South Africa
The National Gender Machinery, Gender Mainstreaming and the Fight against Gender Based Violence

September 2009

Human Development Department (OSHD)
Table of Contents

List of Annexes, List of Boxes and Tables, Abbreviations and Acronyms,

Executive Summary ................................................................................................................... iii
1 Introduction .............................................................................................................................. 1
  1.1 Background .................................................................................................................... 1
  1.2 Objectives ...................................................................................................................... 1
  1.3 Methodology .................................................................................................................. 2
2 Women’s Situation and the Work for Gender Equality ......................................................... 2
  2.1 Gender Politics in South Africa ..................................................................................... 2
  2.2 Politics and decision-making ....................................................................................... 3
  2.3 Education ....................................................................................................................... 4
  2.4 Health .............................................................................................................................. 7
  2.5 Employment and economic resources ........................................................................... 8
  2.6 Social security and social services ............................................................................... 10
  2.7 Law, justice and safety .................................................................................................. 11
  2.8 Land and property ......................................................................................................... 13
3 The National Gender Machinery ........................................................................................... 14
  3.1 Background .................................................................................................................... 14
  3.2 Office of the Status of Women ...................................................................................... 15
  3.3 Gender Focal Points (GFP) in National and Provincial Departments ......................... 18
  3.4 The Commission for Gender Equality (CGE) .............................................................. 20
  3.5 The Joint Monitoring Committee (JMC) ...................................................................... 22
  3.6 Civil society and NGOs .................................................................................................. 23
4 The NGM in Action? Ending Gender-Based Violence .......................................................... 25
5 Recommendations ................................................................................................................. 29
  5.1 Recommendations to the Government ...................................................................... 29
  5.2 Recommendations to the AfDB .................................................................................. 30

List of Annexes
1. References
2. Demographic Indicators for South Africa
3. Map of South Africa

List of Boxes, Figures and Tables
Box1: Functions of the OSW
Box 2: Functions of Gender Focal Points
Box 3: Functions of the CGE

This report was prepared by Gisela GEISLER, Principal Gender Specialist, OSUS with Kgopotso MOKGOPE, gender specialist, and Joar SVANEMYR, sociologist. For further information on the report, please contact Tom HURLEY, Director, OSHD (Ext.2046).
ACRONYMS AND ABBREVIATIONS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADAPT</td>
<td>Agisanang Domestic Abuse Prevention and Training</td>
</tr>
<tr>
<td>AfDB</td>
<td>African Development Bank Group</td>
</tr>
<tr>
<td>AIDS</td>
<td>Acquired Immune Deficiency Syndrome</td>
</tr>
<tr>
<td>ANC</td>
<td>African National Congress</td>
</tr>
<tr>
<td>ANCWL</td>
<td>ANC Women’s League</td>
</tr>
<tr>
<td>APRM</td>
<td>African Peer Review Mechanism</td>
</tr>
<tr>
<td>ARV</td>
<td>Anti Retro-Viral</td>
</tr>
<tr>
<td>AU</td>
<td>African Union</td>
</tr>
<tr>
<td>BPFA</td>
<td>Beijing Platform For Action</td>
</tr>
<tr>
<td>BEE</td>
<td>Black Economic Empowerment</td>
</tr>
<tr>
<td>CBO</td>
<td>Community-Based Organisation</td>
</tr>
<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of all forms of Discrimination Against Women</td>
</tr>
<tr>
<td>CGE</td>
<td>Commission on Gender Equality</td>
</tr>
<tr>
<td>CIDA</td>
<td>Canadian International Development Agency</td>
</tr>
<tr>
<td>COSATU</td>
<td>Congress of South African Trade Unions</td>
</tr>
<tr>
<td>CSS</td>
<td>Central Statistical Service</td>
</tr>
<tr>
<td>DANIDA</td>
<td>Danish International Development Agency</td>
</tr>
<tr>
<td>DFID</td>
<td>Department for International Development (UK)</td>
</tr>
<tr>
<td>DLA</td>
<td>Department of Land Affairs</td>
</tr>
<tr>
<td>DSD</td>
<td>Department of Social Development</td>
</tr>
<tr>
<td>DTI</td>
<td>Department of Trade and Industry</td>
</tr>
<tr>
<td>DVA</td>
<td>Domestic Violence Act</td>
</tr>
<tr>
<td>EPWP</td>
<td>Extended Public Works Programme</td>
</tr>
<tr>
<td>GAP</td>
<td>Gender Advocacy Programme (NGO)</td>
</tr>
<tr>
<td>GBV</td>
<td>Gender Based Violence</td>
</tr>
<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
</tr>
<tr>
<td>GHS</td>
<td>General Household Survey</td>
</tr>
<tr>
<td>GEM</td>
<td>Girls’ Education Movement</td>
</tr>
<tr>
<td>GEAR</td>
<td>Growth Employment and Redistribution</td>
</tr>
<tr>
<td>GEU</td>
<td>Gender Equity Unit</td>
</tr>
<tr>
<td>GFP</td>
<td>Gender Focal Points</td>
</tr>
<tr>
<td>GRG</td>
<td>Gender Reference Group</td>
</tr>
<tr>
<td>HDI</td>
<td>Human Development Index</td>
</tr>
<tr>
<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
</tr>
<tr>
<td>HRDS</td>
<td>Human Resources Development Strategy</td>
</tr>
<tr>
<td>HSRC</td>
<td>Human Sciences Research Council</td>
</tr>
<tr>
<td>ICT</td>
<td>Information Communication Technology</td>
</tr>
<tr>
<td>JMC</td>
<td>Joint Monitoring Committee (see JMICQLSW)</td>
</tr>
<tr>
<td>JMC</td>
<td>Parliamentary Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Women</td>
</tr>
<tr>
<td>KZN</td>
<td>KwaZulu-Natal</td>
</tr>
<tr>
<td>MDG</td>
<td>Millennium Development Goals</td>
</tr>
<tr>
<td>MP</td>
<td>Member of Parliament</td>
</tr>
<tr>
<td>MRC</td>
<td>Medical Research Council</td>
</tr>
<tr>
<td>NEPAD</td>
<td>New Partnership for Africa’s Development</td>
</tr>
<tr>
<td>NGO</td>
<td>Non Governmental Organisation</td>
</tr>
<tr>
<td>NGM</td>
<td>National Gender Machinery</td>
</tr>
<tr>
<td>NPA</td>
<td>National Prosecuting Authority</td>
</tr>
<tr>
<td>NSDS</td>
<td>National Skills Development Strategy</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td>OSW</td>
<td>Office on the Status of Women</td>
</tr>
<tr>
<td>PAC</td>
<td>Pan Africanist Congress</td>
</tr>
<tr>
<td>PMTCT</td>
<td>Prevention of Mother-to-Child Transmission</td>
</tr>
<tr>
<td>POWA</td>
<td>People Opposed to Women’s Abuse</td>
</tr>
<tr>
<td>RDP</td>
<td>Reconstruction and Development Programme</td>
</tr>
<tr>
<td>RNCS</td>
<td>Revised National Curriculum Statement</td>
</tr>
<tr>
<td>S.A.</td>
<td>South Africa</td>
</tr>
<tr>
<td>SABC</td>
<td>South African Broadcasting Corporation</td>
</tr>
<tr>
<td>SADC</td>
<td>Southern African Development Community</td>
</tr>
<tr>
<td>SADHS</td>
<td>South African Demographic and Health Survey</td>
</tr>
<tr>
<td>SAPS</td>
<td>South African Police Service</td>
</tr>
<tr>
<td>SARDC</td>
<td>Southern African Research and Documentation Centre</td>
</tr>
<tr>
<td>SOCA</td>
<td>Sexual Offenses and Community Affairs Unit</td>
</tr>
<tr>
<td>SDI</td>
<td>Spatial Development Initiatives</td>
</tr>
<tr>
<td>SIDA</td>
<td>Swedish International Development Cooperation Agency</td>
</tr>
<tr>
<td>StatsSA</td>
<td>Statistics South Africa</td>
</tr>
<tr>
<td>STD</td>
<td>Sexually Transmitted Disease</td>
</tr>
<tr>
<td>STI</td>
<td>Sexually Transmitted Infection</td>
</tr>
<tr>
<td>SWEAT</td>
<td>Sex Workers’ Education and Training</td>
</tr>
<tr>
<td>TAC</td>
<td>Treatment Action Campaign</td>
</tr>
<tr>
<td>TCC</td>
<td>Thuthuzela Care Centers</td>
</tr>
<tr>
<td>TLAC</td>
<td>Tshwaranang Legal Advocacy Centre</td>
</tr>
<tr>
<td>UIF</td>
<td>Unemployment Insurance Fund</td>
</tr>
<tr>
<td>UWC</td>
<td>University of the Western Cape</td>
</tr>
<tr>
<td>VCT</td>
<td>Voluntary Counselling and Testing</td>
</tr>
<tr>
<td>WEU</td>
<td>Women’s Empowerment Unit</td>
</tr>
<tr>
<td>WfW</td>
<td>Working for Water</td>
</tr>
<tr>
<td>WHO</td>
<td>World Health Organization</td>
</tr>
<tr>
<td>WIDSAA</td>
<td>Women in Development Southern Africa Awareness</td>
</tr>
<tr>
<td>WNC</td>
<td>Women’s National Coalition</td>
</tr>
<tr>
<td>ZAR</td>
<td>South African Rand</td>
</tr>
</tbody>
</table>
Executive Summary

1. Introduction

This gender profile focuses on the workings of the National Gender Machinery (NGM): the Office on the Status of Women (OSW), the Gender Focal Points (GFP) and Commission on Gender Equality (CGE), the Parliamentary Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Women (JMC) and the Non-Governmental Organisations (NGOs). The subject area was decided upon by a South African stakeholder meeting organised by the OSW. The stakeholder meeting also prioritised the area of Gender Based Violence (GBV) which the analysis takes into account. The provincial focus is on 3 provinces: Mpumalanga, the Western Cape and Gauteng.

2. Women’s Situation and the Work for Gender Equality

2.1 The majority led government of National Unity had in 1994 inherited a country in which gender disparities were deep, and women particularly in the black population faced many disadvantages and discriminations through apartheid, entrenched patriarchy and lack of basic social services. Even though the government has consistently supported gender equality, efforts to achieve women’s empowerment have yet to make a noticeable impact in the lives of the majority of women, particularly black rural women.

2.2 South Africa’s success in bringing about gender equality has perhaps been most visible in the area of politics and decision making, particularly in national parliament where in 2009 43% of MPs and 41% of cabinet ministers were women, and 5 of the 9 provincial premiers are women. Women’s representation in provincial parliaments also stood at 41% and in the private sector 18.6% of executive positions are held by women.

2.3 Gender gaps in education have been successfully tackled by the Government of South Africa. While in the lower grades gender equality has been reached, girls dominate in the higher grades and at university. Although women are still found principally in traditionally female dominated fields, they are beginning to enter previously male dominated fields in increasing numbers. This is the result of policies and programs to close gender gaps and prevent the drop out of girls. The drop out of boys in higher grades still needs to be recognised as a potential problem area.

2.4 Access to health services has greatly improved but is still very unequal, particularly in some rural areas, where up to 40% of women still give birth at home without skilled birth attendants. South Africa has the second highest number of people living with HIV and AIDS in the world, with women primarily affected due to poverty, predominant patriarchal values and rape. Interventions have, however, remained piecemeal and marred by controversies and misconceptions.

2.5 Unemployment figures were 10% higher for women in 2006, for example. Employment creation programs have had some success but need to be extended. In terms of self-employment women face greater problems in accessing bank loans, and economic empowerment strategies do not include black rural women. Social security services have greatly improved compared to the previous government. Measures including old age pensions, child support grants and care dependency grants benefit mostly women since they receive pensions earlier, are more likely to take care of their children or foster children of others. The electrification of homes has been successful, and more female than male-headed households benefit from government housing subsidies.
2.6 **Legal** provisions which impact on women’s rights include the Maintenance Act (1998) and Recognition of Customary Marriages Acts (1998), the Promotion of Equality and Unfair Discrimination Act (2000), the Domestic Violence and the Termination of Pregnancy Acts (1998 and 1996 respectively). Laws and initiatives against GBV are ambitious, including government run shelters and care centres, which offer integrated services. Services are however still lacking in rural areas and more emphasis is placed on treatment rather than prevention.

2.7 Although attempts have been made to reverse women’s landlessness through the land reform process, successes have been marginal. Laws are not consistently applied and knowledge about them is limited. Land restitution discriminates against women since they favour those who previously held land.

3. **NGM**

3.1 Lack of funds and adequately qualified staff and an overlap of mandates between the various arms of the NGM have been identified as challenges. The national **OSW** has lacked necessary resources and authority to fulfil its mandate of facilitating gender mainstreaming in government departments, liaising with NGOs and international bodies and monitoring progress in government departments. Little work has been done to facilitate and support GFPs in ministries. NGM partners, particularly NGOs, feel that OSW did not sufficiently inform and consult them. Communication with both NGOs and GFPs has remained *ad hoc*, lacking institutionalization that would allow partners to approach OSW. By comparison the provincial OSWs were shown to have closer links to stakeholders and the relatively larger number of implementing officers.

3.2 **GFPs** appear to have received little support from OSW and from their ministries. They also often fulfil more than one function and they are required to deal with both gender equality issues within the ministries and in programs. Few GFPs have been appointed at the level recommended in the national gender policy and some ministries and departments have not appointed gender focal points at all. The high turn-over of the civil service requires constant training and sensitization. Currently gender concerns are not adequately understood and lack attention. GFPs lack training in gender mainstreaming and do not have required qualifications/technical skills.

3.3 The **CGE** has been considered to be performing fairly well but has favoured public information and education over more important tasks such as acting as a watch dog of government and legislative performance on gender equality goals. The CGE is not sufficiently independent to demand accountability from government. While research and investigations are done at provincial level, the national CGE fails to take up identified problems with government. The CGE’s relationship to civil society is considered good, but could be improved as could their communication strategy with the public.

