (DP)		X	
5.	Ford-Kenya			X
6.	FORUM (Chama Mwangaza Daima)			X
7.	Federal Party Of Kenya (FPK)			X
8.	Jubilee Party			X
9.	Kenya African Democratic Union Asili (KADU ASILI)			X
10.	KANU			X
11.	Kenya National Congress (KNC)			X
12.	Labour Party of Kenya (LPK)		X	
13.	Maendeleo Democratic Party (MDP)		X	
14.	National Rainbow Coalition (NARC)			X
15.	National Rainbow Coalition-Kenya (NARC-Kenya)			X
16.	National Vision Party (NVP)		X	
17.	Orange Democratic Movement (ODM)			X
18.	People's Democratic Party (PDP)		X	
19.	Progressive Party of Kenya (PPK)		X	
20.	SAFINA		X	
21.	WIPER Democratic Movement			X
	Total	0	8	13

3.2 Number of Women Candidates Who Expressed Interest to Contest Political Office

The assessment sought to establish the numbers of women candidates who expressed interest to contest for political office through their political parties. Results show that a vast majority of women expressed interest in the MCA seat, followed by that of the MNA, Senate and finally

gubernatorial seats. This could be due to the relatively smaller areas that one needed to campaign and the resources they needed to campaign in those areas. A summary of the number of women who presented themselves for various seats was as follows:

Table 2: Number of Women Candidates Vying for Different Political Seats

No.	Party	Position				
		Pres.	Gov.	Sen.	MNA	MCA
1.	Agano Party	-	-	-	-	6
2.	Amani National Congress (ANC)	-	-	-	5	78
3.	Chama Cha Uzalendo (CCU)	-	-	-	1	5
4.	Democratic Party of Kenya (DP)	-	-	-	1	23
5.	Ford-Kenya	-	-	4	6	94
6.	Chama Mwangaza Daima (FORUM)	-	1	2	8	32
7.	Federal Party Of Kenya (FPK)	-	-	4	6	12
8.	Jubilee Party	-	5	19	92	478
9.	Kenya African Democratic Union Asili (KADU ASILI)	-	-	-	6	7
10.	KANU	-	-	-	8	23
11.	Kenya National Congress (KNC)	-	-	-	6	20
12.	Labour Party of Kenya (LPK)	-	-	-	2	9
13.	Maendeleo Democratic Party (MDP)	-	-	-	2	1
14.	National Rainbow Coalition (NARC)	-	1	-	-	6
15.	National Rainbow Coalition-Kenya (NARC-Kenya)	-	1	-	12	31
16.	National Vision Party (NVP)	-	-	-	2	8
17.	Orange Democratic Movement (ODM)	-	1	3	34	376
18.	People's Democratic Party (PDP)	-	-	-	-	15
19.	Progressive Party of Kenya (PPK)	-	-	-	1	6
20.	SAFINA	-	-	-	3	9
21.	WIPER Democratic Movement	-	2	0	8	70
	Total	0	11	32	203	1309

According to IEBC, slightly more than 12,000 candidates expressed interest to vie for political office and were therefore subjected to the party primaries. From the above figures, it can be deduced that of the total, only 11% were women while the remaining 89% were men. This was

almost the same percentage of women who expressed interest during the 2013 General Elections.

