SOUTH AFRICA’S BEIJING +20 REPORT

17 April 1954 Johannesburg,

Preamble: We, the women of South Africa, wives and mothers, working women and housewives, African, Indians, European and Coloured, hereby declare our aim of striving for the removal of all laws, regulations, conventions and customs that discriminate against us as women, and that deprive us in any way of our inherent right to the advantages, responsibilities and opportunities that society offers to any one section of the population.

A Single Society: We women do not form a society separate from the men. There is only one society, and it is made up of both women and men. As women we share the problems and anxieties of our men, and join hands with them to remove social evils and obstacles to progress.

Test of Civilisation: The level of civilisation which any society has reached can be measured by the degree of freedom that its members enjoy. The status of women is a test of civilisation. Measured by that standard, South Africa must be considered low in the scale of civilised nations.

Women’s Lot: We women share with our menfolk the cares and anxieties imposed by poverty and its evils. As wives and mothers, it falls upon us to make small wages stretch a long way. It is we who feel the cries of our children when they are hungry and sick. It is our lot to keep and care for the homes that are too small, broken and dirty to be kept clean. We know the burden of looking after children and land when our husbands are away in the mines, on the farms, and in the towns earning our daily bread.

We know what it is to keep family life going in pondokkies and shanties, or in overcrowded one-room apartments. We know the bitterness of children taken to lawless ways, of daughters becoming unmarried mothers whilst still at school, of boys and girls growing up without education, training or jobs at a living wage.

Poor and Rich: These are evils that need not exist. They exist because the society in which we live is divided into poor and rich, into non-European and European. They exist because there are privileges for the few, discrimination and harsh treatment for the many. We women have stood and will stand shoulder to shoulder with our menfolk in a common struggle against poverty, race and class discrimination, and the evils of the colourbar.

National Liberation: As members of the National Liberatory movements and Trade Unions, in and through our various organisations, we march forward with our men in the struggle for liberation and the defence of the working people. We pledge ourselves to keep high the banner of equality, fraternity and liberation. As women there rests upon us also the burden of removing from our society all the social differences developed in past times between men and women, which have the effect of keeping our sex in a position of inferiority and subordination.

Equality for Women: We resolve to struggle for the removal of laws and customs that deny African women the right to own, inherit or alienate property. We resolve to work for a change in the laws of marriage such as are found amongst our African, Malay and Indian people, which have the effect of placing wives in the position of legal subjection to husbands, and giving husbands the power to dispose of wives’ property and earnings, and dictate to them in all matters affecting them and their children.

We recognise that the women are treated as minors by these marriage and property laws because of ancient and revered traditions and customs which had their origin in the antiquity of the people and no doubt served purposes of great value in bygone times.

There was a time in the African society when every woman reaching marriageable stage was assured of a husband, home, land and security.

Then husbands and wives with their children belonged to families and clans that supplied most of their own material needs and were largely self-sufficient. Men and women were partners in a compact and closely integrated family unit.

Women who Labour: Those conditions have gone. The tribal and kinship society to which they belonged has been destroyed as a result of the loss of tribal land, migration of men away from the tribal home, the growth of towns and industries, and the rise of a great body of wage-earners on the farms and in the urban areas, who depend wholly or mainly on wages for a livelihood.

Thousands of African women, like Indians, Coloured and European women, are employed today in factories, homes, offices, shops, on farms, in professions as nurses, teachers and the like. As unmarried women, widows or divorcées they have to fend for themselves, often without the assistance of a male relative. Many of them are responsible not only for their own livelihood but also that of their children.

Large numbers of women today are in fact the sole breadwinners and heads of their families.

Forever Minors: Nevertheless, the laws and practices derived from an earlier and different state of society are still applied to them. They are responsible for their own person and their children. Yet the law seeks to enforce upon them the status of a minor.

Not only are African, Coloured and Indian women denied political rights, but they are also in many parts of the Union denied the same status as men in such matters as the right to enter into contracts, to own and dispose of property, and to exercise guardianship over their children.

Obstacle to Progress: The law has lagged behind the development of society; it no longer corresponds to the actual social and economic position of women. The law has become an obstacle to progress of the women, and therefore a brake on the whole of society.

This intolerable condition would not be allowed to continue were it not for the refusal of a large section of our menfolk to concede to
us women the rights and privileges which they demand for themselves.

We shall teach the men that they cannot hope to liberate themselves from the evils of discrimination and prejudice as long as they fail to extend to women complete and unqualified equality in law and in practice.

Need for Education: We also recognise that large numbers of our womenfolk continue to be bound by traditional practices and conventions, and fail to realise that these have become obsolete and a brake on progress. It is our duty and privilege to enlist all women in our struggle for emancipation and to bring to them all realisation of the intimate relationship that exists between their status of inferiority as women and the inferior status to which their people are subjected by discriminatory laws and colour prejudices.

It is our intention to carry out a nation-wide programme of education that will bring home to the men and women of all national groups the realisation that freedom cannot be won for any one section or for the people as a whole as long as we women are kept in bondage.

An Appeal: We women appeal to all progressive organisations, to members of the great National Liberatory movements, to the trade unions and working class organisations, to the churches, educational and welfare organisations, to all progressive men and women who have the interests of the people at heart, to join with us in this great and noble endeavour.

Our Aims

We declare the following aims:

This organisation is formed for the purpose of uniting women in common action for the removal of all political, legal, economic and social disabilities. We shall strive for women to obtain:

1. The right to vote and to be elected to all State bodies, without restriction or discrimination.
2. The right to full opportunities for employment with equal pay and possibilities of promotion in all spheres of work.
3. Equal rights with men in relation to property, marriage and children, and for the removal of all laws and customs that deny women such equal rights.
4. For the development of every child through free compulsory education for all; for the protection of mother and child through maternity homes, welfare clinics, creches and nursery schools, in countryside and towns; through proper homes for all, and through the provision of water, light, transport, sanitation, and other amenities of modern civilisation.
5. For the removal of all laws that restrict free movement, that prevent or hinder the right of free association and activity in democratic organisations, and the right to participate in the work of these organisations.
6. To build and strengthen women’s sections in the National Liberatory movements, the organisation of women in trade unions, and through the peoples’ varied organisation.
7. To cooperate with all other organisations that have similar aims in South Africa as well as throughout the world.
8. To strive for permanent peace throughout the world.

The Charter was adopted at the Founding Conference of the Federation of South African Women. It expressed the philosophy and aims of the newly established Federation of South African Women (FSAW) and was included in the final report of the conference.
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CHAPTER 1
INTRODUCTION

1. This report on the progress made by South Africa in implementing the Beijing Platform for Action is a response to the request made by the United Nations (UN) Commission for Africa (ECA). In 2015 the UN Commission on the Status of Women (CSW) will carry out a review and appraisal of the implementation of the Beijing Declaration and Platform for Action that was adopted at the 4th World Conference on Women, held in Beijing, China in September 1995, as well as the Outcome Document of the 23rd Special Session of the UN General Assembly held in 2000.

2. South Africa participated in the 4th World Conference of Women in 1995, and signed the Beijing Declaration and Platform for Action in the same year. In line with resolution E/RES/2013/18 of the UN Economic and Social Council (ECOSOC), South Africa is committed to undertake a comprehensive national-level review of the progress made and challenges encountered in implementing the Platform for Action for the achievement of gender equality and empowerment of women. It is envisaged that this national-level review will contribute in understanding and engagement of how gender equality and the empowerment of women can be strengthened in a Post-2015 Development Agenda.

3. The Beijing Declaration and its Platform for Action is one of the most remarkable documents to emerge from any intergovernmental conference. It is a blueprint for women’s empowerment and advancement. Since its adoption, the Beijing +5 global review in 2000 highlighted that women across the globe were making remarkable gains, living longer and healthier lives, becoming more educated, and more economically active. Overall women’s human rights were being more acknowledged, recognized and respected. In most countries of the world, women had the right to vote and hold office, and that violence against women became an illegal act in almost every country. Despite these gains made, the B+5 reviews indicated that women continued to be discriminated against; were the poorest of the poor; were illiterate; suffered ill health; and violence.

4. Thus the Beijing +5 review, which was a special session convened by the UN General Assembly in 2000, focused on “Women 2000: gender equality, development and peace for the 21st Century”. This special 23rd Session renewed commitments to gender equality and served as a forum to share and compare experiences. The session adopted a Political Declaration and the Outcome Document on “Further actions and initiatives to implement the Beijing Declaration and Platform for Action”. This Outcome document reaffirmed and strengthened the language of the Platform, and helped in consolidating a common development agenda with gender equality as an underlying principle.

5. The Outcome Document of the B+5 review recognized that the work for the advancement of women had to combine a focus on women’s conditions and basic needs with a comprehensive approach based on equal rights and partnerships, and the promotion and protection of all human rights, and fundamental freedoms. It recommended that policies, programmes and budgetary processes should adopt a gender perspective, and that information on the situation of women should be based on research and data relating to both women and men. And it emphasized that we needed time bound targets, measurable goals and follow-up mechanisms.

6. Importantly the B+5 review process identified several new or emerging areas that needed focused attention such as: (i) the need to address gender issues in humanitarian crises; (ii) women’s access to decision-making including in peace-making and peace-keeping; (iii) violence against women, in particular the impact of armed conflict on women; (iv) the economic impact of globalization on women; (v) trafficking in women and girls; (vi) women’s access to new information and communications technologies; and (vii) the impact of HIV/AIDS crisis on women.

7. In adopting the Political declaration of B+5, member states, including South Africa, reaffirmed their commitment to the full implementation of the Beijing Declaration and the 12 critical areas of concern identified in the Platform for Action. Furthermore Governments committed to continue a sustained call for international cooperation for women’s
empowerment and advancement, including that of all ODA commitments made by developed countries. Member states also committed to pursue the goal for universal ratification of CEDAW; encourage the participation of civil society, NGOs and women’s organizations in all implementation and assessment processes of the Platform for Action at the country level; involve men in the promotion of gender equality; mainstream gender in all policies and programmes; ensure the promotion and protection of all human rights and freedoms; and promoting the full participation and empowerment of women in all aspects of society and life.

8. In 2005, the UN held the Beijing +10 global review in which the outcome document was also a Declaration adopted by the UN Commission on the Status of Women at its 49th Session in New York. Member states reaffirmed the Beijing Declaration and Platform for Action and the Outcome Document of the 23rd Special Session of the UN General Assembly in 2000. The 49th Session acknowledged the challenges and obstacles that continued to persist as barriers to the empowerment and advancement of women and thus pledged to accelerate the implementation of the Platform for Action, the MDGs and CEDAW.

9. In 2010, the United Nations held a 15 year global review of the progress made in implementing the Beijing Platform for Action, known as B+15. The outcome document at this session was the adoption of a Declaration during the 54th Session of the UN Commission on the Status of Women in New York. Member states reaffirmed the Beijing Declaration and Platform for Action, the Outcome Document of the 23rd Special Session of the UN General Assembly in 2000 and the Declaration adopted by the 49th Session of the UN Commission on the Status of Women in 2005. Member States pledged that they would undertake further action to ensure the full and accelerated implementation of the commitments made in all these documents, as well as in the achievement of all the Millennium Development Goals by 2015.

10. Since 1996, the UN Commission on the Status of Women annually reviewed one critical area of concern identified in the Platform for Action and adopted Agreed Conclusions at the end of each session. These are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Agreed Conclusions</th>
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<tr>
<td>1996 (40th Session)</td>
<td>• Implementation of Strategic Objectives and Action in the Critical Area of Concern: Poverty</td>
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<td>• Women and Media</td>
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<td>1997 (41st Session)</td>
<td>• Women and the Environment</td>
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<td>• Women in Power and Decision-making</td>
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<td>• Women and the Economy</td>
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<td>• Education and Training for Women</td>
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<td>1998 (42nd Session)</td>
<td>• Violence against Women</td>
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<td>• Women and Armed Conflict</td>
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<td>• Human Rights of Women</td>
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<td>• The Girl Child</td>
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<td>1999 (43rd Session)</td>
<td>• Women and Health</td>
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<td>• Institutional Mechanisms for the Advancement of Women</td>
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<td>2000 (44th Session)</td>
<td>• B+5 Review: NO AGREED CONCLUSIONS</td>
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<td>2001 (45th Session)</td>
<td>• Women, the girl child and HIV and AIDS</td>
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<td>• Gender and all forms of discrimination in particular racism, racial discrimination, xenophobia and related intolerance</td>
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<td>2002 (46th Session)</td>
<td>• Eradicating poverty, including through the empowerment of women throughout their life cycles, in a globalizing world</td>
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<td>• Environmental management and mitigation of natural disasters</td>
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<td>2003 (47th Session)</td>
<td>• Participation in and access of women to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women</td>
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<td>2004 (48th Session)</td>
<td>• The role of men and boys in achieving gender equality</td>
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<td>• Women’s equal participation in conflict prevention, management and resolution in post-conflict peace building.</td>
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<td>2005 (49th Session)</td>
<td>• B+10 Review: NO AGREED CONCLUSIONS</td>
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<td>2006 (50th Session)</td>
<td>• Enhanced participation of women in development: an enabling environment for achieving gender</td>
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<th>Year</th>
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<td>2007</td>
<td>51st</td>
<td>• Elimination of all forms of discrimination and violence against women and girls</td>
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<td>2008</td>
<td>52nd</td>
<td>• Financing for Gender Equality and Women’s Empowerment</td>
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<td>• Women and Armed Conflict – as a review of the agreed conclusions of the 48th Session of the UN CSW in 2004</td>
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<td>2009</td>
<td>53rd</td>
<td>• The Equal Sharing of Responsibilities between Men and Women, including Care-giving in the Context of HIV and AIDS</td>
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<td>• Equal Participation of Women and Men in Decision-Making Processes at all Levels – as a review of the agreed conclusions at the 50th session of the CSW in 2006</td>
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<td>2010</td>
<td>54th</td>
<td>• B+10 Review: NO AGREED CONCLUSIONS</td>
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<td>• Review of its contribution to shaping a gender perspective towards the full realization of the Millennium Development Goals.</td>
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<td>2011</td>
<td>55th</td>
<td>• Participation of women and girls in education, training, science and technology, including for the promotion of women’s equal access to full employment and decent work</td>
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<td>• The elimination of all forms of discrimination and violence against the girl child (Agreed conclusion from 51st session held in 2007)</td>
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<td>2012</td>
<td>56th</td>
<td>• The Empowerment of rural women and their role in poverty and hunger eradication, development and current challenges</td>
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<td>• Financing gender equality and the empowerment of women (Agreed Conclusions from 52nd Session held in 2008)</td>
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<tr>
<td>2013</td>
<td>57th</td>
<td>• Elimination and prevention of all forms of violence against women and girls</td>
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<td>• The equal sharing of responsibilities between women and men, including care-giving in the context of HIV/AIDS (Agreed Conclusions from 53rd session held in 2009)</td>
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<td>2014</td>
<td>58th</td>
<td>• Challenges and achievements in the implementation of the Millennium Development Goals for women and girls</td>
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<td></td>
<td>• Participation of women and girls in education, training, science and technology, including for the promotion of women’s equal access to full employment and decent work (Agreed Conclusions from 55th session held in 2011)</td>
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11. South Africa has since the adoption of the Beijing Declaration and its Platform for Action, been making consistent effort at fulfilling its obligations as contained in the Agreed Conclusions and Political Declarations through enacting legislation, policies and strategies for women’s empowerment, advancement and provision of human rights. This Report, Section 2, highlights the progress made by the country in meeting these various commitments and obligations and provides in detail those measures that are put in place and the continued challenges.

CHAPTER 2
BACKGROUND

12. South Africa achieved democracy in 1994. Central to this democracy was a commitment to gender equality and the empowerment of women. The founding provisions of the Constitution of the Republic of South African, 1996 (The Constitution) are:
Section 1: The Republic of South Africa is one, sovereign, democratic state founded on the following values, among others:
(a) Human dignity, the achievement of equality (including gender equality) and the advancement of human rights and freedoms.
(b) Non racialism and non-sexism.
(c) Supremacy of the Constitution and the rule of law.
(d) Universal adult suffrage, a national common voter’s roll, regular elections and a multi-party system of democratic government to ensure accountability, responsiveness and openness.....