3.4 The **JMC** has had an important role in parliament in fast-tracking relevant legislation and following-up on gender budgeting exercises. Its efficiency has declined over time and its TOR overlaps with the mandate of the OSW which has not helped cooperation between the two bodies. Members of the committee appear not to be chosen according to qualifications and commitment.

3.5 Most **NGOs** are weak and urban based, and they either lack finance and capacity or fail to reach grassroots women and men. Moreover the women’s movement has neglected a change of social and cultural norms in favour of democratisation of the public sphere, resulting in an advanced constitution that is difficult to translate into practice due to deeply held patriarchal views even within civil society.
4. **The NGM in Action? Ending Gender-Based Violence**

The work against GBV in South Africa is based around the *16 Days of Activism against GBV* campaign which was converted into *365 Days of Action to End Violence against Women and Children in 2007* led by the Department of Justice and Constitutional Development, through the National Prosecuting Authority. The NGM has a very small role in the campaign which is not sufficiently focused on prevention. Lack of resources renders the campaign largely ineffective, and too few of the locally isolated events address the root causes of violence, such as a strong patriarchal culture. While South Africa is a forerunner in involving men in seeking solutions to GBV, it is largely NGOs that carry the work.

5. **Recommendations**

5.1 The recommendations call on the government to take stronger leadership in ensuring gender equality and to fast-track an action program with clear indicators and baseline data to facilitate monitoring. The new ministry needs to have enough authority and finance to be able to hold all layers of government accountable, to build capacity and coordinate. Relationships between the various players of the NGM and with civil society need to be institutionalised. GFPs need to be capacitated through training and support. In order for CGE to fulfil the important role of watchdog it needs to be truly independent. The role of the JMC in parliament should be reviewed and if retained, be given a clear mandate and have committed and capable members.

5.2 Recommendations to the AfDB suggest that gender equality be given a stronger focus in the Bank’s private sector operations in South Africa, that ESW should explore the need for financial products of poorer sections of the population which prominently includes women, and consider technical assistance to strengthen Gender Focal Points in ministries and the private sector/parastatals. South Africa’s experience in including men in the fight against GBV is worthy of being shared with other African countries.
1 Introduction

1.1 Background

1.1.1 This gender study is part of the African Development Bank’s (AfDB) work on promoting gender equality in its operations and in regional member countries (RMCs). Dialogue about an AfDB gender study, as part of the Bank’s current Country Strategy Paper (CSP), commenced with the Office of the Status of Women in 2007. As a result the South African National Gender Machinery for the Advancement of Women (NGM) met in October 2007 to take stock of their immediate research needs. The themes identified during the meeting included a review of the effectiveness of the NGM, the inclusion of men in gender-based violence interventions, and women’s access to basic services. The meeting prioritised the review of the NGM as the most urgent research need and requested the Bank to focus its study on this theme. Subsequently the Bank and the Government agreed on this focus taking men’s involvement in GBV activities as a sub-theme. The research for the study took place in May 2008.

1.1.2 The government of South Africa had during 2007 conducted a review of the implementation of gender equity policies since 1994. As a result of this endeavour the ANC discussed in December 2007 during the 52nd National Conference in Polokwane the establishment of a Ministry of Women. This led to a recommendation for an ANC led assessment of the instruments, strategies and programs on matters of women and to make recommendations on the form and content of institutional mechanisms to be put in place. This study links into this debate and results were made available to the government as inputs to a concept paper which was discussed by the NGM during February 2009.

1.1.3 Recommendations of the ANC led debate resulted in May 2009 in the establishment of a new Ministry of Women, Children, Youth and People with Disabilities (MWCYPD) to replace the Office of the Status of Women (OSW) in the Presidency. At the time of finalization of this report the position of the new Ministry and its precise mandate were not yet decided. Many of the issues that are discussed in this study with regard to the NGM are, while overcome by events, still valid as they point to a weakness in mainstreaming gender that will remain a pertinent challenge for the new Ministry.

1.2 Objectives

1.2.1 The main goals of this study are to review the functioning of the NGM as it existed from 1996 until April 2009 at all levels, to assess the effectiveness with which gender equity has been promoted, how attitudes towards women's empowerment and gender equity have been changed, whether monitoring and evaluation (M&E) systems have been created, and if gender mainstreaming has been successfully implemented in line ministries and other relevant institutions. It was agreed with OSW that the fight against GBV will be used as an example to examine the working and interaction of the NGM.

1.2.2 Beyond informing and assisting the Government of South Africa the study is also to inform Bank programs and projects in South Africa and to make sure that they address identified gender gaps and needs.

---

1.3 **Methodology**

1.3.1 This study is based on two approaches: (i) a desk review of relevant documents concerning women’s situation, gender mainstreaming and the NGM; and (ii) semi-structured interviews with a range of stakeholders. The study chose to focus on institutions and organisations working at national level and in two provinces, namely in Mpumalanga and the Western Cape. In addition a few organisations operating mainly in Gauteng have been included.

1.3.2 The provinces were chosen on the grounds of different characteristics, with Mpumalanga being rather poorer and dominated by a rural population and the Western Cape being more urban and more resourced. Moreover, Mpumalanga has a provincial OSW structure similar to the national one whereas the Western Cape decided on a “multipurpose” social issues directorate with no specific gender focus. Gauteng was chosen to allow for the inclusion of many national organisations, initiatives and NGOs which are located there.

1.3.3 Given the limited time for field work (four weeks) the range of stakeholders that were interviewed has been far from exhaustive. Relevant data on other provinces is quite limited and the description of the NGM presented in this report should not be taken as representing all provinces. Since the functioning of the NGM is the main focus of the study looking at two provinces only and assessing the fight against gender based violence it is limited in terms of offering a detailed discussion of the many achievements made by SA with regards to gender equality. However these achievements are acknowledged in the report.

1.3.4 The report has two main parts: (i) a review of the situation of women and the work done towards gender equality; and (ii) a review of the NGM as it was in May 2008 when the research took place based on interviews and preceding studies. The first part of this report relies largely on existing report, such as *Women in South Africa* (2005)\(^3\) and the *South African CEDAW Report* (2008). This is to date the most comprehensive and updated gender profile for South Africa. Other important documents are the Beijing +5 and Beijing +10 reports\(^4\) and the Country Gender Profile for South Africa\(^5\) (1998) commissioned by SIDA.

2. Women’s Situation and the Work for Gender Equality

2.1 **Gender Politics in South Africa**

2.1.1 It is important to remind oneself that after the 1994 election the new African National Congress (ANC) led government had an enormous challenge not only to correct racial injustice and unequal living conditions between White, Black, Indian and Coloured populations, but also to correct extensive and systematic gender inequality. The South African government had until 1994 consistently neglected women's rights and had done little to empower women economically and politically. The political and social system was profoundly patriarchal, privileging men in all areas. Black women were particularly affected, disempowered and neglected both in terms of skin colour and sex. The legal framework to protect or promote women’s rights was extremely weak and overshadowed by deep-seated patriarchal norms that accorded most power and voice to men. Access to education and health services was equally poor. Illiteracy was very high among black women and they suffered high mortality rates caused by diseases and pregnancy complications which could have easily been prevented or treated with access to primary health care and well equipped hospitals.

---

\(^3\) Hames et al., 2006

\(^4\) The Beijing Platform for Action: South Africa’s First (1999) and Second 2003 Progress Reports.

2.1.2 Throughout the 1980s the ANC Women’s League had been addressing gender equality concerns within ANC, work that culminated in an agreement in the ANC to institute a 30 per cent quota for women within the party.6 Once in government the ANC has consistently supported gender equality and the empowerment of women. South Africa has endorsed and ratified the Universal Declaration of Human Rights, the African Charter on Human Rights and Women's Rights, the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), the Beijing Platform for Action and the 1997 and 2008 Gender Declaration and Protocol by Heads of State of Government of the Southern African Development Community (SADC). A number of important laws, acts and bills relevant to protecting women’s rights have been passed. However, as we will show, indications are that the impact on the empowerment of women and the reduction of inequalities has been patchy and incomplete.

2.2 Politics and decision-making

2.2.1 Increasing the number of women in government and parliament has been a priority for the women’s movement. The ANC had since 1994 adopted a 30% quota for women in national and provincial parliaments and in February 2009 in advance of the April 2009 elections the NGM launched a 50/50 target in line with the SADC Protocol on Gender and Development which was adopted by the ANC only. Percentages of women parliamentarians in South Africa have been high and they increased in 2009. After the elections in 2009 women made up 44% of members of parliament (MPs), up from 33% to 41% of cabinet ministers, down from 42% under the President Mbeki and 43% under the transition government of President Motlanthe. Of the 14 ministries headed by women, at least eight are in non-traditional areas.

2.2.2 Female representation in Provincial Legislatures increased from 30% to 48% between 2004 and 2009. Considerable variation existed between provinces with Eastern Cape Limpopo parliaments having 52, 51 and 50% women MPs and Mpumalanga 41% only. The Free State was able to increase the percentage of women from 26% to 50% between the last two elections.7 At the local level the Municipality Act of 1998 stipulated parity of men and women on political party lists and ward committees. In 2005 women comprised 40% of all elected councillors. However women councillors still experience marginalisation by male colleagues.8

2.2.3 It has been demonstrated that even in a seemingly positive scenario such as South Africa, engendered processes of local level democratization and service delivery are difficult to achieve. This is partly due to the fact that traditional authorities and the customary laws they apply still prevail in rural areas in particular.9 Unfortunately this often means that gender equality goals are not accepted and promoted as they are seen to run counter to customary law. This has represented an obstacle to strengthening women’s representation and influence. In South Africa some chiefs are openly opposed to gender equality whereas others have just been slow in implementing the regulations and programs that would reduce inequality.10

2.2.4 During the early transitional period, government strategies regarding women’s representation in politics focused more strongly on political representation at the national level. Gender activists realized only much later that local level politics and administration is of strategic importance for advancing gender equality. The institutions that took up the issue of women’s representation in local government include the CGE, the Gender Advocacy Programme (GAP) and

---

9 Beall 2005: 10.
10 Beall 2005: 15.
2.2.5 A critical question is whether the number of women in parliament and other decision-making bodies leads to more progressive gender equality policies. Researchers have distinguished between participation in terms of just numbers of women and effective interest articulation and representation to make the ‘voice’ of women louder. Others define the distinction between women’s descriptive representation in terms of numbers and substantive representation in terms of the expression of women’s interests particularly in policy making. Although representation was not conceived as a goal in itself in South Africa, the focus on representative equality has dominated the discourse while less energy seems to have been turned towards implementation of policies that would effectively change the lives of the majority of women. In addition since many women activists entered parliament in 1994 and in subsequent years, the women’s movement was weakened.

2.2.6 Moreover, aspects of policy in which the relationship between women and men have to be addressed (for example, customary law and land rights) have been hard to define. Ultimately little redistribution of resources and power has happened in ways that have changed the structural forces on which women’s oppression rests. Instead elite women’s access to formal politics has been reinforced but has not yet translated clearly into policies that effectively address the substantial needs of poor women. Issues like GBV, women’s access to social services and to paid work have been dealt with in a piecemeal manner that has not had a satisfying impact on the majority. Some grants have with a certain success been targeting vulnerable groups such as single mothers and elderly women but still many women in precarious situations have not been reached by government programs.

2.3 Education

2.3.1 Whereas under the previous dispensation a large part of the black population did not receive any formal schooling, close to 98% of children are now going to school. The South African Schools Act (1996) made schooling for children between the ages of six (6) and fourteen (14) compulsory. The proportion of girls under 19 years attending school increased impressively from 21% to 66% between 1995 and 1999. In the years 2002-2006, 81% of the population aged 15-19 was attending school and the majority of the students were women (GHS 2006).

2.3.2 The heritage of the apartheid government era can still be seen in the percentage of adult illiteracy. According to the 2006 General Household Survey (GHS) 10.7% of the population aged 20 and above had no formal education. Gender differences are pronounced: among men aged 20 years and above 8.6% had no formal education, whereas among women 12.6% had no formal education. Black women have the lowest standard of formal education, with 20% of black women still lacking any formal schooling. In 2002 it was claimed that more women than men were attending basic adult education but data are disputed. Data on the portion of the adult population that has access to and benefits from this service are not available.

2.3.3 Specific measures aimed at facilitating the education of girls and women have been introduced. The Girls’ Education Movement (GEM) is a programme aimed at enhancing the school environment for girls and ensuring sustained access and retention. GEM is implemented through

---

12 Hassim, 2005a: 338.
school-based clubs which include boys as ‘strategic partners’ in gender transformation.\textsuperscript{16} Moreover, programmes aimed at increasing access and opportunities for girls in the areas of mathematics and science, which have been male dominated, also exist.

2.3.4 School drop-out rates are a serious concern for the authorities. For girls this is frequently explained by high rates of teenage pregnancies. In 2002, 12\% of teenage girls that were not in an educational institution reported pregnancy as the main reason, rising to 17\% in 2004 and declining to 14\% in 2006. Although demonstrating the important impact of early pregnancies, these numbers also show that only a minority of the girls leave school because of being pregnant. There are clearly many other factors contributing to the high drop-out figure. Among persons aged 7-24 years that were not attending an educational institution, lack of money for fees was the most common reason given for all ages. Lack of money is a more common reason for children in female-headed households than for children in male-headed households. Interviewees in Mpumalanga said that girls in rural areas have problems accessing school due to lack of safe transport.

2.3.5 The government has introduced some measures to prevent the high drop-out among girls. Legislation has been passed to ensure that pregnant girls are not forced out of school during pregnancy. There are now so-called “no-fee schools” which are classified according to the socio-economic status of the communities from which the learners come. It is thus schools and not individual learners who are assessed to be poor. Individual learners who are considered poor are exempt from paying school fees. Another measure is the school nutrition programme encouraging school attendance especially among the poorest by providing at least one meal a day. Free transport is offered to learners who live far from schools, benefiting children who live in remote areas and on farms.