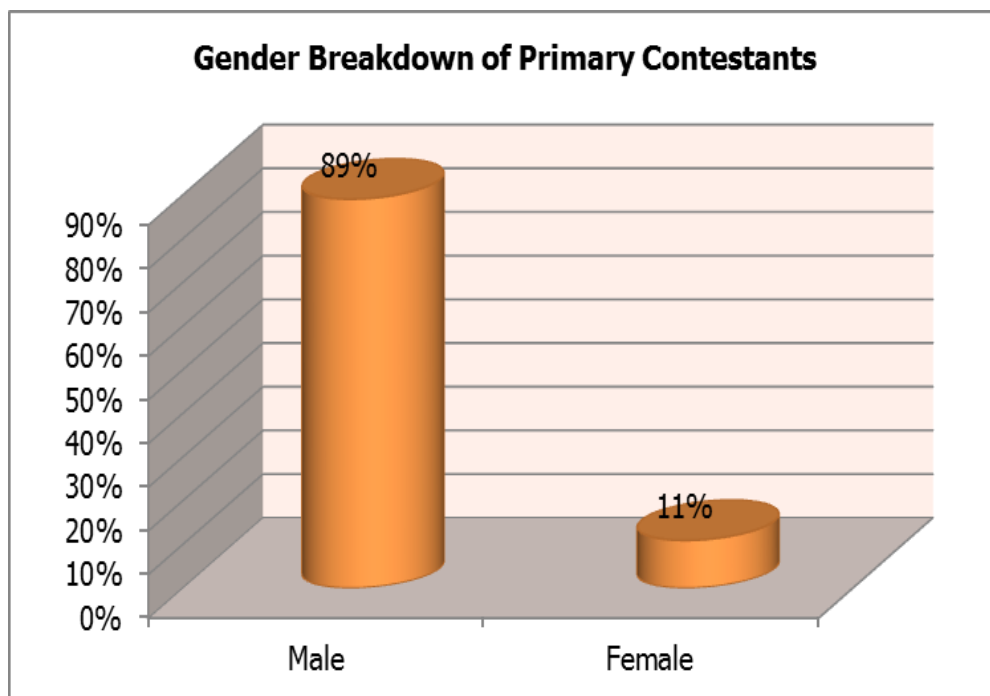


Figure 1: Gender Breakdown of Contestants During Party Primaries

3.2.1 Gender Breakdown of Governor Aspirants

Note: The analysis below includes political parties that are not members of CMD-Kenya (PNU, Maendeleo Chap Chap and Chama Cha Mashinani). The analysis is given for purposes of holistic understanding of the situation and not necessarily that they took part in the assessment.

Table 3: Gender Breakdown of Governor Aspirants

PARTY	All Aspirants	Women Aspirants	% of Women Aspirants
Jubilee	78	5	6.4%
ODM	49	1	2.0%
ANC	8	0	0.0%
WDM	5	2	20.0%
FORD K	4	1	25.0%
PNU	2	0	0.0%
Maendeleo Chap Chap	2	0	0.0%
NARC	1	1	100%
Chama Cha Mashinani	2	0	0.0%
Chama Mwangaza Daima	3	1	50%
KADU ASILI	2	0	0.0%
Total	156	11	7.0%

The percentage of women expressing interest during the 2017 General Elections rose to 7.0% from 2.5% in 2013. In 2013, during nomination stage, 6 female candidates expressed interest out of 237, representing 2.5%. This demonstrates a positive milestone in terms of the number of women interested in the gubernatorial seat in Kenya.

3.2.2 Senatorial Aspirants' Gender Breakdown

Note: *The analysis below includes a political party that is not members of CMD-Kenya (Chama Cha Mashinani). The analysis is given for purposes of holistic understanding of the situation and not necessarily that they took part in the assessment.*

Table 4: Gender Breakdown of Senatorial Aspirants

PARTY	All Aspirants	Women Aspirants	% of Women Aspirants
NARC KENYA	4	1	25.00%
Jubilee	154	19	12.30%
ODM	60	3	5.00%
ANC	9	0	0.00%
WDM	6	0	0.00%
Chama Cha Mashinani	3	0	0.00%
Total	236	23	9.70%

The figures above show that a total of 23 candidates offered themselves for election as senators, with Jubilee party having the highest number at 19. This represents 9.7% of the total candidates who expressed interest in the Senatorial seat. This is a positive shift from the 2013 numbers during which only 17 candidates expressed interest in the seat out of a total of 244 candidates. This was 7.0%.

3.2.3 National Assembly Aspirants' Gender Breakdown

Note: *The analysis below includes political parties that are not members of CMD-Kenya. The analysis is given for purposes of holistic understanding of the situation and not necessarily that they took part in the assessment.*

Table 5: Gender Breakdown of MNA Aspirants

PARTY	All Aspirants	Female Aspirants	% of Female Aspirants
Jubilee	1004	92	9.20%
Wiper Democratic Movement	100	8	8.00%
ODM	447	34	7.60%
Chama Cha Mashinani	17	1	5.90%
Amani National Congress	136	5	3.70%
FORD K	45	1	2.20%
Maendeleo Chap Chap	12	0	0.00%
PNU	8	0	0.00%
Progressive party Of Kenya	3	0	0.00%
Kenya National Progress	3	0	0.00%
NARC	2	0	0.00%
Kadu Asili	2	0	0.00%
Total	1779	141	8.00%

The above figures demonstrate that a total of 141 women candidates offered themselves for election as Members of National Assembly. The total number of candidates who expressed interest in the seat were 1,779. The percentage of women was therefore 8%. Positively, the percentage indicated an increase from the 2013 numbers where only 129 women expressed interest in the MNA seat out of 2,097 candidates. This was only 6%.