13. The Constitution has been guided by a range of international and human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Declaration and its Platform for Action.

14. The Bill of Rights in the Constitution ensures the foundation for a non-racist, non-sexist, and human rights-based society where race, class, gender, sexual orientation, disability, diversity, age, social security and protection from harm are, among others, primary considerations. It forms the bedrock of the developmental state – especially with respect to legislation, governance, sustainable development considerations, and democratic institutions of the State.

15. Since the dawn of democracy in South Africa in 1994, the Government of the Republic of South Africa has committed to a determined human rights framework. In the same year, the second Women’s Charter, the Women’s Charter for Effective Equality was adopted and launched on 9th August 1994, National Women’s Day, by the Women’s Coalition; this charter was to form the basis for all political, legal and legislative strategies on women, as well as a source for contributing to the writing of the Interim Constitution of South Africa, 1993 to ensure that women’s rights are integrated. This Charter gave expression to the common experiences, visions and aspirations of South African women, providing the platform for women to voice out their call for respect and recognition of their human dignity, rights and change in their status and material conditions in a future South Africa.

16. In line with this, South Africa participated in the UN 4th World Conference for Women in Beijing, China in September 1995, and ratified CEDAW without reservation in December of the same year.

17. The empowerment of women in South Africa is about dealing with the legacy of apartheid and the transformation of society, particularly the transformation of power relations between women, men, institutions and laws. It is also about addressing gender oppression, patriarchy, sexism, racism, ageism, and structural oppression, and creating a conducive environment which enables women to take control of their lives. Black women suffered triple oppression (race, gender and class / culture), especially those married under customary law, which was not regarded as marriage but union, who regarded as minors by the Black Administration Act 1927 and placed under the tutelage of their husbands.

18. Since 1913, women have played a significant role towards their emancipation and liberation in South Africa. Women of all races demonstrated against having to carry passes through major campaigns. The first, in 1913, was in Bloemfontein and stands out not only because it was such an early outbreak of women’s resistance characterized by strength and militancy and was so costly to the personal lives of participants, but it also set the tone for later anti-pass action by militant African women. The second episode was in 1930 in Potchefstroom, a small white-dominated town where officials tried to bully the women to comply with the particular labour needs of the town. In this case the grievance of the women was against lodgers’ permits. The third campaign was masterminded in Johannesburg from 1954-1956, culminating in the well-known and famous historic Women’s March in 1956, where 20 000 women marched to the Union Buildings in Pretoria, the bastion of Apartheid.

19. On 17 January 1954 the Founding Conference of the Federation of South African Women adopted the Women’s Charter, a year before the historic Freedom Charter of 1955 was adopted. The Women’s Charter, which turned 60 years in 2014, outlines the aspirations of women for the national liberation, emancipation, including political participation, and equality for women.

We declare the following aims.
This organisation is formed for the purpose of uniting women in common action for the removal of all political, legal, economic and social disabilities. We shall strive for women to obtain:
1. The right to vote and to be elected to all State bodies, without restriction or discrimination.
2. The right to full opportunities for employment with equal pay and possibilities of promotion in all spheres of work.
3. Equal rights with men in relation to property, marriage and children, and for the removal of all laws and customs that deny women such equal rights.
4. For the development of every child through free compulsory education for all; for the protection of mother and child through maternity homes, welfare clinics, creches and nursery schools, in countryside and towns; through proper homes for all, and through the provision of water, light, transport, sanitation, and other amenities of modern civilisation.
5. For the removal of all laws that restrict free movement, that prevent or hinder the right of free association and activity in democratic organisations, and the right to participate in the work of these organisations.
6. To build and strengthen women’s sections in the National Liberatory movements, the organisation of women in trade unions, and through the people’s varied organisation.
7. To cooperate with all other organisations that have similar aims in South Africa as well as throughout the world.
8. To strive for permanent peace throughout the world.

As extracted from the Women’s Charter of 1954

20. It is within this context that we analyse the progress made in achieving gender equality and the empowerment of women in South Africa: 60 years after the adoption of the Women’s Charter of 1954; 20 years after the adoption of the Women’s Charter for Effective Equality of 1994; 20 years after the advent of democracy in South Africa; and 20 years after the country signed the Beijing Declaration and Platform for Action and ratified CEDAW.

21. It therefore serves as an ideal opportunity to reflect on South Africa’s progress in achieving women empowerment and gender equality in the context of critical areas highlighted in the 1994 Women’s Charter for Effective Equality that was informed in many ways by the Women’s Charter of 1954, and which are in congruence with the 12 critical areas identified in the Beijing Platform for Action of 1995. Specific and special focus is on women’s human rights towards elimination of all forms of discrimination against women through social and economic empowerment of women as contained in articles within the Women’s Charter for Effective Equality: (i) equality; (ii) law and the administrative justice; (iii) economy; (iv) education and training; (v) development, infrastructure and environment; (vi) social services; (vii) political and civil society; (viii) family life and partnerships; (ix) custom, culture and religion; (x) violence against women; (xi) health and (xii) media. These are transposed against the critical areas in the Platform for Action: (a) women and poverty; (b) education and training of women; (c) women and health; (d) violence against women; (e) women and armed conflict; (f) women and the economy; (g) women in power and decision-making; (h) institutional mechanisms for the advancement of women; (i) human rights for women; (j) women and the media; (k) women and the environment; and (l) the girl-child.

22. In alignment with the five national priorities of Government for the next five years, the public and private sector will focus on the following:
• Job creation, decent work and sustainable livelihoods for women, including funding mechanisms for increasing opportunities for women’s economic empowerment;
• Education for women and girls with a focus on science and technology;
• Women’s health especially decreasing maternal mortality and the negative impact of HIV and AIDS on women and girls;
• Addressing the growing scourge of gender based violence; and
• Rural women’s development, land reform, food security and sustainable development for women and girls.

CHAPTER 3
OVERVIEW OF ACHIEVEMENTS AND CHALLENGES

23. The report indicates that there are major shifts in the status and conditions of women and that to some degree there is a narrowing of the gender gap, while there is the widening of the inequality gap in general between the rich and the poor. There is a particular highlight with regard to de jure equality or equality in the eyes of the law, where law reform has seen to the removal of various discriminatory laws and enactment of laws that foster an enabling environment for the advancement of women and the achievement of gender equality. With regard to de facto equality, significant progress has been made but there is still much to be done especially with the full and effective implementation of laws, policies and strategies.

24. Significant change is particularly noted in areas such as legal status, attitudes, women’s involvement in decision-making, especially at the political level, in employment, education, ownership of homes and businesses, the justice system, and economic participation. However the pace of change appears to be rather slow, and trends indicate a very gradual achievement towards real non-sexism and substantive gender equality.

25. There are several major gains made and milestones reached in the progress toward women’s empowerment and gender equality in the country. Major achievements for South Africa in this regard are demonstrated by the sound human rights based legislative framework in the country; the institutional mechanisms and put in place to promote women’s human rights and dignity, empowerment and gender equality; and the remarkable achievements in the representation of women in political and decision-making positions both in the public and private sectors. These achievements will be detailed in the content of the report in specific chapter.

26. There is recognition of the progress made in promotion of women’s empowerment and gender equality as well as the protection of the women’s rights in South Africa through the promulgation of several pieces of legislation that impacts positively on the lives of women and girls in general, however the country acknowledges that challenges still persist in some areas and these will form part of the content of the specific area of the report.

CHAPTER 4
LEGISLATIVE FRAMEWORK PROMOTING WOMEN’S EMPOWERMENT AND GENDER EQUALITY

27. The Constitutional vision of the realisation of equality, including equality between women and men, is an ideal to be pursued and achieved through the implementation of the Constitution of the Republic of South Africa, 1996. Section 2 provides that the obligations imposed by the Constitution must be fulfilled. Implied in the last part of the preamble is a commitment to comply with international law and human rights standards. The Constitution is aligned with and also serves as an instrument for facilitating South Africa’s compliance with its international human rights obligations. Many of the international human rights standards and resultant obligations relate to women’s human rights and the duty of parties to take measures to eradicate inequality between women and men in all spheres of life, including the justice system, the family, societal practices and the economy.
28. As a result of the above, after 1994, the principle of ‘gender equality’ influenced policy formulation in economic and development-related areas such as access to employment, land, housing, water, health care and public works programmes. The law reform processes undertaken over the past eighteen years have resulted in the production of an unprecedented body of laws that lay the foundation for the transformation of our society.”

29. There are a range of laws, enacted since the dawn of democracy, that are key contributors to an enabling environment for women empowerment and the achievement of gender equality as well as aimed at combating, preventing, eliminating and eradicating all forms of crime including violence against women; trafficking in women and girls and promoting women’s rights. These are indicated below.

i) Criminal Procedure Second Amendment Act 75 of 1995: deals with, among other things, bail guidelines that cover violence against women

ii) Film and Publications Act 65 of 1996: provides for the establishment of the Film and Publication Board whose role includes combating child pornography and the negative stereotyping and representation of women

iii) Choice of Termination of Pregnancy Act 92 of 1996: provides for the circumstances and conditions under which pregnancy may be terminated.

iv) The South African Schools Act 84 of 1996: made schooling compulsory for children aged 7 to 15 years that is grade 1-9, while on the other hand reduced discrimination against the girl child.

v) Criminal Procedure Second Amendment Act 85 of 1997: tightens bail provisions relating to serious crimes, including violence against women.

vi) The Criminal Procedure Act 51 of 1997: the Act further amended the provisions relating to bail to ensure that persons who are accused of having committed serious offences are not released on bail. These offences often involve women and children as victims.

vii) Basic Conditions of Employment Act 75 of 1997, including its amendments: protects labour rights including those that are specific to women workers and contribute to the reduction of direct discrimination in the workplace.

viii) Employment Equity Act 55 of 1998: seeks to promote equal opportunity and fair treatment in employment through the promotion of affirmative action and the elimination of unfair discrimination.

ix) Maintenance Act 99 of 1998: protects children (including the girl child) during the dissolution of the marriage, or of children born out of wedlock, or to absentee fathers.

x) The Domestic Violence Act 116 of 1998: seeks to strengthen protection against domestic violence. The Act broadens the scope of cover of what constitutes domestic relationships and domestic violent actions. It defines violence against women as including in addition to physical abuse, other forms of abuse such as emotional, verbal, psychological, sexual, economic, damage to property, harassment and stalking. The main strength of the legislation lies in protection orders against perpetrators and the institution of criminal action against perpetrators where the alleged act(s) of domestic violence constitute a crime.

xi) Recognition of Customary Marriages Act 120 of 1998: recognises and protects women in customary marriages, including those in polygamous marriages

xii) Preferential Procurement Policy Framework Act 5 of 2000: provides a framework for preferential treatment of historically disadvantaged groups (such as women) in procurement transactions. The Act provides specific targets for women and people with disabilities

xiii) The Firearms Control Act 60 of 2000: enables the State to remove illegally possessed fire arms from society, control supply, possession, storage and transportation and use of firearm and to detect and punish the negligent and criminal use of firearms.

xiv) The Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000: provides the framework for implementing section 9 of the Constitution. It seeks to promote achievement of equality and prevent and prohibit unfair discrimination on the grounds of, inter alia, gender, sex, and pregnancy. This Equality Act also broadly defines discrimination as ‘any act or omission, including a policy, law, rule, practice, condition, or situation which directly or indirectly (a) imposes burdens, obligations or disadvantage on; or (b) withholds benefits, opportunities or advantages from, any person on one or more of the prohibited grounds. In specific
reference to discrimination against women, section 8 of the Equality Act provides a range of prohibited practices that constitute discrimination on the basis of gender. Furthermore, the South African Human Rights Commission (SAHRC) is mandated under Section 25, Chapter 2 of the Equality Act to investigate and report on allegations of abuse.

xv) The Children's Act 38 of 2005: provides a broad framework for the protection of children’s rights including those of the girl child. The Act gives effect to certain rights of children as contained in the Constitution; sets out principles relating to the care and protection of children; defines parental responsibilities and rights to make further provision regarding children’s courts, among others.

xvi) Older Persons Act 13 of 2006: provides for the protection of older person from violence of all forms including from intimate partners, abuse and neglect.

xvii) The Civil Union Act 17 of 2006: provides for the solemnization and registration of same-sex marriages. South Africa is the fifth country in the world and the first in Africa to recognize same sex marriages. The legalized rights of lesbian women to adoption as parents, the extension of partner benefits and the right to marriage is provided for within the Civil Union Act. Therefore, same-sex couples are entitled to the same rights and benefits as heterosexual spouses.

xviii) The Criminal law Amendment (Sexual Offences and Related Matters) Act 32 of 2007: This Act seeks to protect women and children by, inter alia, criminalizing a wide range of acts of sexual abuse and exploitation. It repeals the common law offence of rape and replaces it with a new expanded statutory offence of rape, applicable to all forms of sexual penetration without consent, irrespective of gender. It also repeals the common law offence of indecent assault and replaces it with a new offence of sexual assault, which contains a wider range of acts of sexual violation without consent. Moreover, the Act targets for punishment sexual predators that prey on children and people with disabilities. It criminalizes sexual exploitation or grooming of children and people with disabilities, exposure or display of child pornography or pornography to children and the creation of child pornography.

xix) The Protection from Harassment Act 17 of 2011 is aimed at protection of victims of harassment (including sexual harassment), in order to put into effect the right of all people in South Africa to be free from all forms of violence from either public or private sources. Harassment in this regard means directly or indirectly engaging in conduct that causes harm or inspires the reasonable belief that harm may be caused to the complainant or a related person by unreasonably-(a) following, watching, pursuing or accosting of the complainant or a related person, or loitering outside of or near the building or place where the complainant or a related person resides, works, carries on business, studies or happens to be; (b) engaging in verbal, electronic or any other communication aimed at the complainant or a related person, by any means, whether or not conversation ensues; or (c) sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the complainant or a related person or leaving it where it will be found by or given to, or brought to the attention of, the complainant or a related person. In this regard, no longer will you be able to send someone an anonymous SMS with some kind of sexual innuendo or constantly bully a classmate at school without facing legal consequences.

xx) The Prevention and Combating of Trafficking in Person Act 7 of 2013 gives South Africa, for the first time, a single statute that tackles human trafficking holistically and comprehensively by providing a maximum penalty of R100-million or life imprisonment or both in the case of a conviction. The legislation fulfills the objectives to provide for an offence of trafficking in persons and other offences associated with trafficking in persons to prevent and combat the trafficking in persons within or across the borders of the Republic; to provide for measures to protect and assist victims of trafficking in persons; and to provide for the establishment of the Intersectoral Committee on Prevention and Combating of Trafficking in Persons and the criminalization of practices resulting in forced and early marriages and harmful cultural and traditional practices such as Ukuthwala. It has also the effect of domesticating the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons. This legislation has to date not yet implemented and government is putting in places all measures to have this legislation implemented. The country continues to use range of other legislation to prosecute perpetrator related to trafficking in women.
SECTION TWO

PROGRESS IN THE IMPLEMENTATION OF THE CRITICAL AREAS OF CONCERN OF THE PLATFORM FOR ACTION
CHAPTER 5
WOMEN AND POVERTY

30. The laws and policies that South Africa has put in place to address poverty in women are two-fold: these include addressing women in abject poverty to meet human rights need as well as measures that are used to empower women for entrepreneurship, employment opportunities and for their economic independence and sustainability.

31. There are various ways in which poverty can be measured; however, the use of an absolute measure that conceptualises poverty as lacking the income to purchase a minimum basket of food and non-food items was adopted in the discussion of MDG1 by South Africa. Several international poverty thresholds have been adopted, with one dollar per person per day being one that reflects the most extreme condition of poverty.

32. With each passing year South Africa has seen visible improvements in the life circumstances of its citizens. According to the MDG Country report 2013: The South Africa I know, the Home I understand, released by Statistics South Africa, statistics indicate that as far as poverty is concerned, the country has made a lot of progress and yet we are aware that the levels of poverty among vulnerable groups such as children and women, which is higher than the poverty levels for the general population, still remain a major challenge.