2.3.6 Little attention has been paid to the fact that drop-out rates are higher among boys. A study in 2003 concluded that while boys make up the bulk of enrolments in the lower grades by 1-2 percentage points, girls dominate from grade 5 upwards until they make up 55\% of enrolments in grade 12.\textsuperscript{17} In 2006 for example female learners were in the minority in Grades 1 to 8 while they dominated in Pre-Grade 1 and Grades 9 to 12 (54.5\% in Grade 12).\textsuperscript{18} An explanation put forward is that it is easier for boys to find work even as unskilled labourers. A historic factor and a heritage from the apartheid era is that boys were more involved in the political activism and they joined the ranks of the migrant workers more frequently than girls. The high drop-out rates for boys should be a matter of greater concern however. It may cause a future lack of educated men who are qualified for a range of professions resulting in reversed gender inequality. In the longer term this can lead to an increased level of frustration among men if women, due to higher education levels, are being better integrated in the labour force, having better salaries and generally a higher socio-economic status.\textsuperscript{19} Moreover, it is important to keep young men in school to keep them away from criminality and to be able to reach them with teaching about gender equality and human rights. One of the factors contributing to drop-outs among male learners may be the fact that 75\% of the educators in primary school are women. Having positive male models among educators can contribute to motivate boys to stay in school. Women make up 74\% of teachers in primary school, but only 1.2\% of female educators are managers compared to 2.7\% of the male educators.

\textit{Gender and curriculum review}

\begin{itemize}
\item \textsuperscript{16} http://www.unicef.org/southafrica/education_3712.html
\item \textsuperscript{17} http://www.sahistory.org.za/pages/governance-projects/women’s struggle/girl.htm
\item \textsuperscript{18} http://www.education.gov.za/emis/emisweb/06stats/daddy.pdf
\item \textsuperscript{19} A similar view is put forward by APRM (2007:266-7): “the apartheid legacy leaves behind a social structure where many women perform better in schools and are well integrated in the labour force. Men, on the other hand, have lacked the requisite support to deal with these changes. This has promoted domestic violence in the country”.
\end{itemize}
2.3.7 Several provincial CGE offices have undertaken a review of the school curriculum to establish if it is gender-sensitive and used as a vehicle to attain gender equality. KwaZulu-Natal for example has projects in place to help educators implement and manage a more gender sensitive curriculum but gender was treated on an *ad hoc* basis in teacher training.\(^{20}\) During our interviews with staff in departments of education we have not been able to identity programs for awareness raising and sensitization on gender equality in school. A module for educators was developed in 2001 as part of a 5-year partnership between the Department of Education, McGill University and CIDA. A training module designed to be used at school and district level targeting teachers, school management and school governing bodies was developed. After an initial phase the training elements of the module including interactive workshops have not been continued. In 2006 it was noted simply that the module “has been distributed to schools”.\(^{21}\) Consequently very few educators have benefited from practical training. Gender equality clearly has not been a major consideration in curriculum reform.

**Gender perspectives on violence in schools**

2.3.8 The high levels of violence in South African society is reflected in high levels of violence and abuse in schools committed by learners, educators and community members. The levels of violence were obscured because figures have been based on educators’ and managers’ reports. Educators are not likely to report violence if they are perpetrators and they may hesitate to report violence committed by others to avoid their schools being labelled as violent or badly managed. A Centre for Justice and Crime Prevention survey conducted in 2007 found that 15.3% of learners in secondary and primary school had experienced at least one violent incident (assault, sexual violence, robbery or threats of violence) in the 12 months prior to the survey. This extrapolates to 1.8 million learners in South African schools who have been victims of violence while at school.\(^{22}\)

2.3.9 Gender differences are less pronounced than expected with data showing similar likelihoods for girls and boys to be shouted at, made to feel ashamed or threatened with harm while at school. Similarly, assault is as likely to occur to boys (7.4%) as to girls (7.7%). The most surprising finding is that male learners are more likely than female learners to report incidents of sexual assault at primary school level (2.5% of boys as opposed to 0.2% of girls). At secondary schools female learners are statistically more likely than male learners to be victims of sexual violence with 4.8% of girls reporting such instances as opposed to 1.4% of boys.

2.3.10 Despite the widespread incidence South Africa has no strong nation-wide program to address violence in schools. As reported by CGE in KwaZulu-Natal gender equality is taught ad hoc and is likely not to have a substantial impact on attitudes and behaviour. To prevent violence and to stop children who are at risk of developing a pattern of deviant and violent behaviour it is necessary to act strongly and consistently as early as possible. The only program addressing violence in schools at a practical level has been the Safe Schools Programme, which was officially launched in early 2008. Since its start 585 schools have been chosen to become models of safe schools and they were provided with support towards ensuring safety, including fencing around the schools, gates, security guards, lighting, as well as the provision of relevant training programmes targeted at management and learners.

---

\(^{20}\) CGE, 2007  
\(^{22}\) Burton, 2008.
2.4 Health

2.4.1 Life expectancy at birth in South Africa is comparable to many low-income countries: in 2005 it was 50 years for men and 52 years for women. From 1992 to 2003 life expectancy was reduced by 12 years in females and 14 years in males, a reduction that is mainly attributed to the HIV and AIDS epidemic. The government has put considerable resources into improving access to health services. Free health care has been introduced for pregnant women and children under the age of five. Major challenges remain including prominently staff shortages due both to brain-drain and AIDS, and insufficient capacity for training. Access to health services is also still not satisfactory in rural areas. Poor women are particularly affected by long distances to clinics and associated transport costs since they generally have lower salaries, are more frequently unemployed and have less access to transport than men. Mobile and community clinics offer only irregular and inferior services.

HIV and AIDS

2.4.2 In 2008 South Africa had the largest number of people living with HIV (5.5 to 6.5 million people). The official national HIV and AIDS prevalence was reported to be 11%. However, in 2003 some 28% of women coming to antenatal care (where they are tested) were HIV positive, and it has been estimated that as many as 18.8% of all South Africans between the ages of 15 and 49 years were infected in 2008. HIV and AIDS is unequally distributed and black and poor people and women are the most affected. In 2008 women were estimated to account for 54% of all HIV positive people. High levels of rape and domestic violence make women more vulnerable at the same time as poverty makes them dependent on men and therefore less able to negotiate safe sex. The most commonly used strategy to address HIV and AIDS is the ABC (Abstain, Be faithful, Condomise) campaign. It has been noted that this approach is often unlikely to enable people, and particularly women, to make choices reducing their health risks because it is neglecting the socio-economic contexts in which choices are made. For instance, abstaining from sex is often difficult for younger women as they suffer from peer pressure and are exposed to prevalent sexual abuse, and they face the economic pressure to engage in transactional sex with older partners. Similar problems arise with being faithful since using condoms is not always acceptable in relationships, leaving female partners particularly vulnerable to the effects of promiscuity.

2.4.3 Because women are more vulnerable to HIV infection HIV is still seen by many as a “women’s problem”. As a consequence women more frequently go for HIV tests, especially pregnant women as part of their antenatal care, whereas men are less often in situations where they would need to make a decision to test. There are continuous and numerous controversies and debates around HIV and AIDS in South Africa resulting in misconceptions and misunderstandings, especially with regards to the various aspects of the epidemic such as the epidemiology of the disease, prevention, treatment and management. This context makes the work to improve access to sexual education and treatment and use of condoms extremely challenging.

Reproductive health

2.4.4 South African women have relatively good access to fertility control services and antenatal care. For 92% of the births in the period 2000-2006 there was a skilled attendant at delivery. However, the national figures hide deep inequalities, with over 40% of very poor women in the

23 South Africa’s Human Development Index 2005.  
24 Kahn et al., 2007.  
26 CEDAW Report, 2008  
27 CEDAW Report, 2008  
28 CEDAW Report, 2008
rural Eastern Cape, for example, which is one of the poorest provinces in the country, giving birth at home and without skilled attendance. Maternal mortality rates also rest alarmingly high. Estimates drawn from the census data vary between 150 and 400 deaths for 100 000 live births, similar to Sudan and Eritrea. By comparison, industrialised countries had reached ratios of 20 to 30 deaths per 100 000 live births by 1960.

2.4.5 The exact contribution of HIV and AIDS to maternal mortality is not known but HIV infection in pregnancy increases the risk of obstetric complications. Moreover, in 1998 more than 90% of South African women dying during pregnancy or birth were dying in hospitals. This is a much higher percentage than in other countries. Studies and reports on the causes of maternal mortality are lacking. Maternal death is also still not considered a matter of human rights despite the government’s emphasis on women’s rights. Recognizing that high maternal mortality rates are due to women’s poverty, low status and lack of access to quality services should push the government to having a more comprehensive policy for reducing maternal mortality and improving maternal health.

2.4.6 The Choice of Termination of Pregnancy Act (1996) allows all women access to termination of pregnancy under certain circumstances. Among African countries only Tunisia has a similarly liberal law. Access is still a problem for the poor due both to distances and availability given that termination of pregnancy services are only available in certain health facilities. Whereas women’s organisations were successful in mobilising and lobbying for the Act, they have put less effort into the fight for the realisation of reproductive rights through access to services for safe pregnancy and emergency obstetric care.

2.5 Employment and economic resources

2.5.1 In spite of economic growth since 1994 the country has a very high unemployment rate. In 2005 the unemployment rate among black women was 53% in contrast to an aggregate rate of 39% and an aggregate female rate of 47%. According to the GHS, the unemployment rate declined from 30.5% in July 2003 to 27.5% in July 2005, but then increased slightly to 28.6% in 2006. Women tend to be unemployed at a higher rate when compared to men. Moreover, many women are doing unpaid work such as being care givers in the home, which is not recognised as employment. Women are also commonly found in particular informal sectors such as street hawking which is not considered as employment in statistics.

2.5.2 In the formal employment sector a majority of black women work jobs with low status and low salaries. In 2003 some 64% of black women earned less than ZAR 1000 per month and 81% less than ZAR 2500 compared to 3% and 11% of white men. In the public sector women made up 34% of those in senior management, while in the private sector women in executive positions went up from 14.7% to 18.6% between 2004 and 2009. At the same time South African private

---

31 Ronsmans and Graham, 2006.
32 Ronsmans and Graham, 2006.
33 Hames et al, 2006.
34 In 2007, those categorized as Blacks were estimated to make up 79.7% of the total population while populations categorized as Whites made up 9.1%, Coloureds 8.8% and Indian/Asians 2.4%.
35 CEDAW Report, 2008
36 Mokgope, 2008.
businesses were found to employ more women in senior management than do their global counterparts: 28% against 24% globally.38

2.5.3 Job creation initiatives such as the Extended Public Works Programme (EPWP) have been introduced in all provinces. The EPWP aims to facilitate and create employment opportunities for the poor and vulnerable through ensuring that labour-intensive methods are used in government service-delivery programmes in all sectors. The programme also provides on-the-job training to participants so that they will be better equipped to find permanent employment afterwards, thus addressing poverty in both the short and long term.

2.5.4 The EPWP has a target of creating one million jobs, at least 40% of which should benefit women, between 2004 and 2009. By June 2006, the EPWP had surpassed this target across its four intervention sectors with 52% of the EPWP beneficiaries being female. KwaZulu-Natal, one of the poorest provinces where a majority of poor rural women reside, had the highest number of female beneficiaries in the whole country (62%).39 The Working for Water (WfW) Programme established in 1995 in the Department of Water Affairs and Forestry40 is aimed at work creation through clearing invasive alien plants which impact negatively on indigenous biodiversity and local livelihoods. The programme aims at employing 60% women, and had in the 2005/6 year reached 52% women beneficiaries in the most marginalised sectors of society. The Working on Fire Programme which targets fire management was put in place in 2004 and has reached a participation rate of 26% women, up from almost zero.

2.5.5 Access to credit and bank services remains a major obstacle for improving the economic situation of poor South Africans in general and women in particular. It has been estimated that almost half the South African population is excluded from formal banking. Only 2.9% of women entrepreneurs received assistance from a commercial bank.41 Instead women rely heavily on saving circles or *stokvels*, government grants and borrowing from (often illegal and/or traditional) moneylenders. The Department of Trade and Industry has been heading efforts to create an enabling environment for women entrepreneurs and has developed policies for integrating women in trade and small and medium enterprises. The Black Economic Empowerment (BEE) strategy is gender sensitive and has enabled some women to set up enterprises, participate in boards and access management levels.42 But again, these initiatives are generally not reaching poor rural communities.

2.5.6 In 2000 it was estimated that 11% of the population was living on less than USD 1 a day. Poverty is moreover clearly gendered and is more prevalent among women. Over the period 2002 to 2006, the percentage of households in which an adult went hungry declined from 7% to 2.5%. The percentage of female-headed households in which an adult went hungry was 3.3% whereas the corresponding percentage for male headed households was 2%. Similarly, in 3.4% of female-headed households, children went hungry against 1.6% for male-headed households.43

2.5.7 The Maintenance Act in 1998 seeks to reduce gendered economic inequality. Fathers who are not supporting their children and former partners are causing much suffering. The government appointed maintenance investigators to track defaulting parents and enabling courts to make

---

38 Wilson, Nick, ‘South Africa: Private Sector Top ranking for Number of Women in management Positions.’ *Businessday*, 3 April 2009.
39 Mokgope, 2008: 19
40 For information about the programme, see http://www.dwaf.gov.za/wfw/.
41 Commercial banks don’t mostly lend to entrepreneurs as some of these ventures are considered to be very risky, instead they tend to fund bigger ventures, acquisitions, etc.
42 Hames et al., 2006.
43 GHS 2006.
maintenance orders in absence of and on behalf of respondents. However women needing help often meet obstacles in the form of suspicions about spending the money on themselves rather than the children, low capacity and lack of personnel, and the low maintenance awards.

2.6 Social security and social services

2.6.1 Since coming into government the ANC led government has set up several programmes to help women out of the most extreme poverty including pensions and social grants as well as programmes for improved access to quality housing, clean water and electricity. The 2009 budget acknowledges the effects of the global economic crisis on the South African economy and includes protection of the poor into its five guiding principles and increased the budget for social grants by ZAR 13.2 billion.