3.2.4 MCA Aspirants' Gender Breakdown

Note: *The analysis below includes political parties that are not members of CMD-Kenya. The analysis is given for purposes of holistic understanding of the situation and not necessarily that they took part in the assessment.*

Table 6: Gender Breakdown of MCA Aspirants

PARTY	All Aspirants	Women Aspirants	% of Women Aspirants
Kadu Asili	33	7	21.20%
Social Democratic Party	5	1	20.00%
Ford K	478	64	13.40%
Chama Cha Mashinani	175	22	12.60%
Jubilee	3864	478	12.40%
ODM	3086	376	12.20%
Maendeleo Chap Chap	457	48	10.50%
Amani National Congress	828	78	9.40%
Labour Party Of Kenya	11	1	9.10%
Wiper Democratic Movement	820	70	8.50%
PNU	122	10	8.20%
Progressive Party Of Kenya	48	3	6.30%
Narc	37	2	5.40%
Kenya National Congress	19	1	5.30%
Chama Cha Uzalendo	16	0	0.00%
Narc Kenya	14	0	0.00%
Vibrant Democratic Party	6	0	0.00%
Citizens Convention Party	2	0	0.00%
Total	10,021	1,161	11.60%

A total of 10,021 candidates presented themselves for the MCA seat out of whom 1,161 were women, representing 11.60%. This shows that majority of women candidates expressed interest in the MCA seat compared to other seats. In 2013, a total of 9,910 candidates expressed interest in the MCA seat out of which 623 were women, representing 6.2%. The 2017 numbers were therefore almost double the 2013 numbers.

3.2.5 Women County Representative Aspirants by Party

Although not targeted by this assessment, for purposes of information, the number of women candidates who presented themselves for nomination as WCR seat per party was as follows:

Table 7: Distribution of the WCR Aspirants per party

PARTY	Total Number of Candidates
Jubilee	165
ODM	63
Amani National Congress	14
Wiper Democratic Movement	11
FORD K	7
Chama Cha Mashinani	3
Maendeleo Chap Chap	2
Kadu Asili	2
TOTAL	267

3.3 Political Party Incentives to Women Candidates

The Nomination Strategy for Gender Equality developed by political parties through CMD-Kenya was explicit in terms of the measures CMD-Kenya member parties could adopt to attract and encourage women to vie for political seats. The strategies and commitments were classified into three: short-term (those that could benefit women candidates during the August 2017 General Elections; medium term as well as long-term. The assessment sought to establish the extent to which political parties adhered to the commitments they made in the nomination strategy for gender equality to benefit the women candidates.

3.3.1 Nomination Fees

Available evidence suggest that part of the reason why women candidates shy away from contesting for political office is the issue of limited resources. Also, political parties in Kenya have been using party primaries as a strategy of raising resources to facilitate among others, the parties to conduct primaries. This has made the process expensive and largely out of reach of many candidates, particularly women. To address this challenge and give women an incentive to contest, political parties committed to subsidize and/or waive the nomination fees for women candidates during the party primaries. Assessment results show that save for Kenya National Congress, all other CMD-Kenya member parties observed this commitment. The nomination fee was subsidized and/or waived as follows:

Table 8: Extent to Which Political Parties Waived Nomination Fees for Women Candidates

No.	Party	% Subsidy/Waiver
1.	Agano Party	25%
2.	Amani National Congress (ANC)	50%
3.	Chama Cha Uzalendo (CCU)	Negotiable; according to candidate's request
4.	Democratic Party of Kenya (DP)	50%
5.	Ford-Kenya	50%
6.	Chama Mwangaza Daima (FORUM)	100%
7.	Federal Party Of Kenya (FPK)	50%
8.	Jubilee Party	50%
9.	Kenya African Democratic Union Asili (KADU ASILI)	50%
10.	KANU	50%
11.	Kenya National Congress (KNC)	0%
12.	Labour Party of Kenya (LPK)	Not clear
13.	Maendeleo Democratic Party (MDP)	50%
14.	National Rainbow Coalition (NARC)	30% - 100%
15.	National Rainbow Coalition-Kenya (NARC-Kenya)	10%
16.	National Vision Party (NVP)	50%
17.	Orange Democratic Movement (ODM)	50%
18.	People's Democratic Party (PDP)	20%
19.	Progressive Party of Kenya (PPK)	50%
20.	SAFINA	100%
21.	WIPER Democratic Movement	50%