33. South Africa, more importantly, has a policy that provides for strategies addressing the vulnerable groups. Halving the share of the population earning less than $1.25 (PPP) per person per day is already achieved, while the share of those experiencing hunger has also been halved, at least in terms of self-reported hunger. Despite this progress, there are differentiation in poverty outcomes according to age and gender: in particular, youth and women remain disproportionately vulnerable to all forms of poverty.

34. Section 27 of the Constitution makes provision for the development of an extensive social security system, and led to the South African Social Security Agency Act (Act 9 of 2004) and the establishment of the South African Social Security Agency (SASSA). SASSA provides an income transfer in the form of different kinds of social grants such as disability grant; a grant for older persons and a war veteran's grant; foster child grant; care dependency grant; child support grant and a grant-in-aid through direct and unconditional cash transfers. The social grant programme has resulted in a reduction in poverty levels in these vulnerable groups.

35. The myriad of poverty alleviation programmes addressing income, human capital and asset poverty resulted in more South Africans today having access to for example, some form of household income, even if only in the form of a social grant, formal housing, piped water, electricity and decent sanitation. Overall South Africans are enjoying a higher standard of life, particularly in formal urban areas.

36. The poverty narrative and how South Africa is addressing it would therefore not be complete without discussing the unique impact of a targeted social wage on the triple challenge of poverty, unemployment and inequality. Social wages in South Africa are packaged in different targeted forms. In the list of these are the following: free primary health care; no-fee paying schools; social grants, (such as old age pensions, and child support grants) and RDP housing; provision of basic and free basic services in the form of reticulated water; electricity; sanitation and sewerage as well as solid waste management to households and in particular those categorised as indigent. In this regard and since 2001 the indigent household is entitled to a monthly free six kilolitres of water, fifty kwh of electricity, R50 worth of sanitation, sewerage and refuse removal.
37. The figure on Access to Free Basic Services for Indigent Households above indicates that for all four services outlined above, a significant improvement has been made from 2004 to 2011. The proportion of indigent households with access to free water, electricity, sanitation and sewerage as well as solid waste management increased by the following percentage points 9.8, 30.3, 19.4 and 15.4 respectively from 2004 to 2011. These basic services illustrate the extent to which the poor in South Africa access different types of services and have their living conditions cushioned against debilitating vicissitudes of poverty.

38. South Africa has done a lot to improve the living conditions of all citizens as indicated, however the Living Conditions Survey 2008/2009 showed that females had a higher poverty headcount (27.3%) than males (25.2%) during the survey period when using the food poverty line. The table below indicates that the poverty headcount for females was 2.1% higher than that of males. A similar pattern is observed when using the upper-bound poverty line, yielding 54.1% for females and 50.4% for males. The percentage difference for male and for females using the upper-bound poverty line was higher at 3.7%.

<table>
<thead>
<tr>
<th>Poverty indicators by sex</th>
<th>Food poverty line (R305)</th>
<th>Lower-bound poverty line (R416)</th>
<th>Upper-bound poverty line (R577)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex</td>
<td>P0</td>
<td>P1</td>
<td>P2</td>
</tr>
<tr>
<td>Male</td>
<td>25.2</td>
<td>8.1</td>
<td>3.6</td>
</tr>
<tr>
<td>Female</td>
<td>27.3</td>
<td>8.8</td>
<td>3.9</td>
</tr>
<tr>
<td>RSA</td>
<td>26.3</td>
<td>8.5</td>
<td>3.8</td>
</tr>
</tbody>
</table>

38. The poverty gap for males was also lower than that of females, indicating that males living below the poverty line were closer to the poverty line as compared to females living below the same poverty line. The severity of poverty estimates further highlighted this pattern in gender poverty.

<table>
<thead>
<tr>
<th>Percentage share of poverty by sex</th>
<th>Food poverty line (R305) (%)</th>
<th>Lower-bound poverty line (R416) (%)</th>
<th>Upper-bound poverty line (R577) (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex</td>
<td>Male</td>
<td>Female</td>
<td>RSA</td>
</tr>
<tr>
<td></td>
<td>46.2</td>
<td>46.2</td>
<td>46.4</td>
</tr>
<tr>
<td></td>
<td>53.8</td>
<td>53.8</td>
<td>53.6</td>
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<tr>
<td></td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

39. In general, the total number of females in the country is estimated to be greater than that of males by roughly 3.6%. However, looking at the poverty shares using the upper-bound poverty line, the proportion of the female population...
living below the poverty line exceeded that of males by 7.2% during the period September 2008 to August 2009; while the proportion of the female population living below the food poverty line exceeded that of males by 7 and 6%.

40. The low rate of participation of women in employment is another reason why majority of women are living in poverty although this trend is improving according to the Quarterly Labour Force Survey of 2013 as indicated below.

41. The pattern of higher unemployment rate among women than men is maintained over time. 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.

42. Employment grew by approximately 5.6 million between 1994 and 2013, or by 60%. While there has been a large increase in the number of people employed, this has been offset by a larger increase in the number of people looking for work. The reasons for this include population growth, increasing urbanisation (which in turn was partly a result of the dismantling of the homeland system and the removal of the pass laws) and increasing numbers of women looking for work, due to advances in gender equality. Considerable progress has been made in ensuring greater equality in employment in terms of race and gender, although challenges persist. In 1994, just 34% of working-age Africans was employed and only 26% of African women. In contrast, 66% whites and 51% Coloured and Asians were employed. By 2013, African employment had climbed to 43%, and 38% of African women had paid work.

43. An ongoing concern is the disparity between men and women in earned income. In 2001, the average annual income of households headed by women was R27 864, compared with R63 626 for households headed by men. By 2011, despite an increase in the average income for females, households headed by women still earned less than 50% of households headed by men. The median earnings for a white man were six times as high as for an African woman. The disparity was mostly not a result of unequal pay for the same kinds of work, although that remained a factor. The main reason for pay differentials was that Africans, and especially African women, were more likely to be employed in lower-level jobs. As a result of this disparity in employment, the average income for females remains far less than their male counterparts’ salaries. Inequalities in access to work and pay are also reflected in household incomes.

44. The figure below indicates the proportion of a country’s working-age population that is employed, which remained around 41-45%. The trend shows a slight decrease between 2008 and 2009 which may be attributed to the global financial crisis mentioned earlier. The ratio is higher for males compared to females indicating better employment prospects for males as opposed to females. For both males and females, the ratio declines between 2008 and 2009.

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The goal to half extreme poverty has effectively been comfortably dealt with but there is deep concern that relative inequality remains high. This is so in part because of the high unemployment rate and the low labour force participation rate in our country.

The Expanded Public Works Programme (EPWP) is one of many programmes contributing towards supporting employment generation. It provides short-term job opportunities for the unemployed (to unskilled unemployed people in particular). In addition, the aim of the EPWP is to provide training for participants. Due to the short nature of most EPWP projects, this training has generally been at a basic level. Most EPWP work opportunities result from using more labour-intensive construction and maintenance methods in public infrastructure projects. Further upscaling the EPWP resulted in more than 3 million work opportunities being created between 2009 and the end of March 2013. This included the introduction of the Community Works Programme (CWP) in 2009, with funding for employment creation projects prioritised by communities.

The employment created through the EPWP programmes is still small compared with the number of unskilled unemployed people. Nevertheless, public employment programmes are crucial income-supporting programmes. Both the EPWP and the CWP have been successful in targeting women, the youth and people with disabilities. In addition to providing income, the opportunity to work provides dignity and meaning in the lives of participants in public works programmes. Generally, besides accessing income, public works programmes help reduce the negative effects of unemployment, which include social isolation, erosion of self-esteem, drug and alcohol abuse, as well as a loss of knowledge, skills and habits associated with having a job.

On August 7, 2014, the Human Sciences Research Council (HSRC) finally launched the publication of the research study on civil society best practices commissioned jointly by the International Women’s Forum of South Africa (IWFSA) and South African Women in Dialogue (SAWID) as part of their South African Women as Champions of Change Program of Action [2]. The research addresses civil society best practices in the main issues identified as facing South African women as part of a civil society programme of action for the African Women's Decade, and it also explores the theme which cuts across the others, namely employment creation through the professionalization of women’s unpaid work, and income generation in all these areas of human need.

There are pockets of best practices programmes implemented in civil society, government and private sector, like Consumer Council achieving Pick and Pay contract of 25 million dollars to woman piggery cooperatives, the Coca Cola 5X5 programme supporting emerging entrepreneurs in distribution and bottling; Massmart Project in supplier development of women and women-focused skills development projects implemented African Women Chartered Accountants encouraging young girl to take up studies to become charter accountant among others. These programmes have great potential of economic empowerment of women, however they are operated at a very small scale and there is a need to find ways to upscale them.
50. Emerging Issues: The need to address the unpaid work of women in family and community resilience, as well as environmental sustainability and create employment in areas like food and retail, water harvesting, alternative energy sources, green technologies, sanitation etc.

CHAPTER 6
EDUCATION AND TRAINING OF WOMEN

Legislative and Policy context

51. Since 1994, South Africa has tirelessly pursued transformation measures in all aspects of education, including those aimed at the advancement of girls and women. As an initial step towards transforming the education system, the White Paper on Education and Training was adopted in 1995. It provided the blueprint for the transition to a single, national non-racial education system. Law reform measures followed the adoption of the National Education Policy Act 27 of 1996 and the South African Schools Act 84 of 1996 was enacted to promote access to education for all. The Basic Education Laws Amendment Act 2011 set the age admission into the first grade as a year in which the child turns seven.

52. In relation to higher education, the National Plan for Higher Education was adopted in 2001. It laid down the plan for the restructuring of the higher education system. It established student-equity and employment equity targets. Student equity-targets are for black and female students while employment-equity aims to address the race and gender employment inequalities. The Further Education and Training Colleges Act 16 of 2006 (which repealed the Further Education and Training Act 98 of 1998) regulates further education, and addresses the advancement of women in further education as well as in previously male-dominated fields. The Skills Development Act 97 of 1998 provides for upgrading and acquisition of new skills for employment and advancement in the labour sector and requires the Department of Labour to consider the provisions of gender equality.

53. Legislative reforms have also targeted the promotion of adult literacy. The Adult Basic Education and Training Act 52 of 2000 provide for basic education to older persons who previously could not access education opportunities and those adults who want to finish their basic education. The adult education and training centres offer programmes to adults and out-of-school youth, which, in the main, culminate in the General Education and Training Certificate qualification equivalent to the National Qualifications Framework (NQF) level 1 and the Senior Certificate (Grade 12). As an outcomes-based programme, adult education and training aims to provide basic learning tools, knowledge and skills, and it provides participants with nationally recognized qualifications. This Act largely benefits women in generally and black women in rural areas in particular who were historically disadvantaged. In 2009, an estimated 5.5 million adults in South Africa were illiterate (Statistics South Africa, 2010).

54. Since May 2009, the function of national education was administered by two departments, namely the Department of Basic Education (DBE) and the Department of Higher Education and Training (DHET). The Department of Basic Education is responsible for the school system, from reception year to grade 12 and Adult Basic Education and Training(Abet) qualification, while the Department of Higher Education and Training is responsible for higher education system, further education and training institutions, national skills authority, sector education and training, trade testing centres and skills development institutions. There are Departments of Education at the provincial level, in each of the nine provinces responsible for the administration of education in terms of national policy and legislation, supplemented by provincial policies and legislation.
Achievements

55. According to the report “Education for All (EFA) 2013 Country Progress Report: South Africa”; gender parity in early childhood development has been achieved between 2007 and 2012 for female and male learners aged 0-4 years. The compulsory education age group is characterised by high enrolments, with 99% of children aged 7-15 years accessing schooling. The table below indicates that parity was achieved in the participation of male and female children in this age group. Between 2002 and 2013, there is approximately equal participation in education by both sexes, with a Gender Parity Index for 7 to 15 years being achieved.

<table>
<thead>
<tr>
<th>Percentage of 7-15 years old attending educational institution by gender, 2002-2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
</tr>
<tr>
<td>------</td>
</tr>
<tr>
<td>2002</td>
</tr>
<tr>
<td>2003</td>
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<tr>
<td>2004</td>
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<tr>
<td>2005</td>
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<tr>
<td>2011</td>
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<tr>
<td>2012</td>
</tr>
<tr>
<td>2013</td>
</tr>
</tbody>
</table>

Source: Statistics South Africa, General Household Survey, 2002-2013, DBE own calculations

56. Older females are more likely to be out of school than males in this age group. The 2013 General Household Survey found that 15% of females aged 16 to 18 years were not attending an educational institution compared to almost 13% of males in the same age group. While the percentage of females that were not attending educational institutions had decreased from approximately 21% in 2002 to almost 15% in 2013, the percentage of males remained stable at an average of 14% between 2002 and 2013.

<table>
<thead>
<tr>
<th>Table 1: Percentage of 16 to 18-year-old youth not attending education institutions by gender, 2002 to 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>--------</td>
</tr>
<tr>
<td>Male</td>
</tr>
<tr>
<td>Female</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Source: Statistics South Africa, General Household Survey, 2002-2013, DBE own calculations

57. With regard to gender parity in adult literacy, there were more male adults that were literate throughout the years 1995 to 2012 than females. The adult literacy rate for males increased from 72% in 1995 to 83% in 2012 and for females from 67% in 2002 to 81% in 2012. The gap has therefore been narrowing over time, reflecting better educational participation among females in recent years.

<table>
<thead>
<tr>
<th>Number of learners, educators and institutions in Adult Education and Training programmes 2005-2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
</tr>
<tr>
<td>------</td>
</tr>
<tr>
<td>2005</td>
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<tr>
<td>2006</td>
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<td>2007</td>
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<td>2008</td>
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<td>2009</td>
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<td>2010</td>
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<tr>
<td>2011</td>
</tr>
</tbody>
</table>


58. The Kha Ri Gude (Let us Learn) Mass Literacy Campaign is regarded as one of the important ways in which the developmental state prioritizes the needs of the poor and addresses the right of all citizens to basic education in the official language of their choice. The campaign is intended to provide 4.7 million South Africans with the opportunity to become literate. The campaign enables adult learners to read, write and calculate in their mother tongue, which is in line with the unit standards for ABET Level 1, as well as to learn conversational English. The campaign targets vulnerable groups, including the deaf and the blind. Currently, 80% of the learners are women, 8% are disabled, 25% are youths and 20% are over the age of 60.

59. The achievement of education for all has been fast tracked by national education policies that greatly impacted on access to learning. They include the introduction of the No-Fee Schools Policy, the National School Nutrition Programme and other programmes aimed at retaining learners in schools that have led to dramatic increases in both primary and secondary school enrolment. Many young children living in poverty are food-deprived and are therefore not able to participate fully in their own development. The National School Nutrition Programme (NSNP) aims to promote better quality education for the poorest learners by providing a daily meal to learners benefiting from the
programme. In the 2010-2011 financial year, a total of 8 281 927 learners in 20 815 schools were reached: 6 536 744 learners in 17 315 primary schools and 1 745 183 learners in 3 500 secondary schools. Since 2008, the budget of the programme has progressively extended to include poor learners in secondary schools and in 2013, it provided over 8 million learners in over 20 000 schools.

60. No Fee Schools Policy has been of support to children from poor families as well as orphans, where in 2012 at least 6% of all children attending school were orphans. In 2012, 97.5% of learners who did not pay schools fees indicated that schools did not ask for fees or the school was a “no fee paying school”. There was an increase in the percentage of children who are not paying school fees from 94% in 2009 to 97.7% in 2012. The increase in the percentage of learners not paying school augurs well with the government for making schooling more accessible through the introduction of no fee schools. Furthermore, it confirms that the national education policies are being implemented successfully in the provinces.

61. In 2012, Government introduced Integrated School Health Policy which is linked to the National Health Insurance (NHI) and the revitalization of Primary Health Care in Schools. The policy aims to provide a more comprehensive package of services, which addresses not only barriers to learning, but also other conditions which contribute to morbidity and mortality amongst learners during both childhood and adulthood. The programme also includes a new, more prominent emphasis on the provision of health services in schools, which previously only conducted health screenings and referrals. School-based health services are also set to expand over time as are services for learners with special needs. More effort is also required on training public servants to assist with implementation of the policy.