2.6.2 The State Old Pensions have been amongst the central measures for poverty alleviation and the uptake rate among black respondents is 90%. On average, women have accounted for 75% of the beneficiaries since they qualified at the age of 60 years, whereas men qualified at 65 years. Since 2009 eligibility has been lowered to 60 years for men also. However since one of the eligibility criteria are income and asset based, women have been and are expected to remain more often eligible for the pension because they are poorer. In 2008 the pension amounted to ZAR 960 raised in the 2009 budget to ZAR 1010.

2.5.3 The Child Support Grant has also been targeting poor women. The age ceiling of eligible children has gradually been increased from six years in 2002 to 15 years in 2009, with plans to increase it to 18 years of age eventually. In 2008 the grant was raised to ZAR 230. As the primary caregivers of young children women are the main beneficiaries. The grant has been subject to criticism since women are reportedly having children (or have “borrowed” children), just to be eligible making them more dependent on financial help from the state. The grant is limited to 6 children per family which can be a problem especially in rural areas where older women take care of grandchildren from different parents who are migrating, sick or deceased with HIV and AIDS. Young, childless women are not eligible for grants, often depending on support from a male relative or partner, exposed to exploitation in the informal sector, or forced into transactional sex with older partners. It is disproportionately more difficult for rural dwellers to qualify for child support grants since the eligible income bracket is much lower. Other social grants include the Foster Child, Care Dependency and Disability Grants.

2.5.4 A 2005 progress report on the MDGs estimated that social grants were crucial as safety nets against extreme poverty and more successful in targeting the poorest households compared to the public works initiatives (discussed in chapter 3.4). However, monitoring of the poverty reduction programmes is generally weak and the impact on the lives of poor men and women is uncertain. However, in 2008 Statistics SA concluded that social grants and taxes have reduced the Gini coefficient from 0.80 to 0.72.46

2.5.5 Improving access to clean and safe water, proper sanitation facilities and electricity have been a priority for the government and have lead to important achievements. Since 1994 over 435 000 homes have been electrified each year.47 Women’s organizations have focused extensively on women’s needs for housing, infrastructure and services, and have succeeded in inserting a distributive agenda into local politics.48 Nationally, there has been a steady increase in the

---

44 Gender equity in eligibility for old age pensions is planned to be reached by 2010.
46 CEDAW Report, 2008
48 Beall, 2005.
percentage of households that receive a government housing subsidy – from 5.6% in 2002 to 9.5% in 2006. A larger percentage of female-headed households benefit from the program compared to male-headed households (12% and 9% respectively). However, limited resources and the expanding responsibilities for service delivery have forced local councils to recover costs through service charges. The impact has been devastating on many poor urban residents. Punishment for non-payment is the cut-off of services that affect individual households or even whole communities. Recently it was decided that councils should provide free services for households with monthly incomes under ZAR 800.

2.5.6 The subsidies and grants have created a certain degree of dependency. It is crucial for sustainable poverty reduction and for the empowerment of women that grants are accompanied by empowerment measures enabling both beneficiaries and those who are not eligible to become self-reliant.

2.7 Law, justice and safety

2.7.1 The Constitution of the Republic of South Africa, Act 108 of 1996 has been acclaimed as one of the world’s most progressive constitutions, which asserts that the democratic state is founded on the values of human dignity, the achievement of equality, the advancement of human rights and freedoms, non-racism and non-sexism. The constitution contains several provisions that advance gender equality. Amongst these is the Equality Clause in the Bill of Rights, which notes that everyone is equal before the law and has the right to equal protection and benefit of the law and that the state and no person, may unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

2.7.2 The Maintenance Act 99 (1998) allows the court to order an employer to deduct maintenance from the salary of the father. It allows the court to appoint maintenance officers who can trace the whereabouts of the father, serve documents and to gather information on the financial position of both parties (see chapter 3.4). The Recognition of Customary Marriages Act 120 (1998) abolishes the minority status of women married under customary law and the marital power of husbands as guardians. The Act recognises a customary marriage as legal which is important for the majority of poor black women who are married under customary law.

2.7.3 The Promotion of Equality and Prevention of Unfair Discrimination Act 4 (2000) seeks to prevent and prohibit unfair discrimination and provides for redress for discrimination. The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 (2007) is aimed at clamping down on sexual abuse of children by adults and contains measures outlawing trafficking for purposes of sexual exploitation. The new definition of rape allows for men and boys to bring rape charges against perpetrators. The act also includes sexual exploitation through the creation and display of and exposure to child pornography and criminalises the compelled witnessing of certain sexual acts and certain parts of the human body.

Gender based violence: the law and the policy

2.7.4 South Africa has the sad reputation of being one of the most violent countries in the world. Particularly relevant for this study is domestic and sexual violence. Domestic violence is pervasive and includes physical, sexual, emotional, and verbal abuse, as well as harassment and stalking by former partners. The Domestic Violence Act of 1998 (DVA) facilitates the serving of protection orders on abusers, requires the police to take victims to a place of safety, and allows

49 Hassim 2004: 12
police to seize firearms at the scene and to arrest abusers without a warrant. Violating a protection order is punishable with a prison sentence of up to five years, or 20 years if additional criminal charges are brought. Paucity of reliable data on the extent of GBV is a problem. According to statistics from the South African Police Service (SAPS) the national ratio for rape is at 118.3 per 100 000 of the population. The highest ratio is found in Northern Cape at 173.3. In 2006/7 a total of 52,617 rapes were reported to the police. However, various sources believe that the actual number of rapes is at least twice to nine times as high. According to NGOs, an estimated 25 percent of women are in abusive relationships.

2.7.5 The government has adopted a multi-faceted and integrated approach to raise awareness and improve service delivery to combat violence against women but faces substantial problems in implementing them. The impact of the Domestic Violence Act has been limited due to lack of coordination, support systems for victims, resources at courts and police stations and pervasive patriarchal values. The Department of Justice and Constitutional Development has also failed to develop an adequate approach to assessing court performance with regard to GBV.51

2.7.6 The government finances shelters for victims of GBV, with the Department of Social Development as the lead department responsible for coordination and facilitation. The shelters offer a range of services for the victims such as residential facilities, food and clothing, protection and counselling and skills development services such as building the capacity and skills of victims and raising their awareness about victim rights. In 2005 the 86 shelters nationally were concentrated in urban areas discriminating against provinces with significant rural populations: North-Western Province, for example had two shelters only while Gauteng and the Western Cape had 24 and 19 shelters respectively. It can be argued that this imbalance is due to the fact that more urbanised provinces have a larger concentration of population and therefore GBV incidences, but the need for such services is much more acute in rural areas given the lack of awareness and the absence of alternative services.

2.7.7 The South African Police Service (SAPS) has converted 66 Child Protection Units to Family Violence, Child Protection, and Sexual Offences Units (FCS). The government operates 62 sexual offences courts throughout the country which offer designated waiting rooms and counselling for victims. Although judges generally follow statutory sentencing guidelines in rape cases, women's advocacy groups occasionally criticize them for using criteria such as the victim's behaviour or relationship to the rapist as a basis for imposing lighter sentences.52

2.7.8 The Department of Justice and Constitutional Development, through its Directorate, the National Prosecuting Authority’s (NPA's) Sexual Offences and Community Affairs Unit (SOCA) operates 10 Thuthuzela (“Comfort”) Care Centers (TCC), which are specialized in rape care management. The key objective of the TCCs is to offer assistance to victims of rape in a holistic manner irrespective of age and gender. Existing investigative, prosecutorial, medical, and psychological services are coordinated and located in one building. TCCs cooperate with women NGOs specialised in domestic violence and child abuse to offer an even more inclusive centralised service. Seven more TCCs are planned for 2008. SOCA plans to establish 80 TCCs by 2010. The model has been recognised as a “good practice” by the UN and been replicated in Chile. TCCs are all in urban areas, discriminating against rural areas where services generally lack.

51 Vetten, , 2005: 8.
2.8 Land and property

2.8.1 Post-apartheid South Africa embarked on a market-driven programme of land reform which has been outlined in a White Paper (1997). The programme is to redress the injustices of a grossly skewed land distribution system and to establish tenure security for all. Perhaps the most radical component of the programme is the explicit policy commitment to gender equality by targeting women as a major category of beneficiaries based on the realization that rural women have been systematically excluded from access to and control over land.

2.8.2 The reform programme has three main components, namely land redistribution, tenure reform and land restitution. Land redistribution is to provide the disadvantaged with access to land for productive and residential purposes largely through transfer of cash grants to purchase land on the market. Early on the programme faced problems with regard to gender equality because households were used as units of grant allocation and single women complained about not being considered. According to the Department of Land Affairs patriarchal assumptions about ‘normal’ households influenced grant eligibility.

2.8.3 Land tenure reform is potentially very important for women in that it is likely to secure them rights to land independent of their husbands and families, and freeing them from their dependency on male family members and the power of the chief to allocate land. Customary practice has prevented women from holding land and has been a main stumbling block in the land tenure reform since traditional authorities have resented the decline in control over land they exercise. Many still refuse to grant women tenure.

2.8.4 Restitution seeks to restore land to previous owners who had land taken away from them without adequate compensation. Restitution addresses land rights in a period when rights were already operating in an unequal environment. As such there is a tension between the commitment to gender equality and the commitment to restore land rights to those who formerly held them, which are overwhelmingly men. Some women have benefited through restitution as part of communities or as descendants of former claim holders. In reality little land has been transferred to women and land restitution has often meant that men regain control of land instead of it being redistributed to women.

2.8.5 The land reform programme has thus not been entirely successful in terms of achieving the main objective of ensuring the even distribution of land to those who did not have land, whether women or black people. It has been estimated by the SA Human Rights Commission in its submission to the Portfolio Committee for Agricultural and Land Affairs that by end 2004 only 2% of agricultural land had been redistributed. Furthermore, even for communities who are claiming land under the restitution programmes, the process is very long, with some cases still unresolved to this day. In 2000 the National Land Committee (NLC), an NGO working on land rights and focusing on gender equality, estimated that female-headed households only represented 14% of the land redistribution beneficiaries.

2.8.6 The Land Redistribution for Agricultural Development Programme is designed to provide grants for the acquisition of land, land improvements, infrastructure investments, capital assets and short-term agricultural inputs to black South African citizens (Africans, Coloureds, and Indians) to access land specifically for agricultural purposes, or to make better use of land already accessed (e.g., in communal areas). Beneficiaries have to make a minimum contribution in cash, labour

---

53 This excludes the land in former self-governing states and homelands which are used by black farmers and communities and comprises 13% of South Africa’s land. Not all of this land is agricultural land however.
and/or kind. Since adult individuals can apply for grants in their own right, rather than as members of households, women can apply for grants in their own right.

2.8.7 Lack of comprehensive policies to address the many gendered layers of poverty is very evident in the land reform process. Lack of organisation of women in rural areas has hindered the application of provisions. As is discussed below, rural women have not been able to organize and to raise a strong voice about their needs and concerns to be heard at central levels.

3 The National Gender Machinery

3.1 Background

3.1.1 South Africa’s NGM consisted until May 2009 of the following elements

- The Office on the Status of Women (OSW) is situated in the Office of the Presidency at national level and in the Office of the Premiers at provincial level. Gender Focal Units or Points in government departments also exist at both national and provincial level, and are coordinated by OSW.
- The CGE is an independent body and constituted as one of the six state institutions listed in Chapter 9 of the South African Constitution. The CGE also has provincial offices.
- The Parliamentary Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Women (JMC) comprises members from the National Assembly and members from the National Council of Provinces (NCOP).
- Finally, gender focused NGOs are also seen as forming part of the NGM.

In May 2009 a Ministry of Women, Children, Youth and the Disabled was established. No details about the ministry were available in June 2009 when the study was finalized.

3.1.2 Discussions about the NGM which begun in 1990 has always been lively and at times controversial. Stakeholders agreed before the 1994 election that an ANC government would absorb many women activists and move them into the institutional arena of politics where their relationship to the state had to be redefined. It was therefore crucial to get the institutions to carry gender mainstreaming right in order to consolidate the gains made earlier. Broad agreement existed that a sole women’s department or ministry should be avoided on account of the marginalization such structures had experienced in neighbouring countries. The adopted model was meant to fan strategically through government, legislature, independent bodies and civil society, including the provinces. It sought to create a number of entry points designed to avoid any one element being marginalised and to allow each structure to fill a particular niche.

3.1.3 Confusion over the mandates of provincial and national offices of the OSW and the CGE existed initially because the gender policy framework which defined the roles of the arms of the NGM, was adopted only five years later. Moreover, the CGE had been included in the constitution in the last minute and with little prior consultation. Initially the CGE was, for example, interpreted as being part of civil society. The NGM institutions also all suffered from lack of financial and human resources. OSW had planned to have an executive staff of six but had only two staff when it was established in 1997. The CGE had an initial budget of only ZAR 2 million which hardly paid the commissioners salaries and expenses, and left no resources to run projects and programs. The Human Rights Commission, by contrast, was allocated an initial budget of ZAR 27 million. In 2005 the CGE budget had increased to ZAR22 million, three quarters of which were spent on

54 Albertyn, 1996; Gouws 1996
55 Geisler, 2004: 139.
personnel costs and general expenditure.\textsuperscript{56} This was still roughly half of the budgetary allocation of the Human Rights Commission in the same year.\textsuperscript{57} In 2008 the CGE presented a Strategic Plan 2008-2012 which suggested the work programme required yearly budgetary allocations of between ZAR 83 million and 108 million.\textsuperscript{58}

3.1.4 The establishment of the new Ministry in 2009 has caused negative reactions among gender activists. They raised concerns about the fact that the Ministry would deal with women, youth, children and the disabled rather than with women only and that it associated women with children and youth; men groups have questioned if they had a place in the new ministry of women, others still have raised concerns about the apparent lack of consultation with NGOs. The appointment of a former trade union leader as minister has however been generally hailed.\textsuperscript{59} The new ministry is to be tasked to advocate women’s rights, provide leadership in domesticking international conventions, lead policy formulation and legislative development and coordinate gender programs and strategies.\textsuperscript{60} It was described by the outgoing Minister in the Presidency as “an opportunity for women to find a mechanism that will truly address their challenges” and as such it will have to solve many of the problems that OSW has faced.