The findings above reveal that a vast majority of the CMD-Kenya member parties waived part of the nomination fee for women candidates. Further, there was high level of flexibility on waiver various political parties offered to women candidates. The willingness on the part of the political parties to waive the nomination fee for women candidates was a major incentive to the candidates to vie for political seats. Some parties went beyond the nomination fee to include the other incentives to attract women candidates vie for political office. For instance, Agano Part completely scrapped membership fees for all women candidates who were interested in vying using the party's ticket. On its part, Narc-Kenya allowed women (and other marginalized

groups) to pay their nomination fee in 3 installments giving them a window to secure the money just in case they never had the amount at once. Narc-Kenya also gave women first priority to be candidates where the party received two proposals of interested candidates of both gender from the same area. In similar vein, PPK used its discretionary powers to completely waive nomination fee for a special case of a lady who was unable to raise the amount but had demonstrated high potential for political leadership.

3.3.2 Attention towards Eliminating Gender Based Political Violence

In Kenya, violence against women in Politics is prevalent. Since the reintroduction of multiparty politics in 1992, violence against women has been witnessed in almost every election in Kenya before, during and after the elections. The fear of violence (physical, but also emotional and psychological) among women is a major deterrent of women in contesting for political office. In June/July 2012, a report by the Elections Observation Group (ELOG) highlighted critical incidents during the preparatory period for the 2013 elections, some of which were directly or indirectly related to gender based violence. These were actual violence and riots, displacements, hate speech, disruptions of meetings and harassment, which were reported in various counties (ELOG, 2012). Intimidations and violence against women usually happen during the period leading up to the General Elections. The assessment sought to establish the presence of gender based political violence among political parties and the extent to which political parties and their leaders publicly speak against such vices.

In most cases, violence during party primaries is a result of stiff competition which mainly happens in parties' strongholds. Assessment findings show that political parties that issued direct nominations did not experience any form of gender based political violence. On the other hand, there was an attempt by political parties to put in place mechanisms to prevent possible incidences of political violence against women. Some of the notable measures undertaken by some political parties were as follows:

- CCU – worked with the security agencies to deploy enough security officers at the polling stations. Campaigns were also not allowed inside the polling stations and 100 meters around the polling stations.

- Ford-Kenya - specifically allocated 5 security agents at each polling station to not only provide security for the polling material but to provide security for our women candidates and women coming to the polling centre to vote. This ensured that the women were protected, in their capacity as candidates and by extension as voters.
- FORUM (Chama Mwangaza Daima) - established a disciplinary committee that would handle cases of violence against women. It was clearly stipulated that culprits would face serious consequences including being expelled from the party. Every aspirant also signed a code of conduct document that would guide him/her and their supporters during the election period and which they committed to adhere to.
- FPK - All aspirants signed a code of conduct on gender based violence.
- KNC - The candidates signed a code of conduct which bound them to good behaviour.
- NARC - The party informed local chiefs where nominations were taking place. The chiefs deployed their administration officers to provide security
- ODM - Provided security to all polling centers to protect especially women candidates against any form of harassment.
- Narc-Kenya - arranged for adequate security to the areas where party primaries were being conducted to protect women from any kind violence which could lead to emotional and physical harm during and after the exercise. During the women trainings, women were also trained on how to protect themselves in case violence erupted itself during the primaries processes.

3.3.3 Incidences of Gender Based Political Violence During Party Primaries

Despite the fact that political parties paid attention to gender based political violence, the assessment established that there were isolated incidences of violence meted against women in some electoral areas as described below:

- Ford-Kenya: in Bumula Constituency, at a tallying centre in Kanduyi rowdy youth roughed up a woman aspirant. The Returning Officer called in the Police to provide

security to the woman candidate. This violence in Bumula constituency was reported to the Party's Dispute Resolution Tribunal, who, in conjunction with the Party's ad-hoc Disciplinary Committee prosecuted the matter. Submissions were heard from the Returning Officer and the Deputy Returning Officer. Both aspirants also gave their versions of the spate of violence that was witnessed in the constituency and a verdict was reached. One of the aggrieved parties moved to the IEBC disputes tribunal where the case is yet to be finalized.