62. The table below confirms what in recent years has been an increasingly common pattern in South Africa: girls outperforming boys in literacy and numeracy tests. Taylor and Spaull (2013) examined this pattern using SACMEQ data.

<table>
<thead>
<tr>
<th>2012 percentage scores by gender and subject</th>
<th>Female</th>
<th>Males</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade 3 maths</td>
<td>42.9</td>
<td>39.6</td>
</tr>
<tr>
<td>Grade 3 Home language</td>
<td>56.1</td>
<td>48.2</td>
</tr>
<tr>
<td>Grade 6 maths</td>
<td>27.5</td>
<td>25.8</td>
</tr>
<tr>
<td>Grade 6 Home language</td>
<td>46.0</td>
<td>39.6</td>
</tr>
<tr>
<td>Grade 6 FAL</td>
<td>38.8</td>
<td>32.6</td>
</tr>
<tr>
<td>Grade 9 Maths</td>
<td>13.4</td>
<td>11.9</td>
</tr>
<tr>
<td>Grade 9 Home language</td>
<td>46.9</td>
<td>39.9</td>
</tr>
<tr>
<td>Grade 9 FAL</td>
<td>38.1</td>
<td>31.4</td>
</tr>
</tbody>
</table>

Source: Education for All 2013 Country progress report: South Africa

63. Significantly women now outnumber male enrolments in higher education. In 1993 women made up 43% of enrolments in universities and technikons (Council on Higher Education, 1999). By 1997, the proportions were almost even, with women then stretching ahead as the majority of higher education individuals. By 2011, women made up
54% of all students (938,201 students in total) enrolled in contact university programmes and 63% of those enrolled in distance education programmes. (DHET, 2013).

64. In 2011 women have significantly shifted towards business, commerce or management science (26.1%) and away from education, training and related fields (19.8%), the former dominant field. Women, especially black, were under represented in science, engineering and technology, as well as in business and commerce programmes - the critical areas needed in the country. Black Women, especially African women are underrepresented in postgraduate studies which are dominated by white males.

65. The NSFAS provides financing opportunities to address poverty as challenges for young women accessing higher education and training with the disbursed amount increasing from R3.5 billion in 2009 to R7.4 billion.

66. Government has made huge strides in increasing access to higher education and as many as 991,759 student beneficiaries received R25 million in National Student Financial Aid Scheme loans and bursaries between 1991 and 2011. However lack of disaggregation in data does not show how many young women benefitted.

67. Opportunities for education and training have opened up. By 2009, 85% of unemployed people were trained on learner-ships and of those completing the training 54% were women. Approximately 45,000 staff members were employed by the higher education sector where women tend to be generally under-represented and only constituted 34% of the staff complement (OECD 2008).

68. The National Research and Development Strategy and the 2008 Ten Year Innovation Plan transformed the Science and Technology workforce which resulted in an equitable representation of women and blacks in science and technology in particular. Following the implementation of these strategies, women enrolment in higher education has increased from 48% in 1996 to 58% in 2012, the proportion of women in honours programmes from 44% to 49% and in doctoral programme from 38% to 44%. South Africa is the highest in Africa at 44% only marched by Tanzania although it is below 50%.

69. The enrolment of women in science, engineering and technology fields increased from 43.8% in 2000 to 45% in 2012 and women graduation increased from 48.4% to 51% during this period. Guidelines on improving the distribution of bursaries and scholarship has set a target of 55% of support to post graduate to go to women and this has shown an improvement from under 50% in 2011/2012 to 53% in 2013- with women constituting 53% of all honours student, 49% doctoral degrees and 45% of postdoctoral degrees.

70. Talent Development Strategy supports youth into Science and Mathematics Olympiads and competition for learners and the programme reserves 60% of the participants to girls’ learners who are in grade 10-12. Between 2011 and 2013, 70% of the participants in the Talent Development Programme were girls. The Thuthuka programme support women and blacks who are emerging as researchers and this programme have to date awarded 1 058 research grants to 698 women and 594 black researchers.

71. The Department of Basic Education and the Sport and Recreation South Africa (SRSA) jointly launched the National School Sport Programme which is aimed at ensuring that learners are physically active to improve and maintain their health. School Sport Program includes sporting codes that are traditionally played by girl children such as netball; women’s football; basketball and athletics. The first National School Sport Championships were successfully held in December 2012. The roll-out of school sport program is underpinned by physical education; top school leagues and national championships. Approximately 8000 learners participated in the finals of the National School Sport Championships in 2013; the total number is inclusive of girls and learners with disabilities, the challenge is disaggregated data which clearly indicates how many girls and learners with disabilities participated.
Challenges

72. Safe schools are schools that are physically and psychological safe and that allow educators, learners and non-educators to work without fearing for their lives (Prinsloo, 2005). Among the reasons stated for not attending schooling in the General Household Survey 2012 Report: Focusing on schooling was “lack of transport” (1%) and “safety at school” (1%). School safety is a prerequisite for effective teaching and learning and for the delivery of quality education. Regrettably, many children attending schools in South Africa do not feel safe.

73. A survey undertaken by the Medical Research Council (MRC) in 2010 found that more than one-quarter of learners (27%) felt unsafe at school. This was the case for both girls and boys. Significantly fewer White (13.8%) and Indian (13.7%) learners felt unsafe at school when compared to Black (27.6%) and Coloured (28.5%) learners (MRC, 2010).

School Violence by Gender: 2011


74. One of the reasons why learners do not feel safe at school is the absence of teacher supervision during breaks and when children leave the premises at the end of the school day. A study undertaken in 2005 (Prinsloo, 2005) noted that more than one-third of children (34%) reported that male learners always/often/sometimes sexually harassed female learners by touching or threatening them, or by making rude remarks. It was also found that 8% of children indicated that male educators proposed relationships with female learners at school.

75. Government has embarked on several strategies to promote school safety. The Guidelines for the Prevention and Management of Sexual Violence and Harassment was distributed to all schools. The Guidelines serve to enhance measures to create a safe and caring school environment free from all forms of sexual harassment and violence, as well as to assist public schools in maintaining the minimum standard procedures for addressing allegations of sexual violence in schools (DBE, 2010c).

76. According to the “Education for All (EFA) 2013 Country Progress Report: South Africa”, school-related gender-based violence can be broadly clustered into two overlapping categories: explicit gender (sexual) violence, which includes sexual harassment, intimidation, abuse, assault and rape; and implicit gender violence, which includes corporal punishment, bullying, verbal and psychological abuse, and teacher’s unofficial use of students for free labour and other forms of aggressive or unauthorized behaviour that is violent. The report further states that in schools where sexual violence against girls is taking place; the education system itself may increase a girl’s chances of dropping out, interrupting her studies, experiencing an unwanted pregnancy or becoming infected with HIV (p40).

77. Sexual abuse may occur outside the school with girls engaging in sex with adult men in exchange for gifts and money. Girls may be sexually or violently abused in school by teachers. Such behaviour exploits the teachers’ position of authority and betrays their duty of care. The country has several programmes to provide a comprehensive response to gender based violence. These programmes have been institutionalized in the Curriculum and Assessment Policy Statements in the Life Orientation Curriculum across all grades and bands. Programmes include “Speak Out” Youth report sexual abuse, the HIV/AIDS and Life Skills programme, the Sexual Reproductive Health programme, Peer Education Programmes and Opening your Eyes-Educators Addressing GBV, among others. There are also scripted lessons and messaging on gender-based violence in the Life Orientation workbooks that is distributed to all learners. Developmentally appropriate messaging and information are included.
78. There are multiple drivers of South Africa’s high levels of teenage pregnancies. Poverty, inequalities, sexual abuse, poor information, stigma and limited access to health services create conditions which limit young girls’ abilities to prevent and address unintended pregnancy. Girls dropping out of school due to pregnancy often prevent them from achieving a better quality of life. While being vulnerable to pregnancy, teenage girls are also at risk of contracting HIV and AIDS as well as other forms of sexually transmitted diseases. The role of education as a social vaccine to prevent teenage pregnancy has long been cited as a critical factor in the development of nations and in the achievement of the Millennium Development Goals.

79. The figure below shows that in 2013, the percentage of learners attending schools who fell pregnant increased compared to 2009. In 2013, 2.5% of female learners nationally were pregnant in schools compared to 1% in 2009.

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![Percentage of female learners that fell pregnant, 2009 to 2013](chart.png)

Source: Statistics South Africa, General Household Survey, 2009-2013, DBE own calculations

80. The general socio-economic, cultural and environmental conditions that include the living and working conditions; social and community influences and individual lifestyle factors are social determinants of health in South Africa. There have been major efforts to address factors such as poverty, underdevelopment and unemployment; access to basic services such as water, sanitation, electricity, fuel, housing; and provision of social security nets such as social grants. These are having positive impacts on health outcomes and the empowerment of women in the country. South Africa has improved access to basic services through improving access to water, sanitation, electricity, roads and housing to a large extent which is critical for good health outcomes.

**Legislation and policy context**

81. South Africa’s National Health Act provides for free health care service for all citizens, pregnant women and children under 6 years, at hospital level, which has resulted in enhanced access to primary health care services for all in South Africa.

38. Government, through the South African National AIDS Council (SANAC), developed the National Strategic Plan on HIV and AIDS, Sexually Transmitted Infections (STIs) and Tuberculosis (TB) for 2007-2011 and reviewed and updated for 2012-2016. This was undertaken through an extensive consultative process with a range of stakeholders

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2 Bradshaw (2008): Determinants of Health and their Trends; South African Medical Research Council
in the health, education, mining, transport sectors; trade unions; other government departments; research bodies; and civil society organizations, to prevent and mitigate the impact of HIV, AIDS and TB.

Achievements

39. Women make up 65% of the more than 20.2 million people that have to date been tested for HIV since 2010 through the HIV Counseling and Testing campaign between April 2010 and June 2011. Approximately 17% of South African women in their reproductive age are HIV positive\(^3\). Statistics South Africa estimates that the mid-year population of South Africans in 2014 to be at 54 million and approximately 51% (approximately 27.64 million) of the population is female. Life expectancy at birth is estimated at 59.1 years for males and 63.1 years for females in 2014. According to the 2014 midyear population estimates released by Statistics South Africa, the life expectancy for women has increased from 55.7 in 2002 to 63.1 in 2014\(^4\).

40. South Africa accelerated the implementation of key health programmes such as the provision of Anti-Retroviral Treatment (ART); the prevention of mother-to-child-transmission of HIV; and HIV counseling and testing. Access to life saving anti-retroviral (ARV) treatment has improved the life expectancy for women in the country.

41. There has also been a 97% reduction in mother-to-child transmission of HIV. Progress has been recorded in scaling up Prevention of Mother-to-Child Transmission (PMTCT) of HIV from 71% in 2009 to 99% in 2013, resulting in reduction in mother to child transmission from 8% in 2008 to 2.0% in 2013. This has improved the health and well-being of both mother and child. The number of people receiving ART in South Africa has increased exponentially between 2004 and 2011, with women and users of the public sector gaining greater access to ART\(^5\).

42. The introduction of District Clinical Specialist Teams as part of Primary Health Care (PHC) Re-engineering has contributed to improving maternal and child health. The campaign on accelerated reduction of maternal and child mortality (CARMMA) has contributed in the reduction of deaths of mothers and infants. CARMMA focuses on promoting sexual and reproductive health services; antenatal care; access to skilled birth attendants; allocating dedicated obstetric ambulances and establishing maternity homes; strengthening human resources for maternal and child care; intensifying management of HIV positive mothers and children; promoting child survival through supporting exclusive breast-feeding, and provision of lactating mothers facilities in hospitals and promoting kangaroo mother care. Evidence\(^6\) also shows that as a result of these interventions, the maternal mortality rate is steadily decreasing. In 1998 the maternal mortality rate was standing at 150 per 100 000 live births and then increased sharply to 310 per 100 000 live births in 2008, and is now gradually declining to 269 per 100 000 live births for population based figures and 149 per 100 000 live births for facility based figures.

43. According to the Department of Health, significant progress has been made in initiating people on treatment. There have been 1.79 million people started on ARTs by 2011, an increase from 1.1 million in 2009. The country appears to be on track to meet its target of 3 million by 2014 as 2.4 million patients have received ARTs by end of financial year in 2013. The initiation of ARTs for all pregnant women living with HIV with a CD4 count of less than 350, and provision of treatment to all other pregnant women living with AIDS at 14 weeks of pregnancy has positively impacted in reducing maternal and child mortality rates. In 2004, of the total number of patients receiving ARTs (47 500), women comprised 25 600. In 2011, of the total figure of 1 793 000 patients, women comprised 1 090 000 of those receiving ARVs.

44. This turnaround can be attributed to an acceleration and expansion of HIV awareness and prevention campaigns, counseling and testing, treatment, care and support. For example, since the presidential launch of the HIV Counseling and Testing (HCT) Campaign in April 2010, the number of people tested has increased substantially.

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\(^3\) Inputs from Department of Health, South Africa: November 2014
\(^5\) Inputs from Department of Health, South Africa: November 2014
\(^6\) Ibid
confirming improvements in health-seeking behaviour among South Africans. As at mid-2011, 15.1 million people had been tested and an additional 4.8 million people have since been tested. Based on this Presidential mandate, there has been a collaborative effort with partners to ensure implementation of the HIV Counseling and Testing (HCT) campaign for pregnant women and expanded treatment care and support. The accelerated efforts included expanding health facilities offering prevention of mother-to-child transmission programmes, training of midwives on Nurse Initiated Management of Antiretroviral Therapy programme, which makes lifelong access to ARVs possible for pregnant women.

45. In April 2013, South Africa rolled out fixed-dose combination antiretroviral (ARV) medication, which is one tablet instead of three pills a day, reducing the risk of patients defaulting from treatment. The fixed-dose combination ARV is given to newly diagnose HIV-positive people, including HIV-positive pregnant women and breast-feeding mothers. The fixed-dose combination will help reduce pill burden as is easy to take; highly effective and in no way inferior to taking three individual drugs. The guideline for prevention of mother-to-child transmission, pediatric and adult treatment was revised due to changes in the eligibility criteria where all pregnant women irrespective of CD4 cell count will be initiated on lifelong ART.

46. The number of public facilities initiating patients on antiretroviral drugs increased from 490 in 2010 to 2 948 in 2011 and the number of nurses trained to provide treatment increased from 290 in 2010 to 10 000 in 2011. Through improving procurement processes, there has been a 50% decrease in the prices of ARV drugs, which will enable the public health sector to treat more patients within the same amount of resources. The country has begun to implement a comprehensive information management system to keep track of the number of people on treatment.

47. A significant amount of knowledge, capacity and information has been generated, thus enabling the country to be in a significantly better position to develop and implement a plan that is more focused, evidence-informed and sustainable. Several studies have shown that integration, co-ordination and intradepartmental planning and execution has been the weakest aspect of the response to date and thus one of the key areas of focus during the development of the new strategic plan has been the identification of areas of synergy and integration, synchronization and eventually mainstreaming of the response in a deliberate, focused and sustainable manner.

48. The ability of women to control their own fertility is fundamental to women’s empowerment and equality. Reproductive rights including the right to decide on the number, timing and spacing of children, and to make decisions regarding reproduction free of discrimination, without coercion and violence, contribute to gender equality and empowerment. On improving access to contraception and family planning for women, the country recently launched the National Family Planning Campaign in February 2014 under the theme “My Responsibility, My Choice, Our Future- I choose dual protection”. The aim of the campaign is to provide information and services about various methods that prevent HIV, STI's and unwanted pregnancies. The campaign encourages the use of a combination of condoms and a second method of protection. The sub-dermal implant which is a long acting progestrogen-contraceptive method that is inserted under the skin in the upper arm was and providing protection from pregnancy for up to 3-5 years was also launched with this campaign.

49. The human papillomavirus (HPV) is a major cause of cervical cancer and is responsible for the deaths of over 3 000 women in South Africa every year. Cervical cancer is the second most common cancer among women in South Africa and the National Cancer Registry reports that the highest rates can be found among black women aged 66 to 69 years of age. The launch of the Human Papilloma Virus (HPV) vaccine campaign in March 2014 is a major step towards protecting women against cervical cancer. The campaign targets girl-children aged between nine and 12 years old and aims is to vaccinate an estimated 500 000 girls in 17 000 schools. The HPV vaccine will contribute to reducing the number of women dying as a result of cervical cancer, although it will be of little use to those women who already have cancer of the cervix or have are sexually active.