3.2 Office of the Status of Women

National Level OSW
3.2.1 The OSW was established in early 1997 and until 2009 resided in the President’s Office. It was placed within the Chief Directorate of Programmes which oversees the OSW, the Office on the Status of Disabled Persons (OSDP) and the Office on the Rights of the Child (ORC). OSW has had a number of staff changes over the years and had a completely new complement of staff in July 2007.\textsuperscript{61} In May 2008 OSW was staffed with one director, three deputy directors and one administrator, somewhat closer to the staff numbers planned at inception. The main task of OSW was the promotion of gender mainstreaming in government departments through facilitating, training, monitoring, implementing and liaising with civil society and international bodies.

3.2.2 One of the major responsibilities of the OSW has been the preparation and finalisation of the national gender policy framework “South Africa’s National Policy Framework for Women’s Empowerment and Gender Equality” which was adopted in April 2002. OSW was also mandated to prepare the Beijing+5, Beijing+10 and CEDAW 1997 and 2008 reports. These tasks have taken up a large part of the office’s time. Critics have suggested that it appears as if reporting to international bodies was the only function of OSW.

3.2.3 Another important function of the OSW was working with ministries, departments and provinces through gender focal points in mainstreaming gender in policies, practices and programmes. This also included initiating training in gender analysis and sensitisation. Most GFPs have, however, not received training in gender analysis or mainstreaming through either their ministries or OSW. Furthermore, they generally complain about the lack of information flow from OSW and therefore tend not to know what is on the agenda at the presidency. OSW officers have themselves noted that they have limited resources, both in terms of internal technical expertise and financial resources, which hinder the fulfilment of their mandate towards GFPs. Indeed, the OSW

\textsuperscript{58} www.cge.org.za
\textsuperscript{60} Khumalo, Gaby, ‘South Africa: gender Machinery Proposes Ministry for Women, BuaNews (Tshwane), 2 February 2009, www.allafrica.com/stories/printable/200902021377
Annual Report 2007 indicated very few activities related to facilitating gender mainstreaming in government departments through training, monitoring and information sharing. Many more activities were related to reporting and to participation in and hosting of meetings external to the ministries and departments.62

**Box 1: Functions of the OSW**

- to advance a national policy on women’s empowerment and gender equality;
- to initiate policy and action-oriented research relevant to gender mainstreaming;
- to advise and brief the President on all matters pertaining to the empowerment of women;
- to liaise between NGOs and international bodies and the Presidency;
- to assist ministries, departments, provinces in mainstreaming gender;
- to develop key indicators for measuring the national progression towards gender equality;
- to arrange for training in gender analysis and gender sensitisation;
- to initiate and promote cross-sectoral action on cross cutting issues such as GBV; and
- to provide co-ordination at the national, provincial and local government levels.

3.2.4 OSW failed to develop a system to monitor mainstreaming activities in government departments. *Ad hoc* project specific indicators were used in conjunction with indicators designed by international and regional monitoring bodies. South Africa was one of the 12 countries that formed the pilot of the United Nations Economic Commission for Africa’s (UNECA) African Gender and Development Index (AGDI) for example. In addition a government monitoring and evaluation system which covers all levels contains a few gender relevant indicators. All these efforts are not sufficiently integrated, institutionalised and rigorously used. This has meant that the OSW has largely been unable to coordinate gender mainstreaming activities in ministries and departments.

3.2.5 OSWs mandate to link and consult with NGOs and civil society was also not sufficiently followed since the target group feels not sufficiently included in debates and processes regarding gender equality work in government. There were only few opportunities to discuss with OSW when they were in need of advice or information. NGOs also complained that OSW did not cover transport costs of NGOs when attending meetings of OSW. OSW however lacked budgetary allocations to accommodate these expectations leading to misunderstandings. NGOs and the labour movement feel that the working relationship with OSW was largely *ad hoc* and initiated by OSW. Working relations were not institutionalised and NGOs and civil society had few or no opportunities to initiate meetings with OSW themselves. Many organisations felt unable to hold the office accountable. Similar experiences had already been recorded in a Gender Advocacy Programme (GAP) study in 2000 which recorded lack of knowledge and communication between NGOs and OSW. Community activists which GAP included in their survey lacked knowledge of the existence of the OSW altogether.63

3.2.6 OSW’s main challenge was the office’s lack of authority vis-à-vis its main stakeholders, namely national and provincial GFP and provincial OSW, who were first and foremost accountable to their ministries/departments and provincial governments. As a result reporting to OSW suffered as a priority. In addition and exacerbating OSW’s lack of authority was that the head of OSW was appointed at director level, while the departments she dealt with were appointed at higher levels. Thus OSW received reports from the provinces in a round-about manner via provincial government input into national government which then trickle to OSW if relevant. Even though OSW was mandated to request reports from stakeholders, the office relied heavily on voluntary cooperation. OSW was therefore concerned about the lack of cooperation among the four components of the NGM. While it was recognised that OSW was the coordinating component of the NGM and


63 GAP, 2000: 22.
leadership was expected from its members, the necessary support and cooperation was often withheld while OSW suffered from a lack of resources and authority to not just demand cooperation, but also offer support to the other elements of the NGM structure.

**Provincial OSWs**

3.2.7 There are significant differences with regards to how provincial and national OSW operated. While the national OSW focused on the country as a whole, provincial OSWs were geographically focused, and therefore able to have more in-depth dealings with specific stakeholders and issues. This in turn might have been misinterpreted as a lack of involvement, commitment and interest on the part of national OSW staff. Seven of the nine provinces had an OSW. Western Cape and Gauteng chose another model. In 2006/2007 KwaZuluNatal was the only province with a provincial OSW headed by a director. The rest were headed by deputy directors. Some of the provincial OSWs have been more proactive in linking with civil society, building partnerships and initiating projects. OSW Western Cape chose in 2006 to integrate into a larger directorate, named Social Dialogue and Human Rights.

3.2.8 The OSW in **Mpumalanga** was in May 2008 staffed with six persons: one deputy director, three assistant directors, one chief community liaison officer and one senior administrator. The office was working both with mainstreaming gender in policies and programmes as well as with gender equality in human resources within provincial departments. The Assistant Director responsible for monitoring and evaluation identified activities that would benefit from a gender approach and requested provincial departments to report quarterly. As was the case at national level reports were often not submitted in a timely manner and much energy was spent to press the issue. Members of the Mpumalanga Provincial OSW had never been offered training or other assistance in gender mainstreaming from national OSW. The Mpumalanga Civil Society Forum (MCSF), an umbrella NGO in Mpumalanga, however, reported a very good relationship with the provincial OSW. Its members are invited to workshops and seminars, OSW was seen sharing information, and the NGOs experienced that OSW was interested in their opinions and contributions. This confirms what has been found in previous studies that provincial OSWs had more interaction with civil society than the national OSW.

3.2.9 In the **Western Cape**, the offices working for children’s rights, youth, gender and disability were merged into the Directorate of Social Dialogue and Human Rights with a mandate to coordinate the provincial government's relationships with key social partners, and to bring provincial government closer to vulnerable groupings. In the past the separate offices were felt to be marginalised within the Premier’s office, while the merger improved visibility and weight, allowed better use of resources, improved possibilities for working across sub-sectors and reduced duplication.

3.2.10 NGOs and researchers were critical however. When the Western Cape Provincial OSW closed the gender expert who was heading the office left. The new directorate thus did not have a gender expert among its four deputy directors, who all work on all issues/areas. The CGE office in the province felt it is no longer evident whom to address and hold responsible for gender mainstreaming. The Gender Action Program (GAP), an NGO based in the Western Cape, filled the gap temporarily. Stakeholders in the Western Cape felt that after the reorganisation the new directorate had no longer a specific gender focus but was dependent on the personalities within the directorate. The same applied to the NGOs and their willingness to be proactive and lobby the OSW.
3.3 Gender Focal Points (GFP) in National and Provincial Departments.

3.3.1 At the operational level, the main responsibility for ensuring the effective implementation of the National Gender Policy rests with individual government departments at national and provincial levels. GFPs are to make sure that departments comply with gender mainstreaming directives and put in place gender sensitive projects and programmes. The National Policy Framework requires all departments to establish dedicated gender units or focal points to assist in the formulation and implementation of effective action plans to promote women's empowerment and gender equality in the work of the departments. An unknown number of departments both nationally and in provinces still do not have a GFP. Some departments have had GFPs in the past but when the person in the position left, (s)he was not replaced. Quite a few departments have put GFP in place rather recently, several years after it was noted that all departments were required to have one.

**Box 2: Functions of Gender Focal Points**

- To ensure that each department implements the national gender policy;
- To ensure that gender issues are routinely considered in departmental strategic planning exercises and business plans and that they report on them;
- To review departmental policy and planning in line with the National Gender Policy Framework;
- To ensure that departments provide and use gender disaggregated data in their work;
- To establish mechanisms to link and liaise with civil society;
- To co-ordinate gender training and education of all staff within departments; and
- To monitor departmental projects and programmes.

3.3.2 The National Policy Framework for Women’s Empowerment and Gender Equality also recommended that GFPs should be located in the office of the Director General (DG). The DG in each department is the chief accounting officer and is responsible for all departmental functions. The placement of GFPs within this office would therefore afford them easy access to all programmes and officials within the department. Very few GFPs have, however, been placed at that level. In a survey undertaken by OSW only eight percent of the responding departments reported that they had a GFP at the level recommended by the Framework. Hence GFPs lack authority and resources, and they tend not to have access to information about departmental plans or to meetings where decisions are taken.

3.3.3 Positioning at lower levels makes it difficult for GFPs to know plans and activities across the department. Instead such knowledge is acquired accidentally and often too late to influence processes and programmes. However, not all GFPs agreed that it is absolutely necessary to be placed at directors’ level, instead quoting the support from the department as a whole and the manager they report to as crucial. In some cases reporting to the DG can prove to be impractical as (s)he is so busy that GFP would ultimately receive less support. Some GFPs were happy with their placement under a Chief Director.

3.3.4 GFPs are hampered by the fact that they are not offered training in gender mainstreaming and applying a gender perspective to policies and programs enough. This is unfortunate since many appointed GFPs have little or no experience with gender analyses and are not well qualified for the work. To a large extent they must rely on learning by doing. In addition, as is the case in many other countries, GFPs do not have budget allocations for their mainstreaming work. The implementation of their plans is therefore dependant on their ability to influence implementing

---

64 Referred to in Hames et al., 2006.
offices to initiate such activities or to apply a gender perspective. In many cases the responsibility of mainstreaming gender in ministries, which might have 500 employees, is left with one, two or at best three persons. GFPs need to work at all levels and in all branches and sub-directorates. To persuade the DGs and make them apply a gender perspective to a few programs important for women or for gender equality is, in itself, a considerable challenge.

3.3.5 In addition GFPs are responsible for both mainstreaming programs and paying attention to gender equality in internal staffing. The ideal would be to have one GFP responsible for working on internal gender equality in human resources and another one responsible for mainstreaming gender in programs/activities. This is not the case for any of the departments visited and many GFPs just handle internal human resources/staffing issues because it holds more interest for staff. GFPs also do not communicate well between departments and ministries. Government departments are organised in clusters and the GFPs in each cluster should communicate with each other and work together. This is not done but such linkage would potentially strengthen the position of individual GFPs.

3.3.6 While GFPs were the implementing arm of the OSW they did not have any reporting obligation towards OSW. Within ministries GFPs report to their immediate managers who are not accountable for gender mainstreaming nor are the Director Generals of departments. Since GFPs are at the operational level they are probably the ones who most frequently are faced with misunderstandings and resistance. A common problem is that gender is understood as “a women’s thing”. Many believe that mainstreaming gender is just about getting women into positions and not about changing attitudes. This situation in turn created challenges for the national OSW staff who needed to collect and collate reports on gender mainstreaming at all government levels, national and provincial, and yet do not have the authority to enforce such requests, nor are they able to build the capacity of GFP to comply.

3.3.7 The high turnover among civil servants poses its own challenges to gender mainstreaming. Not only are GFPs changed and require continuous training but they themselves struggle with ever changing managers who need to be sensitised anew. It is critical for GFPs to be experienced both as gender experts and civil servants in order to have influence. Often when GFPs are leaving they are not replaced immediately, and replacements are chosen for reasons other than their gender expertise. A systematic program for training new personnel could, to a certain degree, compensate for staff turn-over, but no training or capacity building exists for GFPs. OSW lacked a budget for training, and government departments are likely to prioritise other employee training programs at the expense of gender training.

Gender Focal Points in provincial departments

3.3.8 Similar to the situation at national level, many provincial departments have never appointed GFPs, or have not replaced those who have left. In some cases responsibility for gender issues is placed with a “transformation unit” or a “transversal services unit” dealing with the status of women, the elderly, children and the disabled. In the Departments for Health and Education in Mpumalanga and the Department for Community Security in the Western Cape, the persons responsible for gender mainstreaming are appointed at deputy director level, but they are heading the “transversal unit”, which means they are also responsible for mainstreaming issues related to the disabled and youth. They do, however, have access to all meetings and essential information through an institutional arrangement put in place by the DG. Most GFPs in the provinces are appointed at the assistant director level, which means that they do not have access to directors’ meetings.
3.3.9 As is the case in national departments GFPs are elevated to deputy director level only when they have added responsibilities such as the mainstreaming of issues related to youth, the elderly, HIV and AIDS and disability. In the Western Cape one full time GFP position existed in 2006 but has since been abolished. Moreover most GFPs are located in the Human Resources Directorate. This is a strong signal that they are expected to focus on internal employment equality issues only. This further distracts from gender mainstreaming policies and programmes.

3.3.10 GFPs in provincial departments have many responsibilities, which make it difficult for them to focus and have impact. Besides being responsible for ensuring that gender is mainstreamed in all programmes, they have to deal with women’s representation in management and gender equality in services standards. They also have to participate in calendar events, and monitor coordination in provinces and districts. Adding to the burden is the fact that most program officers and managers do not see the need for a gender approach. Therefore GFPs have to insist on inclusion in programming processes. Moreover the constant change of leadership means that when a manager finally starts to see the utility of GFPs, he/she will soon be replaced by another manager who again needs to be sensitized.

