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What laws have been adopted in Latin American countries regarding funding for women in politics? To what extent have these been adopted and what sanctions are there for incomppliance?

In Costa Rica, political party funding is regulated by Article 96 of the national Constitution, in Title III, Chapter VI of the Electoral Code – Law No. 8765 of August 19, 2009 – which includes an economic regime for parties and the Political Party Funding Regulation, Decree of the TSE No. 17-2009.

In regards to the specific issue of funding for women, the Code establishes that party spending related to training must be allocated to training and promoting both genders under equal conditions. In fact, in article 52, clause p, the Code indicates that a political party's statute must include *“the way in which the state contribution is distributed during electoral and non-electoral periods, in accordance with the Constitution. The amount that each party allocates for training must be established permanently and equally among men and women in order to train, instruct and promote the knowledge of human rights, ideology, gender equality and motivate leaderships, political participation, empowerment, nomination and exercise of decision making offices, among other aspects.”*

Meanwhile, article 59 of the Political Party Funding Regulation expressly indicates that in order for training expenses to be recognized, the party must submit a list of the courses, workshops and seminars it holds, along with the topic, date, duration, place, name of the instructors and attendance list with each participant's signature. For training during non-electoral periods, **the party must ensure gender criteria are applied**. For this reason, in addition to providing the aforementioned information, parties are also required to guarantee equal participation by gender, which must be demonstrated at the time of reimbursement by a certificate issued by an authorized public accountant, stating that this requisite has been fulfilled.

In this sense, any activity done without the certificate of an authorized public accountant verifying equal participation will result in the rejection of the expense and the Court will not authorize the corresponding reimbursement.

Through resolution no. **1677-E8-2012 of 11:20 am on February 23, 2012**, the Court referenced this and interpreted the topic of equal participation the following way:

*“As established by the electoral law (article 103 of the Electoral Code), in order for expenses related to training activities to receive state support, the political group must, among other things, demonstrate that the principle of gender equality was respected during these events, such that both genders benefitted under equal conditions, as demonstrated by a certificate issued by an authorized public accountant. In this sense, any activity lacking the certification of an authorized public accountant that this condition has been met will lead to the inevitable rejection of the expense and this Court will not authorize the corresponding reimbursement.”*

*It is clear that the incorporation of the parity law in electoral training activities ensures that women are neither excluded nor discriminated in these kinds of events, but are rather given the same opportunities for training that men have traditionally been given.*

*In order to ensure equal access to training programs and events, parties must invite the same number of men and women, which will be certified by the authorized public accountant based on the documents used to call for participants.*

*That being said, the expenditure will still be redeemable if, having scrupulously respected the imperative for equal participation, more people in one gender eventually attended the event.*

*In order to reach this conclusion, it is crucial to consider that it is those invited who ultimately and freely decide whether to attend or not, and therefore this is an issue that goes beyond the control of political groups.*

*Understanding the question differently could potentially distort the objective intended by this law, since instead of achieving greater participation by women at these events and holding more training events, political parties could be forced to cease them if they are unable to access state support for these expenses, given the impossibility of guaranteeing parity in the actual attendance rather than just the invitation. Additionally, in efforts to obtain the reimbursement, political parties could be coerced to engage in practices that jeopardize their own members, such as prohibiting access to certain participants in order to achieve equal attendance.*

*The indicated requirement for equal invitation in order to later obtain the corresponding reimbursement for state support has only two exceptions: when the events are open activities and a general invitation is extended to all members of the party without pre-assigned spots, and for training activities that due to the nature of their content are directed specifically at women members.”*

Similarly, the resolution of the Supreme Electoral Court No. **5078-E8-2012 of 11:02 am on July 4, 2011** is cited, which states that *“the authorized public accountant certifies equal participation by gender in accordance with the respective call for participants, thus generating the necessary and sufficient supporting documentation to demonstrate the faithful fulfillment of the law in efforts to guarantee equal opportunity is particularly important. Political groups are authorized to carry out training exclusively for women, in which case the requirement for equal invitation is waived.”*

## **SUGGESTED BIBLIOGRAPHY**

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