First-Things-First Campaign was launched at the Mangosuthu University of Technology on 7 March 2013. This Campaign targets students in universities by making Life Orientation a compulsory first year subject in Universities
and Further Education and Training Colleges where students are introduced to HIV and AIDS, health and reproductive rights issues.

**Challenges**

50. The majority of South African women still rely heavily on health services that are provided by the state. This is evidenced by the low percentage of private medical scheme coverage and the numbers that are using private health facilities. According to Statistic South Africa’s publication titled “Gender Statistics in South Africa (2011)”, overall South African women are less likely (38.8%) to visit private health facilities when they need health care than men (39.9%) and only 32.3% African women and men use private health facilities. Access to private medical scheme coverage is lowest at 9.3% for black African women compared to 70.7% for white women, 9.1% for black African men and 70.5% for white men. Therefore increasing access to public health care benefit the majority of Black African women to a large extent.

51. South African women continue to bear the burden of inequality which is compounded by the feminization of poverty, the HIV and AIDS pandemic, inadequate access to health care and persistent gender-based violence.

52. The levels of maternal mortality remain high, a key challenge for the health sector. Various factors contribute to this challenge. These range from the uneven quality of public healthcare service delivery, inadequate health infrastructure, inadequate human resources for health, delayed health seeking behaviour by women, violence against women and girls including high levels of domestic violence and rapes; substance abuse, lack of accountability by professionals and a high burden of disease particularly HIV and AIDS.

**Emerging issues**

53. The need to look at gender related social issues that result in pregnancy and HIV infection and gender based violence.

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**CHAPTER 8**

**VIOLENCE AGAINST WOMEN**

**Legislative and policy context**

54. South Africa has put in place and implemented a comprehensive legislative framework that looks at addressing violence against women and girls in all its manifestations and in its myriad of forms. Priority has been accorded to sexual offences and domestic violence, and considerable attention has been given to crimes such as trafficking in women and children and child pornography. Some specific areas targeted by the law include issues of bail, sentencing, victim empowerment and integrated responses to gender based violence.

55. The Domestic Violence Act 116 of 1998: seeks to strengthen protection against domestic violence. The Act broadens the scope of cover of what constitutes domestic relationships and domestic violent actions. It defines violence against women as including in addition to physical abuse, other forms of abuse such as emotional, verbal, psychological, sexual, economic, damage to property, harassment and stalking. The main strength of the legislation lies in protection orders against perpetrators and the institution of criminal action against perpetrators where the alleged act(s) of domestic violence constitute a crime. The Act afford victims of domestic violence with the maximum protection from domestic abuse and establishes Domestic Violence Courts. The Act applies to a range of relationships and covers both heterosexual and same sex relationships.

56. Criminal Procedure Second Amendment Act 75 of 1995: deals with, among other things, bail guidelines that cover violence against women.
57. Criminal Procedure Second Amendment Act 85 of 1997: tightens bail provisions relating to serious crimes, including violence against women.

58. The Criminal Procedure Act 51 of 1997: the Act further amended the provisions relating to bail to ensure that persons who are accused of having committed serious offences are not released on bail. These offences often involve women and children as victims.

59. The Firearms Control Act 60 of 2000: enables the State to remove illegally possessed fire arms from society, control supply, possession, storage and transportation and use of firearm and to detect and punish the negligent and criminal use of firearms.

60. The Protection from Harassment Act 17 of 2011 is aimed at protection of victims of harassment (including sexual harassment), in order to put into effect the right of all people in South Africa to be free from all forms of violence from either public or private sources. Harassment in this regard means directly or indirectly engaging in conduct that causes harm or inspires the reasonable belief that harm may be caused to the complainant or a related person by unreasonably-(a) following, watching, pursuing or accosting of the complainant or a related person, or loitering outside of or near the building or place where the complainant or a related person resides, works, carries on business, studies or happens to be; (b) engaging in verbal, electronic or any other communication aimed at the complainant or a related person, by any means, whether or not conversation ensues; or (c) sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the complainant or a related person or leaving it where it will be found by or given to, or brought to the attention of, the complainant or a related person. In this regard, no longer will you be able to send someone an anonymous SMS with some kind of sexual innuendo or constantly bully a classmate at school without facing legal consequences.

61. The Prevention and Combating of Trafficking in Person Act 7 of 2013 gives South Africa, for the first time, a single statute that tackles human trafficking holistically and comprehensively by providing a maximum penalty of R100-million or life imprisonment or both in the case of a conviction. The legislation fulfills the objectives to provide for an offence of trafficking in persons and other offences associated with trafficking in persons to prevent and combat the trafficking in persons within or across the borders of the Republic; to provide for measures to protect and assist victims of trafficking in persons; and to provide for the establishment of the Intersectoral Committee on Prevention and Combating of Trafficking in Persons and the criminalization of practices resulting in forced and early marriages and harmful cultural and traditional practices such as Ukuthwala. It has also the effect of domesticiating the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons. This legislation has to date not yet implemented and government is putting in places all measures to have this legislation implemented. The country continues to use range of other legislation to prosecute perpetrator related to trafficking in women.

62. In 2014 Parliament passed the Judicial Matters Second Amendment Act No 43 of 2013 to support the establishment of sexual offences courts. This Act amends the Criminal Law (Sexual Offences and Related Matters) Amendment Act by inserting section 55A to provide the Minister of Justice and Correctional Services with the authority to designate a court as a Sexual Offences Court for the purposes of hearing cases of sexual offences. The Act further requires Government to develop regulations for Sexual Offences Courts that will guide the intersectoral establishment, resourcing and management of these courts. The draft regulations have already been produced and are now taken through the intersectoral adoption process.

63. South Africa has adopted an integrated approach to the management of violence against women and children called an Inter-Departmental Management Team. This is a multi-disciplinary expert team, established in 2005 to design and implement programmes aimed at addressing gender-based violence. Its programmes were integrated in the objectives of the National Crime Prevention Strategy, which, with evolution of crime approaches, resulted in the adoption of the Justice Crime Prevention Strategy. This strategy has several components including programmes to

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7 Input from Department of Justice and Constitutional Development: January 2015
address sexual violence as a priority; interdepartmental initiatives to improve criminal justice processes; education and awareness programmes; partnership with civil society; and victim empowerment.

64. In a bid to integrate gender equality and prioritize violence against women in the prosecution of crime, the Sexual Offences and Community Affairs (SOCA) Unit was established within the National Prosecuting Authority in 1999. SOCA focuses primarily on sexual offences, domestic violence, trafficking in persons, enforcement of child maintenance, managing of young offenders and other issues involving the victimization of women and children. Their role is to formulate policy, build capacity, increase sensitization and provide scientific and functional training of officials who prosecute these crimes. It also facilitates research and training for prosecuting sexual offences, domestic violence and maintenance cases, and managing young offenders; as well as developing and implementing community awareness programmes and plans for the participation of NGOs in these processes and procedures. Since 2008, SOCA has organized an annual Sexual Offences Indaba, a conference that brings together stakeholders that are involved in the prevention and management of sexual offences.

65. The Inter-Departmental Management Team led by the SOCA Unit established Thuthuzela Care Centres (TCCs), the one-stop facilities that have been introduced as a critical part of South Africa’s anti-rape strategy, aiming to reduce secondary trauma for the victims, improve conviction rates and reduce the cycle time for finalizing cases. The TCCs are in operation in public hospitals in communities where the incidence of rape is particularly high. They are also linked to sexual offences courts, which are staffed by prosecutors, social workers, investigating officers, magistrates, health professionals, NGOs and police, and located in close proximity to the centres. The centres are managed by a top level inter-departmental team comprising Justice, Health, Education, Treasury, Correctional Services, Safety and Security, Local Government, Home Affairs, Social Development and designated civil society organizations.

66. A Ministerial Advisory Task Team on the Adjudication of Sexual Offences Matters (MATTSO) Team was set up in June 2012 to strengthen the Sexual Offences Courts.

67. The effectiveness of the legislations and policies has been seen in the Landmark Court Decisions in the examples of Sentencing handed down for prosecutions of sexual offences in 2012/13.

<table>
<thead>
<tr>
<th>i)</th>
<th>The matter of the <strong>State versus Kili</strong>, involved the rape and killing of a 48 year old woman from Lesseyton, Queenstown in her home during the day. The deceased’s boyfriend had left their home to go to his parental homestead, when the accused accosted her. He raped her and cut her throat, severing all neck muscles, blood vessels and even the spinal cord. The Judge handed down a <strong>life sentence</strong> on the murder count and ten years on the rape and refused leave to appeal.</th>
</tr>
</thead>
<tbody>
<tr>
<td>ii)</td>
<td>In <strong>State v Nofemele</strong> the accused abducted and raped twelve children between the ages of two and eight years. He also killed one of the little girls when she started crying while he was raping her. The accused was convicted of 12 counts of rape, 12 counts of abduction and one count of murder. The Western Cape High Court sentenced him to <strong>11 life sentences</strong> and ten years for abduction.</td>
</tr>
<tr>
<td>iii)</td>
<td>In the matter of the <strong>State versus Rodolo</strong> which stems from Kenton–on–Sea, the accused went on a rampage during the course of one night, first breaking into the house of the deceased to rob and kill him and thereafter breaking into the house of an elderly female whom he held up at knife point and raped. The accused was arrested in possession of the deceased’s cell phone and this was the only evidence linking him to the murder scene. The accused was given a <strong>life sentence</strong> on the murder trial and a further 22 years effectively on the other charges.</td>
</tr>
</tbody>
</table>
iv) The South Gauteng High Court convicted and sentenced the accused in the matter of State versus Rikhotso. The accused was convicted of multiple charges of kidnapping, rape, and robbery. During a reign of terror in the Soweto area, 12 victims were raped. The accused was subsequently sentenced to 17 life sentences and an additional 161 years imprisonment, to run concurrently.

v) The much publicised trial of the so-called “Sunday Rapist”, Jacobus Steyn, commenced in the South Gauteng High Court during July 2012. On 19 September 2012 the accused was convicted and sentenced to five terms of life imprisonment, and a further 170 years imprisonment.

vi) In State versus LL Gagu, the accused was charged with seven counts of rape, one count of sexual grooming and three counts of exposing children to pornography. The complainants were aged between 10 and 15 years and were young girls who attended a dance school operated by the accused. The accused was convicted of sexual grooming and exposing children to harmful pornography. He was sentenced to four years imprisonment on the sexual grooming count and to five years imprisonment for each count of exposure to pornography. These sentences will run concurrently with the three life sentences imposed by the Western Cape High Court in respect of the seven rape convictions.

Achievements

68. South Africa established Sexual Offences Courts as an innovative measure to improve the prosecution and adjudication of sexual offences. By March 2003, twenty (20) Sexual Offences Courts had been established, and by March 2004, a year later, the number had increased to forty-seven (47) courts. At the end of 2005, there were seventy-four (74) such courts in the country.

69. In December 2014 Government finalized a National Strategy for Intersectoral Management of Sexual Offences which encourages the intersectoral approach to all matters relating to sexual offences courts. It sets out clear duties and responsibilities of all stakeholders in the establishment and management of these courts. The National Strategic Plan also provides for the minimum uniform personnel required at each sexual offence court to include: (i) 1 presiding officer; (ii) 2 prosecutors; (iii) 1 intermediary; (iv) 1 designated clerk; (v) 1 designated social worker; (vi) 1 legal aid practitioner; and (vii) 1 court preparation / victim support officer. All victims should have access to services such as court preparation programme; information material in form of text, visuals and Braille; allocation of food for children, vicarious trauma programmes for personnel working with victims of sexual violence as well as a case-flow management system and screening policy to direct sexual offences cases to sexual offences courts where they are established.

70. At present, there are 185 intermediaries deployed to all Sexual Offences Courts and other regional courts dealing with sexual offences cases. There is further a pool of 48 ad hoc intermediaries to close the gap whenever the need arises. In some courts, 46 social workers employed by Government continue to augment these services.

71. Based on the MATTSO report recommendation that all court personnel must undergo Trauma Debriefing Programme to minimize and eliminate the vicarious trauma that they often suffer from dealing with cases of sexual offences on a daily basis. Government developed the Debriefing Programme for the intermediaries and all front line staff servicing victims of sexual assault..

72. National Policies: Section 65(1) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act No 32 of 2007 requires the Directors-General Intersectoral Committee under the leadership of the Director-General: Justice

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8. JCPS Working Group (DEVELOPMENT COMMITTEE) input: January 2015

73. **The National Register for Sex Offenders** came into operation on the 30th of June 2009 in terms of Chapter 6 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act No 32 of 2007. The objects of the Register are to protect children and persons who are mentally disabled against sex offenders by establishing and maintaining a record of persons who have been convicted of a sexual offence against a child or a person who is mentally disabled; or are alleged to have committed a sexual offence against a child or person who is mentally disabled.

74. **Current Registered Convictions:** As at 31 March 2014, **15 545** names of convicted sex offenders appear in the Register. The registration progression in the past three (3) financial years is as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>2011/2012</th>
<th>2012/2013</th>
<th>2013/2014</th>
<th>2014/2015 (Apr to Dec 14)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2 340</td>
<td>3 526</td>
<td>15 545</td>
<td>16 868</td>
</tr>
</tbody>
</table>

75. The latter figure clearly indicates a steep progressive increase from 2012/2013 to 2013/2014 resulting from the robust intervention actions since 2012 to populate and update the Register.

76. In 2009, 10 years after the promulgation of the Domestic Violence Act, a review of its implementation was conducted. Following the findings of this review, a Domestic Violence Prevention Strategy is currently being prepared and the Magisterial Guidelines on the Implementation of the Domestic Violence Act were developed.

77. Government in conjunction with the National Prosecuting Authority (NPA) has also been running the Ndabezitha Project, which seeks to train traditional leaders and court clerks on domestic violence matters in rural areas. The Department of Justice and Constitutional Development, in partnership with the National Prosecuting Authority and the National House of Traditional Leaders, co-developed the Personalized Safety Plan for Victims of Domestic Violence. This initiative is part of the NDABEZITHA PROGRAMME that started in 2006 between the 3 stakeholders to uproot all cultural beliefs and practices that lead to domestic violence from rural communities.

78. Early in November 2013, forms prescribed by Regulations for the Domestic Violence Act have been translated into all 11 official languages, and distributed to all lower courts in the country. This is to ensure greater language accessibility, less dependency of applicants on the court staff, and ultimately less queues in courts.

79. Government has also produced braille public education material to raise awareness of court users who are visually impaired on the Domestic Violence Act, Maintenance Act, and the Children’s Act. Government launched these booklets and the brailled version of the Constitution of South Africa in November 2014 during a round-table discussion on “Equal Access to Justice for Persons with Disabilities”. The aim of Government is to have public information on all legislation and human rights issues available in braille.

80. Government has also been running awareness campaigns (through the media, booklets, pamphlets, etc.) aimed at sensitising the masses on domestic violence services. The Police Service has also been conducting public education campaigns, with a focus on domestic violence, under its Social Crime Prevention Programme.

81. Most recently, electronic forms and systems have been developed and approved to be piloted at two Magistrates’ Courts after which they will be rolled out to all Magistrates’ Courts’ service points in order to improve the handling of domestic violence cases. The Government is also in the process of developing a booklet called “No More Violence” booklet which is aimed at teaching the role-players at service points as well as victims how to manage and improve in
alleviating domestic violence matters and the impact of such crimes on their lives. In December 2014, Government developed a public educational DVD titled: “Court-based Support for Victims of Domestic Violence” for all the courts across the country.

82. A Domestic Violence Register has been developed and kept at all police stations in the Client Service Centre, to register all incidents and cases reported on domestic violence. A domestic violence incident form is used to record all incidents of domestic violence whether a case has been opened or not. There is also a form on the notice of rights which is issued to the complainant which stipulates all options and rights that the complainant has in dealing with domestic violence. There is also a service provider referral list which lists particulars of other service providers that are also providing services to the victims of gender based violence.

83. Protection Orders: During 2013/14, the new applications for Protection Orders increased by 3.56%11. The table below shows the status of protection orders from application to issue of warrants of arrest for the period 2012/13 to 2013/14.