- FORUM (Chama Mwangaza Daima) - had an incident for example where a male aspirant from the party went around his ward verbally insulting his female opponent who was of a different party and even going to the point of body shaming her. The party received a complaint about this and people were sent on the ground to investigate and come back with a full report on whether the allegations were true. After the investigations were done it was evident that the allegations were indeed true and the aspirant was summoned by the disciplinary committee and he was expelled from vying for any position with our party and his lifetime membership was also revoked. The female aspirant was requested to come to our party headquarters and she had a meeting with the secretary general, chairman and the disciplinary committee where she was briefed on the action the party took and they humbly apologized for what had happened. They also assured her that any form of violence will never be tolerated in the party.
- ODM - In Kakamega County, a woman aspirant was attacked and injured by her opponent. The action was reported to the ODM NEB and action was taken.

3.4 Meeting of the one-third Threshold During Primaries

One of the commitments captured in the Nomination strategy for Gender Equality was for political parties to nominate at least one-third of the candidates during the primaries to contest for political office. This was a positive non-legislated measure that political parties devoted to observe to move the country towards the realization of the not more than two-thirds gender principle in political leadership. Assessment findings show that all political parties did not realize this pledge. Various reasons were given by political parties for not meeting this commitment as follows:

- a. There was no proper strategy that political parties could employ to meet this requirement especially in areas where competitive nomination process was being conducted. For instance, political parties could not stop a male candidate who had expressed interest in favor of a woman.
- b. That there was low turnout of women candidates who were seeking political office. Official statistics from the Independent Electoral and Boundaries Commission (IEBC) indicate that none of the political parties attracted more than 15% of women candidates to vie for various political seats. A glance of the top 5 best performing parties was as follows:

Table 9: Number of women who presented themselves for nomination in top 5 political parties

Party	Senate	MNA	Governor	MCA	WCR	Total Women	# Contestants	% of Women
Jubilee	19	92	5	478	165	759	5265	14.4%
ODM	3	34	1	376	63	477	3705	12.9%
FORD K	0	1	1	64	7	73	534	13.7%
ANC	0	5	0	78	14	97	996	9.7%
WDM	0	8	1	70	11	90	942	9.6%

It was therefore, not practically possible, to expect political parties to nominate at least 30% of the candidates who were women, if in the first place, the total number [f women who presented themselves for nomination did not reach the 30%. This is a demonstration that although political parties had the willingness, there was low supply of women interested in vying for political office.

- c. Financial constraints and limitations of willing women contestants: Women who were competing for posts that had men candidates found themselves greatly economically disadvantaged in comparison to their men counterparts.
- d. Limited knowledge of the small parties due to their brands. Such parties' brands are still not known at the grassroots level and indeed across the country. They thus attracted

less candidates compared to other political parties. Awareness of the party is still low on the side of contestants.

3.5 Willingness of Political Parties to implement Gender Mainstreaming Provisions in their Instruments

3.5.1 Political will among Top Political Parties' Leaders

A party's commitment to gender equality is demonstrated by the number of women in its leadership structures, positions held by women; initiatives put in place to increase levels of women participation and how the party has enshrined gender equality in its policy instruments. Political parties have already integrated gender mainstreaming provisions in their instruments. A look at the participating parties' constitutions, manifestos and nomination rules reveal that generally, they are committed to upholding inclusivity and equality. They also commit to promote equal gender opportunities in politics and decision making through elimination of cultural barriers, prejudices and discrimination. Some of the political parties' instruments look as follows:

Narc-Kenya

- a. Both manifesto and Constitution committed to promoting equality, equity and inclusivity, social justice and fairness and respect for human rights and freedoms as its core values, principles and objects of the party.
- b. Committed to championing the equality of all persons and to fight against all forms of discrimination against children and women and to pursue, protect and promote civil, political, economic, religious, socio-cultural rights and freedoms as provided in international, regional and national human rights instruments to which Kenya is a signatory.

Safina Party

- a. Its objectives provide for elimination of all forms of discrimination against women and promoting their acceptance as equal partners with men at all levels of decision making. Also commits to empower youth for social and economic transformation.

- b. No member of the party will be discriminated against on the basis of age, race and gender considerations.
- c. All party committees shall have a representation of at least one third of either gender.
- d. Nomination rules provide that at least one-third of all elected officials at branch or national levels should be of either gender.
- e. Provides for zebra rule in the position of national youth council chairpersons.

Jubilee Party

- a. The party is committed to promoting participation and inclusivity of the people in governance, equality of all people before law and equity in resource allocation.
- b. The party affirms its commitment to affirmative action as a key strategy to boost women's participation in public affairs.
- c. Elections of party officials to observe the not more than two thirds gender principle.