3.4 The Commission for Gender Equality (CGE)

3.4.1 The CGE is an independent statutory body established in terms of the Commission on Gender Equality Act no. 39 of 1996 and is mandated to monitor government, the private sector and civil society. In terms of the Act the CGE must monitor and evaluate policies and practices of state organs at any level, statutory and public bodies, and private institutions, in order to promote gender equality and make recommendations that it deems necessary.

3.4.2 An evaluation in 1999 suggested that a weakness of the CGE was a reluctance to challenge the government. In the period 2002-2004 a wide range of projects and programs related to research, advocacy, monitoring and interventions were initiated. The CGE has also made some representation in the courts of law, including some highly publicised and high profile cases such as the case of Mpanza who challenged a trouser ban in her community and the case of Shilubana who asserted her right to assume the position of chief. Nonetheless, under the provocative title ‘Fix the gender machine’ a journalist recently claimed that the Commission for Gender Equality has been “hobbled by perennial infighting, mediocre performance and ineffectualness so severe that its complete disappearance would go unnoticed”. The truth, the research team concluded, lies somewhere in between these extremes.

Box 5: Functions of the CGE

The tasks of the CGE include:
- monitoring and evaluating government and the private sector;
- public education and information;
- making recommendations about laws, policies and programmes to government;
- resolving disputes through mediation and conciliation; and
- investigating inequality and commissioning research.

3.4.3 As had happened before the current commissioners had been paralyzed by internal conflicts, the government decided not to appoint new commissioners when their terms lapsed in 2006. The appointment of new commissioners one year later had been followed by an effort to revamp and revive the institution. An important distinction should be made, however, between the national and

---

65 Gouws, 2006.
provincial CGE offices. Some provincial offices seem to have been functioning well despite the turmoil in the national office.

3.4.4 The relationship between CGE and civil society is said to have deteriorated over the years. NGOs and the labour movement were however more positive about their relationship to the CGE than national OSW. The relationship to the CGE was held to be more institutionalised and the CGE was credited with better sharing of information and more participatory practices.

3.4.5 In the past CGE has been criticised for a lack of follow up on issues that have been identified as problem areas through research and investigation. One such issue was the burning of witches in Limpopo/Mpumalanga Province in the 1990s. Lack of decisive follow-up is still a problem. Provincial CGEs which are in charge of relevant studies do not have the mandate to take findings to parliament and the national office, which could hold the government accountable, frequently fails to do so.

3.4.6 A parliamentary review of all Chapter 9 institutions undertaken in 2007 noted that the CGE had effectively the greatest powers to ensure the achievement of gender equality of all arms of the NGM. In terms of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000, “the Commission may, for example, request any state institution or any person to supply information on any measures relating to the achievement of equality, including information on executive action and compliance with the law”, and the CGE can take any case to the Equality Courts, either on its own or on behalf of anyone else. The CGE also has the power to subpoena, search and seizure, conduct on-site inspections, ensure protection of witnesses and refer to courts for enforcement, but has not yet done so.

3.4.7 Gouws has commented that the CGE also “needs to improve communication with the public about its successes in dealing with complaints”\(^{67}\). This holds true not only regarding complaints but all activities of the CGE. Very little of what the CGE is doing is known to the general public and even to NGOs and gender researchers. An example of this lack of knowledge happened in Gauteng during the 2008 xenophobic riots in townships. While the event got very wide media coverage, the particular effect on women was not mentioned. Yet the CGE Gauteng was among the first to assess the situation and make demands on behalf of affected women and children. While the CGE chairperson was interviewed on local radio, the fact that the CGE was able to protect the rights of the victims did not make the headlines.

3.4.8 A primary CGE mandate is to monitor legislation and assess its impact on gender equality and the status of women. Previously problems with this mandate arose since the Commission was not informed in advance of legislation being drafted, and was therefore unable to make inputs at the drafting stage. Time to compile full public submissions was also lacking since consultation with civil society groups and individuals is necessary in such a process. CGE therefore announced in 2007 that it needs to be alerted to forthcoming legislation well in advance.\(^{68}\)

3.4.9 It has been argued that “the CGE vacillated between a mobilising role and a representative role, neither of which in fact accurately captured the remit of its constitutional mandate to act as an oversight and accountability mechanism in relation to progress towards gender equality”.\(^{69}\) This was at least partly confirmed by our assessment. Some informants have the impression that CGE wants to be an NGO running workshops rather than holding government accountable. Workshops are important to inform and mobilize communities and represents part of the CGE’s mandate to educate and inform the public, but the commission has made awareness raising on gender equality

---

\(^{67}\) Gouws, 2006:161  
\(^{68}\) http://www.pmg.org.za/minutes/20070913-commission-gender-equality-briefing  
\(^{69}\) Hassim, 2005a: 346.
one of its core mandates and has reached populations that are not addressed by either government programs or civil society. Work in awareness raising is stretching the capacity of the CGE to the detriment of its important role as a government watchdog, which it alone is mandated to perform.

**CGE at provincial level**

3.4.10 In *Mpumalanga* the CGE is working closely with the OSW, GFPs and some NGOs. There is a good working relationship and efforts made to figure out how each arm of the NGM may complement the activities of the others, and how activities can be best coordinated. Terms of Reference have been drafted to regulate and institutionalise the collaboration. The CGE is involved in a range of activities such as outreach campaigns through workshops and meetings in the communities, research and the handling of complaints. The CGE in *Gauteng* also pursues a range of activities such as outreach campaigns through workshops and meetings in the communities, research and handling of complaints. Gauteng CGE has also conducted studies on the living conditions of widows, gender in the school curriculum and on the handling of rape cases by the police. In both Mpumalanga and Gauteng several positions in the CGE are filled by men. They report that particularly when they are addressing communities, people tend to pay more attention when men are speaking about gender issues and when men call for men to change their behaviour.

### 3.5 The Joint Monitoring Committee (JMC)

3.5.1 This committee was established as an *ad hoc* committee in August 1996. The committee is constituted jointly by both members of the National Assembly and the National Council of Provinces and is mandated to monitor and evaluate progress with regard to the implementation of the Beijing Platform of Action, CEDAW and any other applicable international instruments. In the past under the leadership of Pregs Govender, an experienced and outspoken feminist, the Committee interpreted this role widely to include consultations with civil society about key legislation and policies (such as domestic violence, customary law, termination of pregnancy and HIV and AIDS). Under her leadership the JMC played an important role in engendering legislation passed through parliament and fast-tracking bills that were crucial for the empowerment of women. The input given by the JMC in the drafting of the Recognition of Customary Marriages Act of 1998 has been considered crucial. Under Govender the JMC also initiated the gender budgeting initiative with a number of NGOs.

3.5.2 After Govender left parliament in 2002 the level of activity and visibility of the JMC has decreased considerably. One of the identified problems has been that members of the committee are not trained in applying gender perspectives on policy issues and not appointed to the committee because they are interested in gender equality. Members of the committee have aired their concern and displeasure about the low attendance rates, and stakeholders have complained that the committee had failed to make inputs into important legislation such as the Sexual Offences Amendment Bill, the Communal Land Rights Bill and the Child Justice Bill. The review team was not able to make appointments with any JMC member during the fieldwork due to members being absent from Cape Town or too busy with other commitments.

3.5.3 With its key mandate to monitor the implementation and reporting on progress towards international gender equality instruments to which SA is a signatory, the Committee has been criticised for often not performing this function. This happened when the country failed to compile and submit CEDAW reports for 2001 and 2005. Moreover the JMC members remained quiet when no new CGE Commissioners were appointed in 2006. Given that the JMC has the power to

---

70 Gouws, 2006.
71 Westhuizen, Gender Machine, op.cit.
subpoena government departments to parliament, failure to act is interpreted as a lack of performance.

### 3.6 Civil society and NGOs

3.6.1 Several authors have noted that “one of the most notable changes in the landscape of the women’s movement in the post-1994 period was the fragmentation and stratification of women’s organizations in civil society”.

South Africa’s women’s movement is considered to be weak, largely with regard to the ability to articulate the interests of its constituencies, to mobilize them and to develop independent strategies to achieve its aims while holding open the possibilities of alliances with other progressive movements.

**Women’s movements**

3.6.2 In the beginning of the 90s the Women’s National Coalition (WNC) brought together some 60 women’s organisations. The coalition had a crucial role in participating in the constitution making process and in shaping the initial NGM. Unfortunately it lost momentum after its immediate goals had been achieved in the transition period. With the WNC defunct, South Africa is lacking a broader alliance of women’s organisations. Organisations stay isolated from each other and work on specific issues, such as violence against women and housing. Even the JMC has expressed concern that there is no national women’s movement other than the ANC Women’s League that can focus on women’s empowerment generally. Many of the organisations are urban-based, leaving rural women largely unorganised.

3.6.3 In this situation active networking or sharing of experiences and lessons is quite limited. A number of issue-based networks which coalesce around common issues such as GBV and involvement of men (Men as Partners and the Reproductive Rights Alliance, for example) do exist but alliances are fragile and never long lasting. Lack of funding, racial tensions and internal struggles over access to resources among network members make alliances vulnerable to failure. More importantly none of the existing networks has the base and capacity to hold government accountable for delivering on gender equality.

3.6.4 The fragmentation and desegregation of the women’s movement is contrasted by a strengthening of NGOs that act as advocacy agents, and are more firmly tied into state policy processes (e.g., the GAP, NISAA Institute for Women's Development, the Gender Research Project at the Centre for Applied Legal Studies and GenderLinks). These organisations have the expertise, and in a relative sense, the funding to intervene in legal and policy debates and public consultations. Their members are very active in public debate and they have found spaces in the new governance system. Their primary role is to ensure the implementation and elaboration of the rights-based democratic framework. These organisations are, however, seen as having an insufficient capacity to inform and interact with the grassroots, leading to an exacerbation of the marginalisation of poor, rural women.

3.6.5 Women’s organizations with experienced staff and resources are, moreover, all urban-based, whereas local and rural community-based organisations have neither the capacity nor the resources to have a visible impact on political decision making. In fact, rural women have not been well organized beyond the community level. Women’s organisations, including the WNC, have had...

---

74 Meer, 2005.
76 Hassim 2004: 11.
a clear urban focus in organisational strategies, and rural women were relatively neglected by the NGO sector. Despite the high proportion of women living in rural areas, and despite their highly disadvantaged economic position, they have largely remained outside the mainstream of the women’s movement.

3.6.6 CBOs have primarily been concerned with women’s practical needs only. Work activities range from welfare work, caring for the ill, organising and financing funerals, to mobilising communities against GBV and lobby for increased access to electricity, housing and land. These grassroots CBOs are distant from the state and are lacking capacity and connections to lobby national level decision makers. Many NGOs are delivering services in areas where access to public services are poor, such as the NGO Agisanang Domestic Abuse Prevention and Training (ADAPT), whose members are running innovative programs in the Alexandra township of Johannesburg. NGOs thus effectively subsidise the state by offering improved service delivery with funds from sources other than the public sector.

3.6.7 Demanding fulfilment of women’s practical rather then strategic gender needs normally does not substantially challenge more deeply embedded gendered norms and attitudes. The women’s movement has been pulled into prioritising the democratisation of the public sphere while neglecting change of social and cultural norms. As a result, while the country has an advanced constitution and protection for women’s rights, these are difficult to translate into practice because of deeply held patriarchal views even within civil society. The constitutional protections which were negotiated by urban elites are not deeply rooted in civil society at the grassroots.

3.6.8 Part of the role of the NGM should be to empower women’s organisations through capacity-building, education and training, as well as through the provision of information and resources. The National Policy Framework suggests that this can be achieved in a number of ways such as through: (i) the provision of information by government departments on their functions, policies, programmes and laws which affect women; (ii) awareness-raising on gender equality goals in all government departments targeting the general public; and (iii) training and education on gender equality goals specific to government departments. These goals/ideas have been realized only to a small degree. Very few NGOs report that they are provided with information about government structures or offered training by them. A notable exception is GAP which is working closely with The Office for Social Dialogue in the Western Cape. Moreover, there are only few funds publicly available for NGOs mostly for running health or education services for the government. Instead NGOs have to rely on financial assistance form bilateral donors and international organisations. Many NGOs have reportedly closed down due to lack of funding.

Labour unions

3.6.9 Labour unions are an important part of civil society but they have largely been overlooked in previous gender profiles/reports. With a strong gender policy unions potentially could have an important role in fighting discrimination and empowering women at the work place and in society. The Congress of South African Trade Unions (COSATU) was established in 1985 representing more than two million workers who are members of 21 affiliated trade unions. The work for gender equality has for many years met with considerable resistance from male members. A resolution on the sexual code of conduct was blocked at the 1989 COSATU Congress and it took seven years for COSATU to adopt a policy against sexual harassment. Calls for quotas for women in union leadership have also consistently been resisted.

---

77 Hassim, 2004: 7.
79 Meer, 2005.
3.6.10 COSATU has a National Gender Unit which consists of a National Gender Coordinator assisted by a National Gender Coordinating Committee with representatives of senior management, workers and researchers. The gender coordinator reports similar constraints as many government GFPs, such as being in charge of a wide range of activities and facing resistance. Responsibilities and functions include national coordination of gender coordinators in affiliated organisations, monitoring of compliance with gender policies of affiliates and capacity building. In general gender equality goals are not seen as part of policy work in COSATU, and the Gender Unit is treated like any other technical support unit.

3.6.11 The roles of NGOs as part of the NGM have not been sufficiently defined and the links between the branches of the NGM have been tenuous. This has reduced the effectiveness of the gender mainstreaming efforts and has brought about a haphazard and fragmented approach. In the following chapter it is examined how the NGM has worked together with regard to GBV.