### Domestic Violence: Civil Process

<table>
<thead>
<tr>
<th>Reporting Period</th>
<th>New Application For PO Received</th>
<th>IPO Granted</th>
<th>Protection Orders</th>
<th>Interim Monetary Relief Applications</th>
<th>Warrant Of Arrest Applications Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Made Final (Sec 6)</td>
<td>Set Aside</td>
<td>Varied</td>
</tr>
<tr>
<td>2012/2013</td>
<td>246 609</td>
<td>151 423</td>
<td>88 930</td>
<td>36 757</td>
<td>5 536</td>
</tr>
<tr>
<td>2013/2014</td>
<td>255 395</td>
<td>159 381</td>
<td>88 504</td>
<td>39 243</td>
<td>4 391</td>
</tr>
</tbody>
</table>


84. The figure above indicates the total number of applications for Protection orders, the number of Interim Protection orders issued and the number of Protection orders made final.

**Abuse against older persons**

85. Since August 2010, Government has been collecting statistics on reported cases of abuse against older persons in terms of the Older Persons Act and the number of registered cases of abuse appears to be increasing12.

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11 Department of Justice and Constitutional Development input: January 2015
12 Department of Justice and Constitutional Development input: January 2015
## Training of Officials

86. South Africa has measures in place to capacitate officials handling both the victim and the perpetrator of violence in a form of training and workshops. The Sexual Offences and Community Affairs (SOCA) Unit in the National Prosecuting Authority highlights that in 2010/2011 there was an increase in capacitation of prosecutors:

- with a total of 180 prosecutors trained on the comprehensive manual on maintenance matters in line with the Maintenance Act and latest developments in law,
- 349 prosecutors trained on the Child Justice Act,
- 102 prosecutors on integrated Domestic Violence Skills manual training and
- 79 prosecutors were trained on human trafficking related topics.

87. During the year 2012/2013, they trained the following prosecutors:

- 40 on sexual offences,
- 24 on maintenance,
- 54 on child justice and
- 35 on domestic violence

88. During the year 2013/14\(^{13}\), they trained the following prosecutors

- 158 on sexual offences,
- 50 on maintenance,
- 185 on child justice,
- 54 on domestic violence, and
- 193 on trafficking in persons.

89. Government provides annual training interventions on all pieces of legislation promoting the rights of women and children. In 2012/13\(^{14}\):

- 330 regional and district magistrates were taken through the Trauma Debriefing Programme;
- 111 prosecutors were trained on the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007;
- 74 clerks of the court were trained on the sexual offences legislation and HIV;
- 450 Frontline Officials drawn from key government departments and Legal Aid SA were trained on Sexual Offences, Victims Charter and Victim Empowerment Framework;
- 45 Registrars, Clerks of the Court, IT Coordinators and Administrative Officers were trained on the Integrated Case Management System for the National Register for Sex Offenders;
- 258 officials participated in the Intersectoral Training on Sexual Offences;
- 342 Intermediaries were trained on Information Management on Cases of Sexual Offences involving child victims and persons with mental disabilities.

90. In 2013/14\(^ {15}\):

- 688 officials were trained on the National Register of Sex Offenders;
- 544 on sexual offences and related forms of abuse; and

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\(^{13}\) National Prosecuting Authority input: January 2015

\(^{14}\) Department of Justice and Constitutional Development input: 2015

\(^{15}\) Ibid
91. From 1 January to 31 March 2014, there were 4422\(^{16}\) members trained in the Victim Empowerment Programme and related courses such as domestic violence and sexual offences.

92. Police officers also receive training on handling sexual offences, and during 2010/2011, a total of 1 117 police officers were trained in the Sexual Offences First Responders course which aimed at first responders to sexual offences. Other officials included in this training are the community service centre personnel, emergency police service personnel and detectives.

93. An impact study on the Domestic Violence Learning Programme was conducted during period 2013/2014. South African Police Service conducts regular station visits to monitor compliance. Provincial and National Domestic Violence Work Sessions were facilitated in 2012 to address challenges experienced in terms of the implementation of the Act and National Instruction on domestic violence.

94. With the promulgation of the Independent Police Investigative Directorate Act, 2011 (Act No. 1 of 2011) effective from 1 April 2012 and the Civilian Secretariat for Police Act, 2011 (Act No. 2 of 2011) effective from 1 December 2011, the SAPS is now obligated to report all misconduct cases pertaining to non-compliance with the Domestic Violence Act, 1998 (Act No 116 of 1998) to the Secretariat as of 1 April 2012.

**Measures for prevention of Violence**

95. The establishment of the Ministry of Women in May 2014 has championed the implementation of the prevention programme for violence against women through awareness raising programmes and debates with different stakeholders such as business, religious based organizations including parliament under the theme “Count me in: Together moving non-violent South Africa Forward”. The Ministry also works in collaboration with other departments and local government municipalities to convert crime hot spot into sport ground and /or communal vegetable garden. The Ministry in partnership with CrimeLine activated the #365 Days of no violence against women immediately after the end of the 16Days Campaign in 2014 and called on all stakeholders to come on board. Pledges of commitments were made by participating organizations that will be implemented through the year.

96. Awareness-raising to the public in general takes place in different forms such as radio and television interviews on sexual offences topics highlighting the measures that are in place for the victims; how implementation of measures are taking place; possible challenges; and the responsibilities of the different role-players. 

97. During the 2012/2013\(^{17}\) year, two Imbizos were held in Limpopo Province as well as in the Eastern Cape. The programme predominantly focussed on the Domestic Violence Act, as well as on protection orders, defaulters, general information about the content of legislation and reference to the Thuthuzela Care Centres.

98. In a bid to sensitize the society on the rights of victims, South Africa also launched the Victims’ Rights Week in September 2010. During this week, which is still held annually in September, government departments within the criminal justice system; coordinated by the Department of Social Development, seek to raise public awareness about victim rights. The public is provided with information about what interventions and services are provided by government to victims of crime. In addition, the week provides government departments with an opportunity to respond to issues faced by the public and crime victims, in a coordinated manner.

\(^{16}\)JCPS Development Committee input: January 2015

\(^{17}\)National Prosecuting Authority
99. Government forged a partnership with the Men’s Organisations to address violence against women and children and to raise awareness against child poverty and economic abuse of children. The Deputy President is a patron of the Men’s Forum.

100. During October-November 2014, the National Maintenance Campaign was implemented by Government. Using radio and TV advertisements, fathers were called upon to take pride in supporting their children. The public message / pay-off line for the campaign was: ‘My child’s future is my priority. I Pay Maintenance’.

101. During the 2013/14 financial year, four national public education and awareness raising events to educate members of the public about the Maintenance Act and the services offered at courts was carried out. These campaigns were also carried out at the provincial level, viz. Limpopo, Kwa-Zulu Natal, Eastern Cape and Mpumalanga provinces.

102. During 2012/13, Government also conducted the following public education interventions: (i) Stop Teenage Pregnancy Campaign: Reached 274 schools and 60 367 teenage learners; (ii) School for the Blind to launch the Braille FAQ’s on the Children’s Act, and reached 250 blind learners; (iii) Door-to-Door Educational Campaign on gender-based violence and Trafficking in Persons, and reached 80 Communities; (iv) Media Outreach: 11 radio and TV interviews conducted on violence against women; (v) Public Exhibitions: Held 9 and reached about 31 968 people; and (vi) Public Service Fairs: Held 8 and reached about 12 803 people

**Measures of Response and Support**

103. As at November 2014, there are 1 137 police stations rendering victim friendly services to victims of crime (100%) which provide a private place where victims can be interviewed and statements can be taken assuring that the victims’ rights are protected.

104. All these services work towards reducing secondary victimisation and enabling victims to provide details that not only assist them as part of a cathartic experience, but also assist in investigations.

105. By October 2009, at least 6 provinces had One-Stop Service Centres of Abuse in South Africa and 109 shelters throughout the country accommodating and rendering psychosocial services to women and their dependent children who are victims of abuse, including victims who have been trafficked.

106. The number of Thuthuzela Care Centres (TTCs) in the country has increased. These sites are situated at health facilities such as hospitals and clinics. In 2011, the UN Secretary-General, Mr. Ban Ki Moon, recognized the ‘Thuthuzela model’ as a ‘world best practice model’ in the field of gender violence management and response.

107. Conviction rates in the prosecution of sexual offences reported at TCCs was 60.7% in 2011/12 and improved to 61.03% in 2012/2013. The conviction rate for 2013/14 increased to 65.9%.

108. Government officially launched the National Command Centre on Gender Based Violence. The call centre is utilised by all victims of gender based violence who receive counselling by trained social workers. The police provide services as required in support of the programme.

18 Department of Justice and Constitutional Development input: January 2015
19 Ibid
20 National Prosecuting Authority input into the Report; January 2015
21 Ibid
Statistics

109. Police released statistics for 2013/14 indicated a total of 62,649 reported sexual offences cases in the country. In 2012/13, police statistics showed that 66,387 such cases were reported. Thus there is a decrease by 3,738 reported cases in 2013/14. In 2004/05, there were 69,117 reported cases. This indicates a decrease of 9.4% in reported cases over a period of ten years, indicating either that there is a decrease in sexual offences crimes over ten years or that there is decreased confidence in the criminal justice system. The Victims of Crime Survey 2013/14 by Statistics South Africa in November 2014 shows that there are changes in the level of satisfaction with the police between 2012 and 2013/14, where there was a 3.2 percentage point decrease with the level of satisfaction decreasing from 62.4% in 2012 to 59.2% in 2013/14. There is a general perception in the country that many sexual offence crimes actually go unreported. Furthermore, in the Victims of Crime Survey 2013/14, Statistics South Africa shows that the survey population perceived sexual assault as the sixth most common (17.1% of the survey population) and feared (30.5% of the survey population) crime in South Africa.

110. Police statistics released for 2013/2014 shows that the ratio of sexual crimes per 100,000 of the population is 118.2 cases. When compared to 2004/05, this figure stood at 148.4 cases per every 100,000 people. Thus in 2013/14 there is a 20.4 percentage point decrease from 2004/05 in all sexual offences reported.

111. However, the Victims of Crime Survey 2013/14 indicates, based on population surveys, that an estimated 72.4% incidents of sexual offences were reported for 2013/14. In 2011, it stood at 92.3% increasing to 94.2% in 2012. The Report highlights that individual crimes tend to be less frequently reported to the police than household crimes. The reasons for the sudden drop in the reported sexual offence cases from 2012 to 2013/14 were provided for as: (i) 26.5% have reported to other authorities; (ii) 21.9% because of no insurance; (iii) 7.4% saying police could do nothing; (iv) 11.8% saying police will not do anything about it; and (v) 32.4% did not dare report for fear of reprisals. It must be noted that incidents such as sexual offences are of a sensitive nature and may potentially be undercounted.

112. The Victims of Crime Survey 2013/14 indicates that assault and sexual offences are difficult to capture in the household survey because of their sensitivity, as a result they are normally under-reported. The Victims of Crime Survey 2013/14 shows that about 25.1% of sexual offences victims (16 years and older) were victimised by their relatives, followed by known community members from their area (24.0%). Approximately 34.2% of female assault victims were victimised by known community members, while 16.8% of women were assaulted by their spouses or lovers.

113. 49.3% of incidences of sexual offences occurs in the home followed by: (i) those which occur in some else’s home (15.4%); (ii) in the street in a residential area (9.6%); (iii) in the street outside office/shops (5.7%); (iv) in places of business (1.9%); (v) in a field / park (6%); (vi) in some other indoor area (4.7%); and (vii) while travelling on public transport (7.3%). Most assaults were reported to be committed in the home (22.6%) which includes domestic violence. The Report suggests that the chief motivation for assault is “sudden personal anger” at 21.8%; “jealousy” at 21.1%; “attempted rape” at 1.9%; and “money or other financial motives” at 14.9%.

114. The Victims of Crime Survey 2013/14 also highlights that most households surveyed will take a victim of crime to either a hospital or trauma unit (65.9%) and local clinic (65.1%) to access counseling services. 10.5% of households surveyed are aware that they can take victims of crime to victim empowerment or Thuthuzela Care Centres to access such services. 53.9% of households surveyed will take victims of domestic violence to a state-run organisation to receive assistance, while an estimated 40.0% households surveyed will take such victims to an NGO/volunteer-run organisation.

115. The Report also indicates that 81.6% sexual victims had knowledge of where they can access assistance, while 76.8% knew of a place they could go for counselling and 54.0% knew where to obtain protection orders.
Trafficking in Women and Girls

116. The Prevention and Combating of Trafficking in Persons Act, Act 7 of 2013 has not yet been implemented, while awaiting the implementation of this law, interim measures are in place were several pieces of legislation are used to address the problem of trafficking in persons. The legislations used included the Sexual Offenses Act 32 of 2007 (SOA) which prohibits sex trafficking of children and adults and the Basic Conditions of Labour Act of 1997 prohibits forced labour. The Sexual Offences Act prescribes punishments of up to 20 years’ imprisonment for sex trafficking offenses, penalties which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Effective in 2011, Children Act 38 of 2005 and its Amendment Act prescribes penalties of five years to life imprisonment or fines for the use, procurement, or offer of a child for slavery, commercial sexual exploitation, or to commit crimes. The Prevention of Organized Crime Act 121 of 1998 was often used in combination with the Sexual Offences Act to add additional charges and stiffer penalties against offenders.

117. According to the Annual Report 2013/2014 of the HAWKS: Directorate for Priority Crime Investigations, 22 cases of human trafficking were opened, with one case for labour exploitation and the rest related to human trafficking for sexual exploitation. Of these 22 cases, six (6) are withdrawn; seven (7) under investigations with arrest to be made and nine (9) are in the court system. During this financial year, fifty five (55) victims were rescued and of these victims, 43 were South Africans and the others from China, Thailand, Nigeria and Mozambique.

National Measures to Combat Trafficking in Person

118. The “Tsireledzani programme”\textsuperscript{22}, which means “Let us protect each other” in Tshi-Venda - one of the country’s official languages, is the name given to the initiative to combat trafficking in persons and to comply with international commitments. The programme was initiated in 2007, and relied on the input of a wide range of partners both within Government, civil society and international partners.

119. The “Tsireledzani Programme” consists of various pillars of which the International Organization for Migration (IOM) was responsible for the area that focused on capacity building and its aim was to provide government officials with the necessary skills to adequately identify and respond to incidences of both, internal and international, trafficking in persons in South Africa. The IOM provided technical capacity building support through a designed, developed and tested curricular/ training modules tailored to selected government departments. The training modules are accredited by the South African Qualifications Authority (SAQA). As part of the Tsireledzani programme, the IOM also compiled a ‘Handbook on Counter-Trafficking for South African Government and Civil Society.

<table>
<thead>
<tr>
<th>Trafficking in Persons (TIP) Cases finalised with convictions\textsuperscript{23}</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) S v Ronel Eloff and Antoinette Godfrey - both accused convicted and sentenced in 2009 for trafficking for sexual exploitation (Welkom Free State Province)</td>
</tr>
<tr>
<td>(ii) S v Nokuzola Ntonga and Lionel Bell - a conviction for TIP (sexual exploitation) was confirmed on appeal by the Grahamstown High Court on 22 August 2013. (Eastern Cape Province)</td>
</tr>
<tr>
<td>(iii) S v Aldina Dos Santos - sentenced to life imprisonment for TIP for sexual exploitation of children in 2011. Accused was a Mozambican female (Gauteng Province)</td>
</tr>
<tr>
<td>(iv) S v Jezile - sentenced to 20 years in January 2014 for TIP for sexually exploiting a child. (Western Cape Province)</td>
</tr>
<tr>
<td>(v) S v Nahima Allima - sentenced to life imprisonment for TIP for sexual exploitation in June 2014. (Nongoma KwaZulu- Natal Province)</td>
</tr>
</tbody>
</table>

\textsuperscript{22} This Programme, initiated by the National Prosecuting Authority, was funded by the European Union and started in 2007. It ran until the end of 2011 after which the South African government continued the anti-trafficking efforts with its partners: Input from the National Prosecuting Authority, January 2015

\textsuperscript{23} National Prosecuting Authority input into Report, January 2015
(vi) S v Foster Simelane - sentenced to 30 years for TiP for sexual exploitation of a child in August 2014. (Potchefstroom North West Province)

(vii) S v Gwambe - sentenced to 15 years in 2013 for TiP for sexual exploitation of children. Accused is a Mozambican female (Mpumalanga Province)

(viii) S v Vukile Shembe - sentenced to 23 years in 2012 for TiP for sexual exploitation. (Western Cape Province)

**Court Preparation Programme**

120. Ke Bona Lesedi, which means “I see the light”, is a court preparation programme designed to address fears and concerns of child witnesses going to court. It is intended to contribute towards the effective implementation of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, Act 32 of 2007, and to assist prosecutors to have effective, non traumatised and credible witnesses. The programme contributes towards successful convictions and a reduction in the withdrawal of cases.