Orange Democratic Movement (ODM)

- a. The party is committed to support women's emancipation, combat sexism and ensure women's voices are heard in the party and are represented at all levels.
- b. Its values espouse equality, equity and non-discrimination and empowerment of marginalized groups.
- c. Committed to protect and enhance the enjoyment of human rights as enshrined in the Constitution and any international conventions to which Kenya is party to. The party is further committed to promote gender equality and to enhance women's participation in management of public affairs and national development through affirmative action and to mainstream women's participation in party structures at all levels.

KANU

- a. The party is committed to upholding inclusivity and equality.

- b. Promotes equal gender opportunities in politics and decision making through elimination of cultural barriers, prejudices and discrimination.
- c. The party states that it will promote affirmative action through mainstreaming women in the party by setting aside key positions in high echelons of the party. However, it is not clear how this will be done.
- d. Manifesto has a weak section on women development, focusing mainly on welfare and not on equality per se.

Despite the presence of such progressive provisions for gender equality in the parties' policy instruments, evidence shows that there is disconnect between what the political parties promise in their policy instruments and in practice. The presence of progressive gender equality provisions in the parties' instruments should therefore not mean that parties actually practice it. They however, give women 'statutory legitimacy' to present and negotiate their demands within the parties. Even bigger parties have been struggling to actualize their gender equality provisions. Results from the 2017 party primaries show that political parties observed their commitment towards gender equality as follows:

- **CCU:** gave waivers to the women candidates, the party opened equal opportunities for both men and women.
- **Ford-Kenya:** The FORD KENYA Women League with support from KEWOPA organized a consultative forum to get commitment from the party leadership on adhering to the party documents that provide for all elective, nominative and appointive seats to not have more than two-thirds of either gender in them. The forum brought together over 300 women including aspirants for all the positions who spoke candidly to the party leadership including the party leader, the parliamentary chief whip and several members of parliament. Commitment was received from the Party Leader Hon. Senator Moses Wetangula that the FORD Kenya party was the party of choice for women as the leadership would ensure that they delivered a free, fair and secure environment for women to participate in the party primaries. The party leader made a commitment to providing security at the polling stations to ensure the safety of women candidates. The party leader made commitment to favorable prosecute and disputes coming from the

party primaries where female aspirants were involved. The party leader also directed that the Chair of the Women League could sit on the Disputes resolutions Board to listen in on cases that concerned women aspirants.

- **ODM** – on 5th April 2017, the ODM party Leader, Hon. Raila Odinga held a meeting with the women aspirants at Multimedia University and publicly affirmed that his party would protect women candidates vying for political office.
- **All parties:** waived the nomination fees for women candidates.

3.6 Performance of Women Candidates During the Primaries

Number of Women who Won the Primaries

Table 10: Number of women candidates who won party primaries

No.	Party	Position				
		Pres.	Gov.	Sen.	MNA	MCA
1.	Agano Party	-	-	-	-	6
2.	Amani National Congress (ANC)	-	1	1	7	57
3.	Chama Cha Uzalendo (CCU)	-	-	-	1	5
4.	Democratic Party of Kenya (DP)	-	-	-	1	23
5.	Ford-Kenya	-	-	2	1	31
6.	Chama Mwangaza Daima (FORUM)	-	-	2	8	32
7.	Federal Party Of Kenya (FPK)	-	-	2	6	12
8.	Jubilee Party	-	4	5	24	114
9.	Kenya African Democratic Union Asili (KADU ASILI)	-	-	-	6	7
10.	KANU	-	-	3	8	23
11.	Kenya National Congress (KNC)	-	-	-	4	17
12.	Labour Party of Kenya (LPK)	-	-	-	2	9
13.	Maendeleo Democratic Party (MDP)	-	-	-	-	1
14.	National Rainbow Coalition (NARC)	-	1	-	-	6
15.	National Rainbow Coalition-Kenya (NARC-Kenya)	-	1	-	3	31
16.	National Vision Party (NVP)	-	-	-	2	8
17.	Orange Democratic Movement (ODM)	-	-	1	14	82
18.	People's Democratic Party (PDP)	-	-	-	-	15
19.	Progressive Party of Kenya (PPK)	-	-	-	1	6
20.	SAFINA	-	-	-	3	9
21.	WIPER Democratic Movement	-	2	-	6	40
	Others ³	-	-	10	18	123
	Total		9	23	115	657

³ Not members of CMD-Kenya

The performance of women in the 2017 party primaries was still not impressive. Although there was an improvement from the 2013 figures, the assessment established that the improvement was just nominal. Overall, 11% of the candidates who presented themselves to the party primaries for nomination were women. This was way below the 30% threshold that CMD-Kenya had for instance set to attain in the 2017 General Elections. At the national assembly level, 8% of the contestants were women, and of those who secured their nomination, 7% percent were women.