4 The NGM in Action? Ending Gender-Based Violence

4.1 The principal government-led initiative to end gender based violence (GBV) has been the 16 Days of Activism against Gender Violence Campaign adopted in South Africa in 1999 and running each year from November 25, the International Day Against Violence Against Women to December 10, International Human Rights Day, to symbolically link violence against women and human rights, and to emphasise that such violence is a violation of human rights. The national convener of the campaign is the Deputy Minister of the Department of Provincial and Local Government. The campaign has been modified and adapted to the South African situation, and it now includes a focus on violence against children, given the high rates of child abuse in the country. The key objectives of the campaign are to: generate greater awareness of the negative impact of violence on the development of women and children; stress the importance of partnerships between government and civil society in eradicating women and child abuse; involve men and boys as crucial role-players in the eradication of violence against women and children; provide victims and survivors of violence with information about legislative services and other mechanisms put in place by the government to ameliorate the impact of violence on their lives; and raise funds for non-governmental and community-based organisations working with victims and survivors of violence.

4.2 In May 2006 a stakeholder meeting convened by the Sexual Offences and Community Affairs Unit of the National Prosecuting Authority (NPA) decided to sustain the campaign all year around and it was converted to 365 Days of Action to End Violence against Women and Children. Key stakeholders agreed on a 365 Day National Action Plan that was launched on 8 March 2007. The plan has the merit of providing a much needed plan with defined goals, indicators for outputs and outcomes, and identification of who is responsible for the various activities. It is listing a substantial number of proposed actions that - if fully realized - could contribute to increased safety for women and a better response to victims of GBV. The strongest part of the Action Plan addresses legislation and policies that seek to improve the system of assisting victims. Critics have questioned this focus on treatment rather than prevention.

4.3 The Action Plan for preventing GBV is limited to developing a communication strategy and plans for dialogue, group discussions and multi-media advocacy programmes. No targets are set for how large a part of the population should be reached by these activities. There are also plans for a prevention strategy and framework for schools, including the development of a communication strategy and frame...
strategy and a review of the Life Orientation curriculum. This could be a promising initiative but indications are that very few steps, if any, have been taken to realize this.

4.4 The Action Plan is managed by a Programme Management Unit in the office of the NPA. The priorities set in the Action Plan were identified by an interdepartmental management team. Various government departments and NGOs have taken on the main responsibilities of implementing the plan. The NGM itself has only a minor role in the implementation of the Action Plan. While the OSW and CGE were officially members of the Coordination, Monitoring and Evaluation Theme Group, which helped elaborate the plan, they have been conspicuously absent from the taskforce which formulated the plan, and while the CGE was designated for certain activities, the OSW was not. Provincial CGEs, in fact, convened workshops and the national office hosted a conference to assess progress and challenges to end gender violence in 2008.81

4.5 Ultimately the 365 Days Action Plan remains a check list of isolated events such as workshops, speeches and media campaigns, and of plans to modify the legislative framework to improve the services for abused women. A review of the 16 Days of Activism Campaign concluded that little information is available on how the campaign has impacted on preventing or responding to gender violence. Stakeholders and respondents argue that there is a need to move beyond the campaign mode to a programmatic approach in which the Sixteen Days are merely used to heighten awareness.82 A recent review suggested that while the value of prevention is nominally recognised in the campaign, there is no evidence of resource allocation, no coordinated roll-out of interventions of proven effectiveness, and no evidence of best-practice based cross-sectoral approaches.83

4.6 The reality is that lack of resources and continuity has reduced the campaigns’ likelihood of ever having a measurable impact. For example, the CGEs outreach campaigns, which target rural populations and aim to initiate discussions about GBV, are needed activities. But to have a significant and lasting impact on men’s behaviour and on gender relations, they need to be scaled up and supported by additional interventions which should cut across all sectors. NGOs have also raised concerns about the implementation of the plan, particularly with regard to the limited government/NGO consultation and cooperation, the low level of financial resources allocated for implementation, the strained nature of the relationship between government and NGOs and the lack of monitoring and evaluation.84

4.7 More serious still is the fact that too few activities seek to address the root causes of GBV, namely a strong patriarchal culture with a tradition of violence. A deeper understanding of the ways in which history and cultural assumptions inform gendered practices is needed, since social and cultural factors at the community level have been shown to play a large role in determining overall levels of violence.85 Politicians, traditional and religious leaders must recognise that violence can only be fought if they themselves clearly reject and condemn violence as a non-acceptable means for enrichment, gaining ascendency, resolving conflict, confirming identity and finding sexual satisfaction. In particular male leaders must start to voice their opposition to violence. Currently this is an identified gap in public discourse, and the political drive and will behind the fight against GBV is still too weak.

---

85 Morrison et al., 2007.
4.8 Young men will also need practical skills to reduce violence such as skills in negotiating conflicts at home, work and in relationships. Girls and young women must in parallel be taught how to react to sexual harassment and aggression, develop self-esteem, claim their rights and improve their life-skills. This must build on a large scale programme of sensitizing and training educators.

Involving men

4.9 An increasing number of studies in the last decade have looked at the ways in which colonialism, the migrant labour system, apartheid-based policies, racism, resistance and, more recently, the HIV and AIDS pandemic have contributed to the emergence of particular forms of masculinities and rigid conceptions of manhood often characterised by aggression and a willingness to use violence. This research has been paralleled by a range of initiatives and campaigns trying to address the issue of men’s responsibility in perpetrating violence against women and to involve men positively in the work against violence and abuse. In fact, South Africa has been among the leaders worldwide in efforts to engage men in work on gender and health.

4.11 The 2007 South Africa Country Report to the UN Commission on the Status of Women on progress made by South Africa in terms of its commitments to involve men and boys in achieving gender equality makes clear the strong rationale for working with men in South Africa: (i) violence and unequal power between men and women is one of the root causes of the rapid spread of HIV in Southern Africa; (ii) South Africa has amongst the highest levels of domestic violence and rape of any country in the world; (iii) conviction rates for domestic and sexual violence are amongst the lowest in the world; (iv) men are not using HIV services, that is VCT, ART and support groups; and (v) a growing number of men want to be a part of the solution.

4.12 Some government departments have tried to engage men in efforts to combat GBV. The Department of Health launched the Men in Partnership Against AIDS initiative in 2002. CGE, together with the South African Council of Churches and the South African Men’s Forum, conducted a series of Men’s Dialogues in each province. March 2005 saw the culmination of a men’s project undertaken by CGE in which religious and traditional leaders, provincial legislators, councillors from districts and local municipalities, national and provincial gender machinery and men’s organisations came together at a Summit titled: Men and Gender Transformation at the Crossroad: Seeking Positive Engagements. The Summit made a number of recommendations regarding men’s involvement in ending violence against women. These included: recommendations to strengthen outreach and education amongst youth and influencing the school curriculum beyond life skills; establish Men’s Forums at local levels; include perpetrators of gender violence in interventions; and develop ways in which local leaders can become involved. These recommendations have not yet led to action because no resources have been committed.

4.13 A National Men’s Imbizo on Men, Health and Gender Equality held on 6-7th September 2007 in Gauteng brought together stakeholders from eight provinces to discuss and recommend policy responses to challenges related to improving men’s health and promoting gender equality. The meeting was premised on shocking statistics that indicated that, for example, only 21% of those seeking voluntary counselling and testing services were men. Results on uptake of anti-retroviral therapy were equally bleak, with only 30% being men. The meeting also acknowledged that much of gender based violence is carried out by men against other men as a way to assert male dominance. The meeting was to assist in clarifying and applying the concept of men’s involvement

---

86 For some references, see the South Africa Country Report to CEDAW.
88 Moolman and Tolmay, 2005.
in national policy guidelines\textsuperscript{89} which was felt would build the capacity of policy makers and increase men’s utilization of sexual and reproductive health services.

4.14 The One-Man-Can initiative, spearheaded by the NGO Sonke Gender Justice Network, seeks to address the linkages between the HIV and AIDS epidemic and violence against women, both driven in significant part by definitions of manhood that equate masculinity with dominance over women, sexual conquest, fearlessness and risk taking, alcohol consumption and a reluctance to use health care services\textsuperscript{90}. The campaign which is implemented in all of South Africa’s provinces and in a number of Southern African countries supports men and boys to take action to end domestic and sexual violence and to promote healthy, equitable relationships. As of July 31st, 2007 Sonke claims to have trained 465 people in 6 provinces to implement One Man Can activities, reached 2000 people in 6 provinces with 2-4 day workshops, and tens of thousands of people through other community activities.\textsuperscript{91} The activities are funded by international donors and the Western Cape Office of the Premier and the National Department of Health. The campaign tries to address various target groups such as sports coaches, teachers, religious leaders, fathers and youth to speak up about their opposition to gender based violence, and it offers posters, stickers and a manual for proposed actions for each target group. The initiative is promising but would certainly have gained even more force if supported more strongly and clearly by national, provincial, traditional, religious and community leaders.

4.15 Another campaign, Men as Partners (MAP), was established by the Planned Parenthood Association of South Africa (PPASA) with technical support from EngenderHealth South Africa\textsuperscript{92}, both international NGOs with many international donors. The program was launched in 1996 and works with workshops, peer-education and media outreach. It seeks to address the twin epidemics of GBV and HIV/AIDS, and to strive towards encouraging men to reduce risk taking and take a stand against domestic violence. It seeks to challenge men’s attitudes and behaviours that compromise their own health and safety, as well as the health and safety of women and children. The campaign uses posters, pledges and invitations to get involved. Activities include the first Men As Partners Week held in April 2007. The organisation claims that tens of thousands of men have participated in MAP workshops and community activities and independent evaluations have attested to positive results in men’s behaviour by challenging and changing the norms of masculinity.

4.16 In spite of these and many smaller initiatives the challenge of changing the mentality and the behaviour of the majority of men remains immense. The South Africa Country Report to CEDAW concludes that current efforts rely too heavily on workshops and community outreach, that local funding is insufficient and international funding often comes with conditional ties that hamper success. More importantly the report also stated that the current campaigns are too focused on urban areas to the detriment of rural areas and traditional leaders. Another point that has been raised is that many initiatives involving men fail to address broader socio-economic conditions exacerbating gender inequalities. Whilst a number of interventions working with men continue to be implemented, research in South Africa shows that there is a critical need for greater clarity of purpose about the goals of work with men, improved guidance, as well as better coordination and planning.\textsuperscript{93}


\textsuperscript{90} Source: One-Man-Can fact sheet.


\textsuperscript{92} EngenderHealth is a US based international organisation working in more than 20 countries in Africa, Asia and Latin America. See: www.engenderhealth.org.

Greater involvement of the NGM, which with the exception of the CGE, is only marginally involved, and particularly the new Ministry would benefit not only by the coordination of the movement to end GBV but would also give the Ministry a medium to suggest that it is not just concerned with women but also with men and the well-being of the wider society. Without such efforts its work might just stay in the “women’s affairs” corner. The Ministry should particularly be instrumental in pushing the government towards establishing a comprehensive and sustainable approach in mobilising resources and motivating political leaders to front the fight against GBV in all arenas. CGE should put more emphasis on its mandate to hold the government accountable for not delivering on this issue. GFPs should, if invested with the necessary resources, play an important role in raising and mainstreaming GBV prevention and treatment in all relevant line ministries. Perhaps the 365 days campaign would ultimately be better housed in the DSD since under the leadership of the NPA, legal reforms and law enforcement receive so much more attention than behaviour change and other prevention measures.

5 Recommendations

5.1 Recommendations to the Government

5.1.1 Restructuring the NGM will not make much difference if government is not willing to enable the structure to function properly by allocating sufficient funds and by appointing strong, independent and qualified leaders.

5.1.2 The NGM was created to give women access to decision-making and to ensure gender mainstreaming. However observers concluded that the machinery has not been sufficiently influential in setting the policy agenda for gender equality. Important legislative advances such as The Domestic Violence Act or the Termination of Pregnancy Act were driven through by an alliance of feminist parliamentarians and civil society actors. The NGM does not yet have the capacity of setting the gender agenda. The new Ministry does require sufficient clout and authority to coordinate and support the other elements of the NGM and to be able to set common agendas.

5.1.3 NGOs carry much of the work pertaining to gender equality, such as the work to end GBV. While they have been counted as members of the NGM they have not been treated as such by the branches of the NGM. NGOs need to be further drawn into the policy debate, be kept abreast of government actions and plans and true dialogue between equal partners needs to be encouraged. NGOs need to be able to call the government accountable and fora need to be created which favour two-way communication.

5.1.4 The government machinery is not sufficiently determined in turning political will into action. Gender equality concerns end up having low priority due to institutional hierarchies and a range of systemic blockages. It is very important that sufficient thought is invested in placing the new ministry and in defining its relationships to the other elements of the NGM and the other ministries. The moment of renewal should also embrace the JMC and the CGE.

5.1.5 The role of GFPs in their own departments has remained unclear both at national and provincial levels. GFPs must be enabled to hold the management of their respective departments accountable. Gender units with more than one staff member should be established since the functions of dealing with internal and external gender mainstreaming need to be separated. A focus on internal gender equality work must not lead to a neglect of gender equality work in policy, projects and programs. The placement of GFPs in departments and ministries must reflect the double role.
5.1.6 The new Gender Ministry must offer sustained support to GFPs, both with regard to
capacity building and in assisting them to influence decision-making in their respective
departments, and more efforts than in the past need to go into institutionalising GFPs since they are
the implementing arms of the Ministry.

5.1.7 The monitoring of results of gender mainstreaming has been sorely neglected in the past.
The National Policy Framework on Gender Equality and the Empowerment of Women has not been
respected and has not been followed by an action plan which has indicators for monitoring the
process and measuring results. The new Ministry should urgently elaborate a gender action plan
with ministries and agree with them on performance indicators regarding key gender equality
results. These need to be followed up by institutionalized reporting mechanisms which will allow
GFP to hold management accountable.

5.1.8 There is a strong need for a watch dog that can hold the government accountable but that
function cannot be held by an office placed in the Presidency. In the absence of a strong and well-
coordinated women’s movement and with a weakened civil society, the CGE has been best placed
to fill this function. However, the independence of the CGE from political parties and government
will be all important. In order for this to happen, appointments to the commission must be based on
merit.