121. The Court Preparation Programme is a realistic and practical programme aimed at preparing witnesses to effectively testify in court. In order to attain this aim, Court Preparation Officers have to be equipped to identify and address the individual needs of witnesses. Witnesses are informed of the court environment, legal processes and legal terms. The fears and concerns of witnesses about testifying are addressed and the programme aims to reduce secondary victimisation. The witness is provided with skills and information to cope with the stress of giving evidence through the use of a specific model. Furthermore, the merits of the case are not discussed during the court preparation process.

**Sexual harassment**

122. Sexual harassment is prohibited and punishable in South Africa. The Protection from Harassment Act is supported by the Equality Act which prohibits harassment and defined as ‘unwanted conduct which is persistent or serious and demeans, or humiliates or creates a hostile or intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and which is related to (a) sex, gender or sexual orientation, or (b) a person’s membership or presumed membership of a group identified by one or more of the prohibited grounds or a characteristic associated with that group. The Equality Courts are thus empowered to deal with cases of sexual harassment.

123. Sexual harassment in the workplace is prohibited under the Employment Equity Act and the Labour Relations Act 66 of 1995. In this regard, the Code of Good Practice on the Handling of Sexual Harassment has been issued in terms of the Labour Relations Act. In schools, sexual harassment is addressed under the Employment of Educators Act 76 of 1998 (as amended in 2000) and the South African Schools Act 84 of 1996, both of which make sexual harassment a serious misconduct.

124. Statistics on misconduct related to sexual harassment in the Public Service as at 30 August 2014 highlights that 426 cases were reported from 1996 to 2014. These statistics include 87 cases of sexual assault on learners by educators; 13 cases of Reg 20(k) acts of sexual harassment; 41 cases of sexual relations between learners and educators; and 285 cases of sexual harassment in general. Over this period, sentences given out to those found guilty range from fines to dismissals, including referrals for counselling, written warnings and suspensions for stipulated periods.

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24 Input from National Prosecuting Authority : January 2015

25 Source: PERSAL: DPSA, 2014
125. In 2011, Government introduced a Maintenance Turnaround Strategy aimed at reducing the turnaround times in the maintenance system. This project focuses on the improvement of the pre-order maintenance services, and is currently in its third year of implementation. A further improvement brought about by this Maintenance Turnaround Strategy was the introduction of the Electronic Fund Transfer (EFT) system that allows beneficiaries to receive monies within 4 days after receipt of such payments by the courts. Through the EFT system, monies are now transferred directly into the beneficiaries’ bank accounts. This approach does not only speed up the receipt of maintenance monies by the beneficiaries, but also saves them time and money from travelling to courts to collect these monies. Currently, there are magistrate’s offices that record almost zero queues at Cash Hall due to the effectiveness of the EFT system. Because of its remarkable success, this system has been successfully rolled out to all maintenance courts.

126. Establishment of the National Maintenance Signage System (NMSS): This signage system introduces standard branding colours & design for maintenance signage throughout the pilot sites so as to establish a standardized and uniform identification of the Maintenance Divisions and their service points within court buildings. In addition to the pilot sites, this system has been introduced at the 32 Sexual Offences Courts (established during the period August 2013 to 30 November 2014). This is to aid maintenance clients to quickly find their way to service points with minimal or no assistance. This signage system has significantly reduced the waste of time often spent at wrong queues by clients. It must be noted that the signage system reflects directional signs to increase its accessibility to court users, especially those who cannot read. In other courts, colour branded foot prints are part of the signage to quickly lead clients to the appropriate service points.

127. In February 2013, a radio advert campaign was held in 65 community radios nationwide and as at 31 Mar 2014, R1 707 403.50 was paid out to beneficiaries. As at 30 June 14, there are courts in rural communities like Kokstad, KZN which reported an amount of about R1 000 as remaining unclaimed from the system. Unclaimed Maintenance Monies was included again in the National Media Campaign on Maintenance which was conducted in September 2014.

128. Integrated Case Management System (ICMS) and SMS Notification: To improve the turnaround time on maintenance services, during the previous financial year the Department introduced the improved module of the Maintenance Integrated Case Management System (ICMS) at the 9 identified pilot sites. This module caters for, among others, the automation and tracking of business processes from the registration of the maintenance application to the issuing of the maintenance order, thus leading to better data capturing system and faster delivery of maintenance services. Most of the paper work that courts were doing manually is now done electronically so as to save time. At a click of the button, the maintenance prescribed forms and administration pro-forma letters are generated and quickly made available to clients. The new system also provides for the ‘sms’ notification so as to keep the maintenance client abreast of the developments in their applications. The roll out of the ICMS Maintenance Module to more courts is in progress in this financial year.

129. Training Initiatives: In 2012, the Maintenance Mediation Training Course offered to all maintenance officers to assist them to conduct the investigation in terms of section 6 of the Maintenance Act, 1998 (Act No. 99 of 1998). The Participant’s Workbook, titled: ‘Mediation as a Tool in ensuring Restorative Justice in Maintenance Disputes’ was produced for use in these training sessions.

The table below refers to the civil processes for maintenance matters.

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26 Department of Justice and Constitutional Development input: January 2015
130. The table below refers to the criminal processes for maintenance matters. Once a court has granted a maintenance order and the respondent does not comply, it may become a criminal matter – Section 31 of the Maintenance Act, 1998.

### Maintenance Matters: Civil Process

<table>
<thead>
<tr>
<th>Reporting Period</th>
<th>New Received</th>
<th>App Enquiries Received</th>
<th>Orders Granted</th>
<th>Orders by consent</th>
<th>Orders by default</th>
<th>Orders varied</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012/2013</td>
<td>174,875</td>
<td>334,218</td>
<td>90,343</td>
<td>86,592</td>
<td>8,562</td>
<td>20,180</td>
</tr>
<tr>
<td>2013/2014</td>
<td>176,485</td>
<td>225,634</td>
<td>55,227</td>
<td>82,811</td>
<td>6,242</td>
<td>17,352</td>
</tr>
<tr>
<td>% Change</td>
<td>0.92</td>
<td>-32.49</td>
<td>-94.26</td>
<td>-4.37</td>
<td>-27.10</td>
<td>-14.01</td>
</tr>
</tbody>
</table>

131. As at the end of 31 March 2014, 12,111 matters were outstanding.

### Challenges

132. There is a need for sex disaggregated data indicating the gendered nature of crime, e.g. murder related to gender based-violence. There are women that have been killed in a gender related violence, be it domestic violence or women being killed because they are found to be soft targets in criminal activities.

### Emerging Issue

133. Prevention of gender based violence should go beyond providing services to the victims. There is a need for the society at large to participation in the prevention of gender based violence including of men and boys. The programme should address issues of cultural norms, stereotypes and patriarchy.

### Legislation and policy context

No. 42 of 2002), the White Paper on Defence (1996), the Defence Review (1998) and other national legislation that guide the defence strategy of the DOD.

135. The important role South African women play in peace and security is grounded by Government’s initiatives to promote a non-sexist society. Norms and values promoting gender mainstreaming inform its foreign policy, and particularly promote gender mainstreaming as a significant element of participation in peace missions.

136. South Africa’s attempts to centralise gender mainstreaming in peace missions is also premised on both the United Nations Security Council Resolution 1325 on Women, Peace and Security; the African Union’s constitutive elements of a Post Conflict Reconstruction and Development (PCRD) framework that seeks to consolidate women’s gains made during conflict; and rebuilding public institutions that are responsive to women’s needs. South Africa revised its White Paper on participation in international peace missions. This was a collaborative venture between the Departments of Foreign Affairs (known now as International Relations and Cooperation), Defence, Correctional Services, South African Police Services and other government institutions. The National Office for Coordination of Peace Missions is a host to such a joint task team. This is an interdepartmental committee whose mandate is to coordinate various departments’ activities pertaining to South Africa’s participation in peace missions. One of its chief objectives is to emphasize the role of women in peace missions abroad as well as mainstreaming of gender into such missions. The country has put in place a draft Plan of Action on implementing UNSCR 1325.

Achievements

137. The responsibility for peace keeping operations rests with the South African National Defence Force. As at March 2013, there has been a total of 10 females represented in the 34 top management positions and 86 females represented in the total of 367 senior management positions. In terms of gender representation, the Defence Force in South Africa has witnessed an increase in the number and percentage of female employees from 21 822 (27.8%) in 2011/12 to 22 195 (28.2%) 2012/13 fiscal years. This trend auger well for the mainstreaming of gender equity into peace-keeping and conflict resolution operations that South Africa undertakes on the continent.

138. The Military Police Division as a component of the SANDF was involved in external and internal deployments throughout the year 2010. A total of 197 members were deployed in the Democratic Republic of the Congo (DRC), Burundi and the Sudan, while 122 were deployed internally during operations and exercises. Ten female Military Police members, of whom two were commanders, were deployed in the DRC.

139. In terms of external deployments, as at October 2014, of the total number of 6 348 members of the South African Defence Force deployed to Op-Mistral, Op-Copper and Op-cordite, 14% were females.

140. At the Peace Mission Training Centre of the SANDF, the gender specialist is responsible to ensure that gender imperatives are integrated into the curriculum of all courses provided by the Training Centre. These courses include Gender for Instructors and Gender Advisors Course and were attended by 89 males and 51 females. Further preparations for deployment to the conflict areas PMTC also present Disarmament, Demobilisation and Reintegration; introduction to Peace Mission for Commanders, Peace Mission for Staff Officers as well as Military Observes. Gender Advisors Course provides participants with the knowledge, skills and attitude to be in the position to address gender related issues in the conflict areas. Women from SADC Member States also attend these courses.

141. The SANDF is also deployed women in uniform for the border safeguarding and are able to apprehend illegal immigrants, arrest criminals, recover stolen cars, weapons, livestock, copper cables and confiscates drugs. The Anti-Rhino Poaching Operations in the Kruger National Park forms part of the border safeguarding operations that are being executed along the RSA/Mozambique border within the Kruger National Park. The deployment of the SANDF resulted in a number of poachers arrested as well as the confiscation of hunting rifles, including AK47 assault rifle.
142. Contributing to peace, stability and post conflict transition in Africa has been integral to South Africa’s post-apartheid policy. Since 1994, the country has earned a reputation for being an accomplished mediator, with successive presidents playing key roles in negotiating settlements elsewhere in Africa.

143. South Africa’s involvement with the AU has primarily focused on the following:

- Promoting the AU as a continental institution of governance and development;
- Helping to establish and strengthen the AU Commission to implement decisions by the AU Assembly and the AU Council;
- Hosting the Pan African Parliament (an institution of the AU) since 2005, NEPAD Agency and APRM Secretariat since 2001, and the African Commission on Nuclear Energy (AFCONE);
- Contributing to the establishment of the AU Peace and Security Council, which deploys peacekeeping missions, among other activities;
- Contributing to the establishment of the Economic, Social and Cultural Council, which has become a vehicle for civil society to present its position on major issues; and
- Contributing to capacity building by training diplomats as well as other civil servants from the continent.

144. In 2013, South Africa contributed troops which included women, together with the Republic of Malawi and the United Republic of Tanzania, to the SADC led Intervention Brigade in the Eastern Democratic Republic of the Congo under the UN mandated peace mission (MONUSCO) to end the military attacks and violation of human rights perpetrated by the M23 rebels against the civilian population. This intervention resulted in the M23 renouncing the rebellion and agreeing to enter into negotiations with the DRC government. South Africa also contributed to conflict resolution on the continent through its role as a member of the AU ad hoc high-level committee on the resolution of the Libyan crisis and as a member of the AU high-level panel.

145. Gender conferences are held to address challenges women experience during deployments and also to empower women for future deployment.

**CHAPTER 10**

**WOMEN AND THE ECONOMY**

**Legislation and policy context**

146. There has since 1994 been a broad and comprehensive legislative framework developed which is aimed at transforming and reforming the economy whilst dismantling the effects of the apartheid legacy. Many of them have been in place before 2009 and are implemented and reviewed where necessary, such as the Employment Equity Act 55 of 1998; Basic Conditions of Employment Act 75 of 1997; Labour Relations Act 66 of 1995, and the Broad Based Black Economic Empowerment Act, the Preferential Procurement Policy Framework Act, the Cooperatives Act, among others.

147. The National Empowerment Fund (NEF) was established by Act No 105 of 1998, as a driver and a thought-leader in promoting and facilitating black economic participation through the provision of financial and non-financial support to black empowered businesses, as well as by promoting a culture of savings and investment among black people with a vision to become the leading provider of innovative transformation solutions for an economically inclusive South Africa.

148. The Black Economic Empowerment Act 53 of 2003, including related regulations (the Codes and Sector Codes) are aimed at the following among others:
• Increasing the extent to which communities, workers, cooperatives and other collective enterprises own and manage existing and new enterprises and increasing their access to economic activities, infrastructure and skills training;

• Increasing the extent to which black women own and manage existing and new enterprises, and increasing their access to economic activities, infrastructure and skills training.

149. In 2007 the Codes of Good Practice were published to assist and advise both the public and private sectors in their implementation of the objectives of the BBBEE Act. The Codes also provide principles and guidelines that would facilitate and accelerate the implementation of broad-based empowerment in a meaningful and sustainable manner. The Preferential Procurement Policy Framework Act 5 of 2000 provides a framework for preferential treatment of historically disadvantaged groups (such as women and people with disabilities) in procurement transactions.

150. The Preferential Procurement Policy Framework Act 5 of 2000 provides a framework for preferential treatment of historically disadvantaged groups (such as women) in procurement transactions. The Act provides specific targets for women and people with disabilities. The act has been put in place recognising that public procurement can serve as an important policy instrument for advancing marginalised groups, such as women-owned businesses. Study findings show that public procurement constitutes 10-15% of GDP in developed countries and up to 20% in developing countries.

151. The National Industrial Policy Framework, published in 2007, and the Industrial Policy Action Plan (IPAP), which followed, provided frameworks for improving policy interventions to stimulate industrial development. The New Growth Path identified a number of key sectors to focus on in order to diversify and grow the economy and create jobs. Since then, the automotive, clothing and textiles, film and television, business-process services, and metals and engineering industries have registered some progress.

152. The establishment and success of small, medium and micro enterprises (SMMEs), including survivalists and cooperatives, is globally recognised as critical to address the challenges of job creation, poverty alleviation, socio-economic conditions and equality for all. This is especially the case in South Africa where the role of SMMEs is vital to drive economic growth, employment, innovation and competitiveness. It is estimated that South Africa has some 5.9 million SMMEs which generate 40% of its gross domestic product and 60% of employment in the country. Women enterprises are largely represented in SMMEs. Following the 2014 South African elections, His Excellency, President Jacob Zuma proclaimed the Department of Small Business Development to champion the support of small businesses.

Achievements

153. South Africa's economic growth improved dramatically with the transition to democracy and has been reasonably robust and stable throughout the democratic era. It grew for 40 quarters between the fourth quarter of 1998 and the third quarter of 2008, and has grown steadily from the third quarter of 2009 to the third quarter of 2013 – that is, for 17 quarters so far.