3.8 Analytical Projection During the 2017 General Election

This assessment also sought to make an informed projection on the possible numbers of women candidates who are likely to get elected during the August 2017 General Elections. In 2013, official statistics released from IEBC indicated that of all women candidates who offered themselves for election, 12% won the seats and also, 13% of men got elected. Using the same success rate of 12%, it can be inferred that the number of women who are likely to get elected in 2017 for various seats is as follows:

	Position	Successfully Nominated Candidates	Likely number of winning candidates in 2017 (12% Success Rate)
1.	President	0	0
2.	Governors	9	2
3.	Senators	23	3
4.	Member of National Assembly	115	14
5.	Member of County Assembly	657	79

We understand 12% is a conservative figure that could change in 2017, upwards or downwards. However, using the figure, the analysis of the performance of women candidates during the party primaries reveals the following:

- a. That the country is likely to have women Governors and Senators during the 2017 General Elections.
- b. That there is likely to be no major change with regard to women elected as MNAs. In 2013, only 16 women were elected as MNAs. The figure could drop if the 12% success rate is anything to go by. Positively however, there is likely to be an increase in the number of women elected to the seat through major parties such as ODM. During the 2013 General Elections, Jubilee Party collectively had 8 MNAs; although some of the women lost during the party primaries in 2017, there was equally a new number of high potential newcomers who are likely to retain the numbers high. ODM had only one (1) MNA who was a woman. The party has since nominated 3 women in its strongholds, meaning the number could increase in 2017.
- c. That although the numbers of women who expressed interest in the MCA seat and therefore participated in the party primaries almost doubled in 2017, the number that actually won the party primaries was low. The country is likely to have almost the same number of women (82) who were elected as MCAs in 2013. A nominal increase is possible but may not double in line with the numbers that presented themselves for the seat.

3.9 Factors Contributing to Increased Numbers of Women in the 2017 General Elections

As presented above, there was a positive growth in the number of women aspirants during the 2017 elections compared to 2013. This could be attributed to:

- a. Increased initiatives targeting key players e.g. political parties on the need to create an enabling environment for involving women to increase women's participation bears fruits.
- b. Willingness of the women who were unsuccessful before to vie again in this election.
- c. Building women aspirants' capacity to better engage with the Political Party Dispute Resolution Processes.

- d. Earlier intervention in skills building, mentorship activities, advocacy efforts and candidate profiling.

3.10 Barriers to Women's Participation in Party Primaries

Political parties affirmed that women candidates shied away from the party primaries due to a number of reasons:

- a. Financial constraints to cater for among others campaign expenses, membership and nomination fees and also dispute resolution costs.
- b. The perceived opportunity cost of leaving gainful employment to run for elective offices.
- c. Negotiated Democracy – particularly in Northern Kenya Counties which largely worked against women candidates. In the North Eastern region, particularly in Mandera, Wajir and Garissa, elders from various clans played a significant role in selecting candidates for important elective seats, leaving mainly MCA positions for aspiring candidates to contest in the party primaries.
- d. Internal Party Politics and the patriarchal nature of the parties culture which usually works to the disadvantage of women candidates.
- e. Women aspirants and their supporters subjected to Violence Against Women in Elections, including threats of and actual violence, harassment and abusive messages on social media.

4.0 CONCLUSION AND RECOMMENDATIONS

4.1 Conclusion

By and large, there was a nominal increase in the number of women candidates who presented themselves for elective seats and therefore took part in the 2017 party primaries compared to 2013. However, the party primaries were conducted in a context of increased competition for all political seats and the attendant heavy spending. There were also elements of constrained democratic space brought about by negotiated democracy especially in the Northern Kenya

Counties. There was increased visibility and awareness of women's leadership leading to higher expectations and greater scrutiny of aspirants. All these factors had a direct bearing on the candidature of women aspirants. Although political parties were generally poorly prepared for the primaries, characterized by names missing in the party lists, the incidences of gender based political violence were minimal. Political parties also paid attention to issues of gender equality in representation and were open to encourage women candidates to come out and vie for the seats. This is a demonstration of the presence of an enabling environment among parties to encourage and support women.