5.1.9 The continued prevalence of GBV in spite of numerous campaigns and projects is thought
to be due to lack of coordination and failure to target interventions sufficiently. A major weakness
is the lack of follow-up of these campaigns which appear to be based on a profound lack of
understanding of how lasting changes in attitudes and behaviour can be achieved. An almost
universal lack of monitoring and evaluation at community level hinders the measuring of results on
the ground. This needs to be changed. Unlike the OSW the new Ministry needs to emerge as the
leader and coordinator of activities around the prevention and treatment of GBV.

5.1.10 A careful look should be given to the 365 days campaign against violence against women
and children. South Africa has too many special advocacy issues that single ones lose impact. With
limited resources an integrated and strategic re-evaluation of focus areas, strategy and
implementing agencies should be considered. Campaigns against GBV need a much clearer focus
on prevention, including measures to influence behaviour and attitude change and include
prominent male figures.

5.2 Recommendations to the AfDB

5.2.1 The AfDB Country Strategy Paper for South Africa proposes three strategic pillars, namely
Enhancing Private Sector Competitiveness, Partnership for Regional Integration and Development,
as well as Knowledge Management and Capacity Building. The intermediate outcomes include: (i)
improvement of infrastructure services; (ii) improved financial intermediation, especially for
SMEs; (iii) support for regional infrastructure; (iv) facilitation of cross-border investment; (v)
improved knowledge in support of the lending program and policy dialogue; and (vii) improved
capacity in government, municipalities, private sector and civil society. In all of these intervention
areas the rights of women, particularly the majority of black rural women, should be mainstreamed.

5.2.2 Since all current AfDB financed interventions in South Africa support the private sector it is
recommended that gender equality in the private sector be paid special attention. While Black
Empowerment goals are rigorously applied this has not been the case with gender equality,
particularly with regards to senior management positions. Financial support to the private sector
could be tied to measures to support black women’s ascension to management be it through
training and mentoring or through application of quotas for already qualified candidates.
5.2.3 Given the importance of the financial sector in AfDB lending to South Africa, it is recommended that the Bank finance ESW that would enhance knowledge of South African women’s need for financial products, such as loan facilities and savings. Research has revealed that large numbers of South African rural populations currently do not have access to affordable banking, and almost all lines of credit currently supported by the Bank in South Africa target only medium to large scale enterprises for financial support.

5.2.4 Regional integration and cross border initiatives and infrastructure developments are another focus of Bank intervention in South Africa. Initiatives, such as development corridors, might have differential impacts on men and women. Past experiences suggest that the interests of women entrepreneurs have been neglected in terms of tender awards during construction. This needs to be addressed through application of quotas for female owned enterprises in future projects. The needs of the many women involved in informal cross-border trade also need to be taken into account.

5.2.5 Since the Bank’s strategy also aims at importing SA know-how to other African countries, it is suggested that South Africa’s experience, via government and NGOs, with the inclusion of men in prevention of HIV/AIDS and GBV initiatives, could be shared with other African countries where such initiatives are just beginning.

5.2.4 Given that the government has decided to establish a new ministry to address gender equality, it would be opportune for the Bank to consider extending the engagement created by this study to offer technical assistance to the government to implement some of the interventions that have been recommended in this study. Particular attention should be paid to the building of the capacity of the GFP in ministries and private/parastatal sector entities which are supported by the Bank, and the capacity enhancement of the country to collect on a regular basis sex disaggregated data which has not always happened optimally. Building a viable gender sensitive monitoring and evaluation system is another area where the new Ministry would require support.
Annex 1

REFERENCES


Hames, Mary, Koen, Karin, Handley, Patricia and Alberthyn, Cathi: Beyond Inequalities 2005. Women in South Africa. Cape Town, Johannesburg and Harare: University of Western Cape Gender Equity Unit, University of Witwatersrand, Center for Applied Legal Studies and SARDC WIDSAA, 2006.


National Assembly. Public Hearings held on 18-20 October 2004 SA Human Rights Commission: The Pace of Land Reform in South Africa. Submission to the Portfolio Committee for Agricultural and Land


## ANNEX 2  COMPARATIVE SOCIO-ECONOMIC INDICATORS

<table>
<thead>
<tr>
<th>Year</th>
<th>South Africa</th>
<th>Africa</th>
<th>Developing Countries</th>
<th>Developed Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area (1000 Km²)</td>
<td>1.221</td>
<td>30207</td>
<td>80.976</td>
<td>54.658</td>
</tr>
<tr>
<td>Total Population (millions)</td>
<td>2006</td>
<td>47.6</td>
<td>924.3</td>
<td>5,253.5</td>
</tr>
<tr>
<td>Urban Population (% of Total)</td>
<td>2006</td>
<td>55.3</td>
<td>38.4</td>
<td>43.1</td>
</tr>
<tr>
<td>Population Density (per Km²)</td>
<td>2006</td>
<td>39.0</td>
<td>30.5</td>
<td>60.6</td>
</tr>
<tr>
<td>GNI per Capita (US $)</td>
<td>2005</td>
<td>4,960</td>
<td>955</td>
<td>1,154</td>
</tr>
<tr>
<td>Labor Force Participation - Total (%)</td>
<td>2003</td>
<td>41.7</td>
<td>43.4</td>
<td>45.6</td>
</tr>
<tr>
<td>Labor Force Participation - Female (%)</td>
<td>2003</td>
<td>39.0</td>
<td>41.1</td>
<td>39.7</td>
</tr>
<tr>
<td>Gender-Related Development Index Value</td>
<td>2004</td>
<td>0.646</td>
<td>0.475</td>
<td>0.694</td>
</tr>
<tr>
<td>Human Develop. Index (Rank among 174 countries)</td>
<td>2004</td>
<td>121</td>
<td>n.a.</td>
<td>n.a.</td>
</tr>
<tr>
<td>Popul. Living Below $ 1 a Day (% of Population)</td>
<td>2000</td>
<td>45.0</td>
<td>45.0</td>
<td>32.0</td>
</tr>
</tbody>
</table>

### Demographic Indicators

<table>
<thead>
<tr>
<th>Year</th>
<th>South Africa</th>
<th>Africa</th>
<th>Developing Countries</th>
<th>Developed Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Population Growth Rate - Total (%)</td>
<td>2006</td>
<td>0.3</td>
<td>2.1</td>
<td>1.4</td>
</tr>
<tr>
<td>Population Growth Rate - Urban (%)</td>
<td>2006</td>
<td>1.0</td>
<td>3.5</td>
<td>2.6</td>
</tr>
<tr>
<td>Population &lt; 15 years (%)</td>
<td>2006</td>
<td>32.3</td>
<td>41.3</td>
<td>32.4</td>
</tr>
<tr>
<td>Population &gt;= 65 years (%)</td>
<td>2006</td>
<td>4.4</td>
<td>3.4</td>
<td>5.5</td>
</tr>
<tr>
<td>Dependency Ratio (%)</td>
<td>2006</td>
<td>58.2</td>
<td>80.8</td>
<td>57.8</td>
</tr>
<tr>
<td>Sex Ratio (per 100 female)</td>
<td>2006</td>
<td>96.6</td>
<td>99.9</td>
<td>102.7</td>
</tr>
<tr>
<td>Female Population 15-49 years (% of total population)</td>
<td>2006</td>
<td>30.6</td>
<td>28.0</td>
<td>27.1</td>
</tr>
<tr>
<td>Life Expectancy at Birth - Total (years)</td>
<td>2006</td>
<td>45.0</td>
<td>51.4</td>
<td>64.1</td>
</tr>
<tr>
<td>Life Expectancy at Birth - Female (years)</td>
<td>2006</td>
<td>45.2</td>
<td>52.2</td>
<td>65.9</td>
</tr>
<tr>
<td>Crude Birth Rate (per 1,000)</td>
<td>2006</td>
<td>22.4</td>
<td>36.5</td>
<td>22.8</td>
</tr>
<tr>
<td>Crude Death Rate (per 1,000)</td>
<td>2006</td>
<td>19.7</td>
<td>14.9</td>
<td>8.7</td>
</tr>
<tr>
<td>Infant Mortality Rate (per 1,000)</td>
<td>2006</td>
<td>39.0</td>
<td>62.5</td>
<td>59.4</td>
</tr>
<tr>
<td>Child Mortality Rate (per 1,000)</td>
<td>2006</td>
<td>73.4</td>
<td>137.7</td>
<td>89.3</td>
</tr>
<tr>
<td>Total Fertility Rate (per woman)</td>
<td>2006</td>
<td>2.7</td>
<td>4.7</td>
<td>2.8</td>
</tr>
<tr>
<td>Maternal Mortality Rate (per 100,000)</td>
<td>2000</td>
<td>230.0</td>
<td>622.9</td>
<td>440</td>
</tr>
<tr>
<td>Women Using Contraception (%)*</td>
<td>2000</td>
<td>56.3</td>
<td>26.6</td>
<td>59.0</td>
</tr>
</tbody>
</table>

### Health & Nutrition Indicators

<table>
<thead>
<tr>
<th>Year</th>
<th>South Africa</th>
<th>Africa</th>
<th>Developing Countries</th>
<th>Developed Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Physicians (per 100,000 people)</td>
<td>2004</td>
<td>73.8</td>
<td>38.2</td>
<td>78.0</td>
</tr>
<tr>
<td>Nurses (per 100,000 people)</td>
<td>2004</td>
<td>390.7</td>
<td>110.7</td>
<td>98.0</td>
</tr>
<tr>
<td>Births attended by Trained Health Personnel (%)</td>
<td>2000</td>
<td>84.4</td>
<td>43.7</td>
<td>56.0</td>
</tr>
<tr>
<td>Access to Safe Water (% of Population)</td>
<td>2004</td>
<td>88.0</td>
<td>62.3</td>
<td>78.0</td>
</tr>
<tr>
<td>Access to Health Services (% of Population)</td>
<td>2004</td>
<td>...</td>
<td>61.7</td>
<td>80.0</td>
</tr>
<tr>
<td>Access to Sanitation (% of Population)</td>
<td>2004</td>
<td>65.0</td>
<td>44.2</td>
<td>52.0</td>
</tr>
<tr>
<td>Percent. of Adults (aged 15-49) Living with HIV/AIDS</td>
<td>2005</td>
<td>16.6</td>
<td>4.5</td>
<td>1.3</td>
</tr>
<tr>
<td>Incidence of Tuberculosis (per 100,000)</td>
<td>2003</td>
<td>341.0</td>
<td>406.4</td>
<td>144.0</td>
</tr>
<tr>
<td>Child Immunization Against Tuberculosis (%)</td>
<td>2005</td>
<td>97.0</td>
<td>78.1</td>
<td>82.0</td>
</tr>
<tr>
<td>Child Immunization Against Measles (%)</td>
<td>2005</td>
<td>82.0</td>
<td>68.0</td>
<td>73.0</td>
</tr>
<tr>
<td>Underweight Children (% of children under 5 years)</td>
<td>2000</td>
<td>9.0</td>
<td>39.0</td>
<td>31.0</td>
</tr>
<tr>
<td>Daily Calorie Supply per Capita</td>
<td>2003</td>
<td>2,862</td>
<td>2,439</td>
<td>2,675</td>
</tr>
<tr>
<td>Public Expenditure on Health (as % of GDP)</td>
<td>2002</td>
<td>3.5</td>
<td>5.6</td>
<td>1.8</td>
</tr>
</tbody>
</table>

### Education Indicators

<table>
<thead>
<tr>
<th>Year</th>
<th>South Africa</th>
<th>Africa</th>
<th>Developing Countries</th>
<th>Developed Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross Enrolment Ratio (%)</td>
<td>2003/04</td>
<td>105.0</td>
<td>96.7</td>
<td>91.0</td>
</tr>
<tr>
<td>Primary School - Total</td>
<td>2003/04</td>
<td>103.0</td>
<td>90.4</td>
<td>105.0</td>
</tr>
<tr>
<td>Secondary School - Total</td>
<td>2003/04</td>
<td>90.0</td>
<td>43.1</td>
<td>88.0</td>
</tr>
<tr>
<td>Primary School Female Teaching Staff (% of Total)</td>
<td>2003/04</td>
<td>74.4</td>
<td>44.1</td>
<td>51.0</td>
</tr>
<tr>
<td>Adult illiteracy Rate - Total (%)</td>
<td>2006</td>
<td>17.6</td>
<td>43.3</td>
<td>26.6</td>
</tr>
<tr>
<td>Adult illiteracy Rate - Male (%)</td>
<td>2006</td>
<td>15.9</td>
<td>34.5</td>
<td>19.0</td>
</tr>
<tr>
<td>Adult illiteracy Rate - Female (%)</td>
<td>2006</td>
<td>19.1</td>
<td>52.4</td>
<td>34.2</td>
</tr>
<tr>
<td>Percentage of GDP Spent on Education</td>
<td>2000</td>
<td>5.7</td>
<td>4.7</td>
<td>3.9</td>
</tr>
</tbody>
</table>

### Environmental Indicators

<table>
<thead>
<tr>
<th>Year</th>
<th>South Africa</th>
<th>Africa</th>
<th>Developing Countries</th>
<th>Developed Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Use (Arable land as % of Total Land Area)</td>
<td>2005</td>
<td>12.1</td>
<td>6.0</td>
<td>9.9</td>
</tr>
<tr>
<td>Annual Rate of Deforestation (%)</td>
<td>2000</td>
<td>0.1</td>
<td>0.7</td>
<td>0.4</td>
</tr>
<tr>
<td>Annual Rate of Reforestation (%)</td>
<td>2000</td>
<td>2.0</td>
<td>10.9</td>
<td>...</td>
</tr>
<tr>
<td>Per Capita CO2 Emissions (metric tons)</td>
<td>2005</td>
<td>7.4</td>
<td>1.0</td>
<td>1.9</td>
</tr>
</tbody>
</table>

Last update : December 2006

Source : ADB Statistics Division Databases

World Bank Live Database; UNAIDS; UNSD; WHO, UNICEF, WRI, UNDP; Country Reports
This map was provided by the African Development Bank exclusively for the use of the readers of the report to which it is attached. The names used and the borders shown do not imply on the part of the Bank and its members any judgment concerning the legal status of a territory.