



# 2017 Regional Youth Consultation on Harnessing the Demographic Dividend through Investments in Youth

*An overview of North Africa's legislation for the  
protection and promotion of youth participation in  
electoral processes*

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# Overview

- A quick overview of constitutional provisions protecting youth political participation across the region
- How the choice of electoral systems impacts the ability for young people to participate in electoral processes
- A comparative overview of provisions protecting youth participation in electoral laws across the region
- So ... why is all of this important?
- Ways to increase youth participation through legislation
- What can you do?



# A quick overview of constitutional provisions protecting youth political participation across the region

## **Egypt Article 82**

The State shall guarantee the provision of care to the youth and youngsters shall endeavour to discover their talents; develop their cultural, scientific, psychological, physical and creative abilities, **encourage their engagement in group and volunteer activities and enable them to participate in public life.**

## **Tunisia Article 8**

Youth are an active force in building the nation.

The state seeks to provide the necessary conditions for developing the capacities of youth and realizing their potential, supports them to assume responsibility, and **strives to extend and generalize their participation in social, economic, cultural and political development.**



## **Draft constitution of Libya – Article 28**

The State shall prepare the appropriate environment to develop adolescents and youth, provide ways to increase their capacities, and support their effectiveness in national life. The State shall open up opportunities for them to work, participate in development, and benefit from various sciences and human cultures as well as **enable them to participate in political, social, and economic life** with a spirit of citizenship and responsibility.



## Morocco - Article 33

It is incumbent on the public powers to take all the appropriate measures with a view to:

- stimulate and make general the participation of youth in the **social, economic, cultural and political development of the country**;
- to **aid the young to establish themselves in [an] active and associative life** and to give assistance to them in the difficulty of scholarly, social or professional adaptation;
- to facilitate the access of the young to culture, to science, to technology, to art, to sports and to leisure, all in creation of propitious conditions for the full deployment of their creative and innovative potential in all these domains.
- A Consultative Council of Youth and of Associative Action is created to this effect.



## Morocco: Special Council –Article 170

The Consultative Council of Youth and of Associative Action created by virtue of Article 33 of this Constitution, is a **consultative instance** within the domains of the **protection of youth and of the promotion of associative life**. It is charged to study and to follow the questions [of] interest to these domains and to formulate the proposals on any subject of economic, social and cultural order [of] direct interest to youth and associative action, as well as the development of the creative energies of youth, and their **inducement [incitation] to participation in the national life, in the spirit of responsible citizenship**.



## **Algeria Article 37**

Youth is a vital force in the construction of the country.

The State seeks to bring together all the conditions for developing its capacities and driving forward its energies.

## **Algeria – Special council**

Art. 200. - A High Council for Youth, a consultative body placed with the President of the Republic.

The Council brings together representatives of youth and representatives of the Government and public institutions in charge of youth issues.

Art. 201. - The Higher Council for Youth formulates opinions and recommendations on issues relating to the needs of young people and their development in the **economic, social, cultural and sports fields**.

The Council also contributes to the promotion of national values, patriotic consciousness, civic spirit and social solidarity among young people.



# No provisions

- There are no provisions for youth participation in the constitution in **Mauritania**



How the choice of electoral systems impacts the ability for young people to participate in electoral processes



# Two of the most common electoral systems

## Majoritarian

- Designed to produce an *absolute majority* (50 per cent plus 1) of votes. (First past the post, Two-round system, Alternative vote, Block vote, Party block vote)

## Proportional representation

- Based on the principle of the conscious translation of the overall votes of a party or grouping into a *corresponding proportion* of seats in an elected body. For example, a party which wins 30 per cent of the votes will receive approximately 30 per cent of the seats. (List, Single Transferable Vote)



## But how do these actually impact youth representation in government?

Largely recognized that *majoritarian systems* (candidates with the most votes declared winners) of single-member districts or bloc voting **do not facilitate wins for youth**, women, or marginalized communities as the districts may vary in social make-up and as (older) men are often elected over these candidates.

*Proportional representation ensures minorities and majorities can be elected.* Votes cast = seats won.

For many new democracies, particularly those which face deep societal divisions, the inclusion of all significant groups in the legislature can be a near-essential condition for democratic consolidation.



# A comparative overview of provisions protecting youth participation in electoral laws across the region



# The 2014 parliamentary electoral law of Egypt

Article 5 states:

- 448 seats elected under a first past the post system (single and multi-member districts)

*And*

- 120 seats elected under a party bloc vote (one list wins all seats) where **2 youth are guaranteed per 15 member list and 6 youth per 45 member list** --- guaranteeing a minimum of **16 youth out of 120 list seats.**



# The 2014 parliamentary election law of Tunisia :

## Article 25

In any constituency where the number of seats is equal to or more than four, **every candidate list should have among the first four candidates a male or female candidate of no more than thirty five years of age.** In case of non-adherence to this requirement, the list will be denied half the total value of the public funding grant.

# The 2017 organic law relating to elections and referendums of Tunisia

## Article 49

Each candidate list shall include, **among the first three, a candidate not older than thirty-five years** the day of submission of the application of candidature.

Each candidate list shall also include in the **remainder of the list** respectively **among all the six candidates, a candidate not older than thirty-five years** the day of submission of the application of candidature.

The list which does not respect these conditions is inadmissible.



Graph from DRI



# The 2011 parliamentary election law of Morocco

The law states that there are 92 multi-member constituencies (for 305 seats) and that there is one nationwide constituency for 90 seats, 60 of which are reserved for women with **30 seats reserved for young people under 40 years.**



# No provisions

- There are no provisions or quotas for youth participation in the electoral laws of **Mauritania, Algeria** or **Libya**



So ... why is all of this important?



The constitution and electoral law are the first steps in codifying, and protecting, the ways in which young people can participate in electoral processes, particularly as candidates or voters.



What are some ways to increase youth participation through legislation?



- Quotas (in the EMB, on electoral lists and in political parties with sanctions as appropriate)
- Early voting
- Expanding the kinds of voter ID accepted
- Lowering the voting age and age to run as a candidate
- Imposing post-electoral statics on age, gender etc. on the EMB
- Clearly indicating which body/bodies are responsible for civic education
- Award seats to youngest candidate if no majority won
- Political finance provisions that ensure equal playing field
- Voting from abroad



What can you do?



# Advocate!

Although elections are only one way of participating in democratic governance, it is important to **advocate for special provisions for youth within the legal frameworks** in order to help support youth throughout the electoral process – including as voters, educators, policy makers and candidates.