4.2 Recommendations

- a. Although political parties were willing to offer space for women candidates, few women expressed interest in contesting for political seat. There is need to invest more in creating a pool of women who will be presented for election in the subsequent election in 2022. The interventions should be grassroots focused to mobilize as many women as possible develop a firm interest in politics. Such grassroots movement should also be strengthened to hold their mother parties to account on matters gender and inclusivity.
- b. Initiatives to secure current wins – media campaign to raise profile of women candidates, address VAWIE issues, support for independent women candidates and their agents and continued advocacy targeting community, religious and political party leaders. Thinking around long term strategies to build on successes and address prevailing barriers.
- c. There is need for capacitating of aspiring women candidates on early resource mobilization and networking strategies if they intend to vie in the next General Elections. Lack of sufficient resources was a key deterrent to women candidates to the extent that most of them shied away from taking part in the party primaries.
- d. CMD-Kenya and other organizations should provide timely and targeted/tailor made campaign support to women candidates before and after party primaries. Support from non-state actors to aspiring women candidates should not come late when organizing for political activities is already complete.

Annex I: CMD-Kenya Member Parties

1.	Ford Kenya
2.	Wiper Democratic Movement - Kenya
3.	FORUM
4.	Agano Party
5.	SAFINA Party
6.	Kenya National Congress
7.	Peoples Democratic Party (P.D.P)
8.	Narc Kenya
9.	KADU Asili
10.	National Rainbow Coalition (NARC)
11.	Maendeleo Democratic Party (MDP)
12.	Chama Cha Uzalendo
13.	Democratic Party of Kenya (DP)
14.	Orange Democratic Movement (ODM)
15.	KANU
16.	The Labour Party of Kenya
17.	National Vision Party
18.	Federal Party of Kenya (FPK)
19.	Progressive Party of Kenya (PPK)
20.	Jubilee Party (JP)
21.	Amani National Congress

Annex II: Party Primaries' Observation Tool

CMD-Kenya Observation of the Gender Responsiveness of the Political Parties' Primaries – April 2017

OBSERVATION GUIDE

1. Party Name			
2. Is the party conducting party primaries or offering direct nominations?	a. Conducting Party Primaries		
	b. Giving Direct Nominations		
	c. Both		
3. How many women candidates expressed interest to vie for political seats in your party in different positions?	i.	President	
	ii.	Governor	
	iii.	Senator	
	iv.	Member of National Assembly	
	v.	Member of County Assembly	
4. Extent to which the party has given women candidates incentives to contest political seats			
a. Did your party reduce, subsidize or waive nomination fees for women candidates?		Yes	No
If YES, by how much? Reduce by half (50%)			
b. Did your party pay specific attention towards eliminating gender based violence during the party primaries?		Yes	No
If YES, how?			
c. Were there incidences of gender based violence (verbal, physical, sexual or psychological) during the party primaries?		Yes	No
If YES, how were they dealt with?			
d. Did your party nominate at least 30% of the candidates to vie for political office through competitive processes in your strongholds/winnable zones?		Yes	No
If NO, why? What were the challenges?			
e. Would say that your party willingly implement in word and deed, gender mainstreaming provisions in your party's constitution, rules and regulations during the party primaries?		Yes	No
Please Explain.			
f. In your own assessment, was there political will on the part of the party's top leadership to accord women adequate support in ensuring they win party primaries?		Yes	No
Please Explain.			
5. Women who won the party primaries			

a. How many women won during the party primaries in the various seats?	i.	President		
	ii.	Governor		
	iii.	Senator		
	iv.	Member of National Assembly		
	v.	Member of County Assembly		
b. What is the percentage of the candidates who won against those who expressed interest in vying for political seat?				
c. Compared to 2013, was this an increase in terms of the women who expressed interest in your party or a decrease?	Increase	Decrease		
d. Compared to 2013, was this an increase in terms of the women who WON in your party or a decrease?	Increase	Decrease		
e. What factors would you attribute your responses in 5c and 5d above to?				
6. Rating of the gender responsiveness of the party primaries				
a. How would you rate the performance of your party in the just concluded primaries?	Excellent	Good	Fair	Poor
Briefly explain your response above.				
b. Based on the outcomes of your party's primaries, would you say that your party is serious in terms of enhancing a gender responsive electoral process?	Yes	No		
Do you have any other comment on your party primaries exercise?				

Thank You!