154. Government has implemented various approaches to supporting SMMEs which include; measures to reduce the tax compliance burden, providing dedicated credit facilities, establishing support and extension agencies and incubators, and diversifying procurement towards emerging enterprises where possible. In 2012, the various national small business finance agencies (Khula, samaf and the IDC’s small business activities) were consolidated into the Small Enterprise Financing Agency (sefa), which was housed in the Industrial Development Corporation (IDC). This was initiated after the adoption of the New Growth Path (NGP) in 2010 which identified enterprise development as a key priority. Resultant policies aim to promote small business and entrepreneurship by improving access to and efficiency of government funding and making more resources available to SMMEs. Small Enterprise Financing Agency’s
mandate is to foster the establishment, survival and growth of SMMEs and contribute towards poverty alleviation and job creation.

155. South Africa has put in place measures to encourage women to start their own business and also form cooperatives which will further open employment opportunities to other women. Several initiatives are in place to assist women who want to start their own business.

156. The Small Enterprise Development Agency (SEDA) is an agency of the South African Department of Trade and Industry (the dti). SEDA was established in December 2004, through the National Small Business Amendment Act, Act 29 of 2004 with the mandate to:

- Implement National Government’s small business strategy;
- Design and implement a standard and common national delivery network that must uniformly apply throughout the Republic in respect of small enterprise development; and
- Integrating all government funded small enterprise support agencies across all tiers of government.

157. SEDA’s mission is to develop, support and promote small enterprises throughout the country, ensuring their growth and sustainability in co–ordination and partnership with various role players, including global partners, who make international best practices available to local entrepreneurs.

158. Isivande Women’s Fund (IWF) is an exclusive fund that aims to accelerate women’s economic empowerment by providing more affordable, usable and responsive finance than is currently available. The IWF targets formally registered, 60% women-owned and/or managed enterprises that have been in existence and operating for two or more years with a loan range of R30 000 to R2 million.

159. The B’avumile skills development programme is a women’s empowerment initiative aimed at enhancing talent in the arts and crafts and textiles and clothing sectors among women. It consists of a formal training programme to develop women enterprises’ expertise in production of marketable goods and creation of formal enterprises in the creative and clothing and textiles industry. This initiative provides the country with an opportunity to fast-track rural women’s economic empowerment, as well as grows number of women owned enterprises that are integrated into the economic mainstream.

160. Technology for Women in Business (TWIB) is an initiative aimed at enhancing the accessibility of Science and Technology in particular in Small, Medium and Macro Enterprises (SMMEs). This programme was initiated in 1998, with the emphasis on the application of science and technology solutions to achieve business growth in women-led enterprises and consequently move women-led enterprises from the side-lines towards the mainstream economy.

161. The objectives of TWIB are facilitating focused action by women entrepreneurs at all levels; reating successful role models; unlocking solutions to progressive approaches to doing business in a global economy; and exploiting partnerships with government, corporate and women focused organisations.

162. The TWIB programme also holds annual awards ceremony to recognize and reward women entrepreneurs who have successfully used appropriate technologies to improve the performance of their businesses. The national programme focuses on female entrepreneurs at all levels of business, from SMMEs. It aims to accelerate business growth through partnerships, education, mentoring and training.

163. Many women’s enterprises are established as cooperative supported by the Co-operative Incentive Scheme (CIS). This is a 100% grant for registered primary co-operatives (a primary co-operative consists of five or more members). The objective of the CIS is to improve the viability and competitiveness of co-operative enterprises by lowering their cost of doing business through an incentive that supports Broad-Based Black Economic Empowerment. The objectives are as follows:
• Promote co-operatives through the provision of a matching grant;
• Improve the viability and competitiveness of co-operative enterprises by lowering the cost of doing business;
• Assist co-operatives to acquire their start up requirements;
• Build an initial asset base for emerging co-operatives to enable them to leverage other support; and
• Provide an incentive that supports broad-based black economic empowerment.

164. South Africa (Statistics SA) released a study in 2014, titled the Gender Series: Volume 1: Economic Empowerment 2001-2014 focusing on gender disparities in economic empowerment and providing more in-depth analyses and covering different focal areas related to gender. The areas indicated here are amongst some of the important aspects in the report. Labour force participation of females in the economy can have an impact on raising the overall income for households. Raised income for females in turn increases their chances for better access to and control over resources, and can have a statistically significant impact on poverty reduction. The labour force participation rate of males was higher than that for females in both 2001 and in 2014. Even though both sexes are participating at lower rates in 2014 than in 2001, the gap between male and female participation rates remained stable over the reference period. Nationally, the labour force participation rates of both males and females were higher in 2001 than in 2014. The participation rate of males decreased from 67.4% in 2001 to 63.6% in 2014. The participation rate of females was 54.9% in 2001 and declined to 51.0% in 2014. The study also indicated that levels of employment increased by 2.5 million and males reported the highest increase of about 1.7 million, while the number of employed females only increased by 826000.

165. When education was assessed in relation to field of study, it was found that employed persons with a tertiary education were more likely to be qualified in the economic and management sciences. Gender differences were observed in relation to qualifications. Males were three times more likely (with a percentage share of 75.4%) to be qualified in physics/mathematics/engineering than females. On the other hand, females were more likely to be in possession of qualifications in the field of social studies/health sciences and arts/education/hospitality (approximately 66% and 68%, respectively). The table below indicates analyses of the share in employment level of males and females with tertiary qualification by sex and field of study in 2011.

<table>
<thead>
<tr>
<th>Field of Study</th>
<th>Males</th>
<th></th>
<th>Females</th>
<th></th>
<th>Both sexes</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Numbers</td>
<td>%</td>
<td>Numbers</td>
<td>%</td>
<td>Numbers</td>
<td>%</td>
</tr>
<tr>
<td>Social Studies/health sciences</td>
<td>139</td>
<td>34.6</td>
<td>263</td>
<td>65.4</td>
<td>402</td>
<td>17.4</td>
</tr>
<tr>
<td>Arts/education/hospitality</td>
<td>154</td>
<td>32.4</td>
<td>321</td>
<td>67.6</td>
<td>475</td>
<td>20.6</td>
</tr>
<tr>
<td>Economic and management Science</td>
<td>325</td>
<td>45.3</td>
<td>335</td>
<td>50.7</td>
<td>661</td>
<td>28.6</td>
</tr>
<tr>
<td>Physical/mathematical science/engineering</td>
<td>373</td>
<td>75.4</td>
<td>121</td>
<td>24.6</td>
<td>495</td>
<td>21.5</td>
</tr>
<tr>
<td>Agriculture/others</td>
<td>145</td>
<td>54.9</td>
<td>129</td>
<td>47.1</td>
<td>274</td>
<td>11.9</td>
</tr>
<tr>
<td>Total</td>
<td>1136</td>
<td>49.3</td>
<td>1170</td>
<td>50.7</td>
<td>2306</td>
<td>100</td>
</tr>
</tbody>
</table>
Source: Census 2011

166. With regard to earnings, females continued to dominate among those earning in the bottom ranges of earnings. However, the last 13 years saw noticeable shifts in male and female earnings, with the gender gap between males and females earning in the upper salary ranges (i.e. R7 501–R11 500 and R11 500+) narrowing considerably. Analysis by population group further showed that the percentage share of females with monthly earnings between R11 501 or more, was highest among those of females with a tertiary education who belonged to other race groups (56.2%) in 2001. However, 13 years later, the largest percentage share for females with monthly earnings of R11 501 or more was found amongst black African females with a tertiary qualification (64.3%). This percentage was higher than the percentage depicted for their male counterparts, irrespective of race.

167. Business enterprises in the country show an increase in percentage shares amongst females owning small- to medium-sized businesses. Furthermore, while most females continue to be employed in the informal sector, the percentage share of females operating businesses in the formal sector has increased over time.
Women's ownership of and control over resources is increasingly seen as a key element of women's empowerment. The proportion of households headed by females who owned land used for agricultural purposes also exceeded that of males within each province in 2013. The largest growth in the share of households headed by females owning the agricultural land they cultivated within each province occurred in Free State, followed by Western Cape and Northern Cape. In terms of the gender gap in 2013, gender parity ratios in ownership of land used for agricultural purposes were higher among households headed by the white and coloured population groups (GPRs of 1,07 and 0,93 respectively) and lowest amongst black Africans (1,24).

Challenges

In 2013, the unemployment rate was approximately 25%. The unemployment rate has increased between 1994 and 2013, despite the large growth in employment over the period, which could be ascribed to the high number of people entering the labour market as well as the high number of people being counted in the labour market. The number of people entering the labour market has increased both due to population growth and due to the ending of apartheid. More people began actively seeking work, particularly in urban areas, as the restrictions placed on black people, especially women, were removed.

Decreasing the levels of unemployment is particularly important because of its direct impact on the reduction of levels of poverty. Unemployment affects men and women equally. However, the rate of unemployment tends to be higher for women than it is for men. Overall unemployment rates for males and females grew slightly (0,6 percentage points) between 2001 and 2014 from 24,6% in 2001 to 25,2% in 2014. Females aged 15–24 years were most likely to be unemployed with an unemployment rate of 56,3% in 2014. The largest increase was observed between 2001 and 2014 (5,8 percentage points).

In South Africa it is estimated that around 38% of businesses are owned by women27, and that the country has made use of preferential procurement policies to create greater opportunities for women to promote their access and visibility in public procurement spending. However, women-owned businesses still face various barriers in accessing government procurement and supply chains. Participation of women in previously male dominated sectors is still a problem, most women are still in possession of qualifications in social studies/health sciences, arts, hospitality and education.

In South Africa, women-owned businesses are still underrepresented in public procurement when compared to their male counterparts, and are unlikely to account for more than 25% of procurement spend28 in the country. Over the 2011/12 financial year, the study undertaken by the Business Women’s Association of South Africa indicates that women-owned businesses were recipients of R16.56 billion in government procurement spending out of a total of R183.3 billion in the research sample (which represents only 30% of total procurement spend in this year), thus accounting for only 9% of the total procurement spend in the sample studied.

Emerging issue

Visit to women owned/managed enterprises has proved that there are different levels at which these women entrepreneurs operate their businesses, each facing different challenges. The Women who have less educational backgrounds tend to continually seek government support in understanding how to run a business yet these women can support their businesses with the income generated from the business itself so they need to be given training in this regard. The monitoring visits also identified overall that those women entrepreneurs with a savvy business background, usually need marketing support for their businesses to take them into higher level of wealth creation.


28 Ibid
173. It was also identified that the level at which these women entrepreneurs aspire to grow their businesses also differs. It was found in the main that most of the women use their businesses as a means of income generation to feed their families. However, some of the women are seeking ways to make the business grow and spread to other parts of the country. They wish to also seek other measures to process their products in-house. This means that training is required as well as access to resources which would expand their businesses.

CHAPTER 11
WOMEN IN POWER AND DECISION-MAKING

Legislation and policy context

174. South Africa has made great strides in ensuring women’s involvement in political and decision-making processes. At the legislative level, the Electoral Act 73 of 1998 requires every registered party and candidate to respect the rights of women and to communicate freely with parties and candidates, facilitate full and equal participation of women in political activities, ensure free access for women to all public meetings, marches, demonstrations, rallies and other public events and take all possible steps to ensure that women are free to engage in political activities. According to the Independent Electoral Commission (IEC) women constituted the highest number of registered to voters in both 2009 and 2014 with 54.9% women compared to 45.1% of men. The Local Government Municipal Structures Act 117 of 1998 makes provision for the equal representation of women and men in political party lists and ward committees.

175. The Traditional Leadership and Governance Framework Act 41 of 2003 require at least 30% of members of the National House of Traditional Leaders to be women. The Act provides for measures for parity of representation between female and male traditional leaders in district and local municipalities, and is, explicit about the promotion of gender equality and non-sexism. Subsection 3 of the preamble to the Act states. “A traditional community must transform and adapt to customary law and customs relevant to the application of this Act so as to comply with the relevant principles contained in the Bill of Rights in the Constitution; in particular by preventing unfair discrimination; promoting equality; and seeking to progressively advance gender representation in the succession to traditional leadership positions”. The Institution of Traditional Leadership has established a Portfolio Committee on Gender, Youth, Children and People with Disabilities that helps to monitor cultural practices and customs that undermine gender equality. It also keeps the gender debate going within the Traditional Leadership Institution.

176. At the political level, the African National Congress (ANC) is the only political organization that has adopted the 50/50 quota at a party level in 2007. This has resulted in a number of women participating in Parliament from the ruling party.

Achievements

177. Since the democratic elections in 1994, South Africa has seen a number of women taking up leadership positions in areas previously dominated by men. One of the success stories of our democracy is that of the representation of women in political and decision-making positions. Involving women in governance processes constitutes one of South Africa’s globally acclaimed success stories. The election of Dr Nkosazana Dlamini-Zuma in July 2012 as the first women in Africa to chair the African Union Commission; the appointment of Dr. Phumzile Mlambo-Ngcuka, former Deputy President of the country, as the Under-Secretary-General and Executive Director of UN Women; and the positioning of other South African women such as Ms. Geraldine Frazer-Moleketi, Special Gender Envoy to the African Development Bank; Ms Rashida Manjoo, Special Rapporteur on Violence against women, its causes and consequences; and Judge Navi Pillay as the former High Commissioner for Human Rights and formerly as a judge in the International Criminal Court (ICC) is an indication of the impact that women in decision-making have in winning the trust and confidence of citizens in South Africa, on the continent and internationally.
178. The twenty year of democracy women headed portfolios such as the Commissioner of Police; the Public Protector; CEO of the Johannesburg Stock Exchange; the Independent Electoral Commission; Governor of the Reserve Bank, the South African Law Reform Commission and others. Women have also held the office of Deputy President such as Ms Phumzile Mlambo-Ngcuka from 2005-2008 and Ms Baleka Mbete from 2008-2009 respectively. The first Speaker of the National Assembly was a woman, Ms. Frene Ginwala, followed by Ms. Baleka Mbete in 2004-2009 who was re-elected following the 2014 Elections. We have also had women as deputy Speakers in the National Assembly during the 20 year period.

179. Women Ministers have within the twenty year held important portfolios previously held by men such as: Basic Education; Small Business Development; Defence; Environmental Affairs; Water Affairs and Sanitation; Home Affairs; International Relations and Cooperation; Transport; Labour; Energy; Science and Technology; Mineral Resources; Social Development; and the women's agenda. In fact under the stewardship of the Minister for Science and Technology, who is a woman, South Africa has won the bid for the Square Kilometer Array (SKA) project.

180. Women are making inroads into business leadership and heading up global giants in the country such as the head of the ABSA bank. Women own conglomerates in the country with some business women being millionaires. Women also can be found as Chairpersons of corporate boards in the country, while others are entering and leading in previously male dominated territories, for example, the head of the Paleontology Department in the University of Cape Town is a woman, and the South African Airways (SAA) now has women pilots, some flying international bound flights. Women are in the defence force, navy and air force in South Africa. In fact women make up almost 40% of the Senior Management Service in the public service and overall women comprise more than 50% of employees in the Public Service.

Women in Cabinet

181. There has been a steady growth in the representation of women at Cabinet level since the first democratic elections held in 1994. South Africa reached the target of 30% representation of women in political decision-making positions in line with the SADC target in 2003. In 2005 South Africa adopted the 50% gender parity principle in line with the AU Commission target, and in 2008 with the SADC Protocol on Gender and Development. The representation of women in Cabinet level following the 2014 general election stands at approximately 43%. The table below highlights the trends in the pattern of representation of women Cabinet Ministers from 1994 to 2014:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Women Ministers</td>
<td>3</td>
<td>4</td>
<td>9</td>
<td>12</td>
<td>14</td>
<td>15</td>
</tr>
<tr>
<td>No. of Male Ministers</td>
<td>24</td>
<td>21</td>
<td>18</td>
<td>16</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Total No. of Ministers in Cabinet</td>
<td>27</td>
<td>25</td>
<td>27</td>
<td>28</td>
<td>34</td>
<td>35</td>
</tr>
<tr>
<td>% representation of Women Ministers</td>
<td>11%</td>
<td>16%</td>
<td>33.3%</td>
<td>42.8%</td>
<td>41%</td>
<td>42.85%</td>
</tr>
</tbody>
</table>
Women Deputy Ministers

182. The representation of women Deputy Ministers currently is 45.9%. The table below highlights the trends in the pattern of representation of women Deputy Ministers from 1994 to 2014.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Women Deputy Ministers</td>
<td>3</td>
<td>8</td>
<td>8</td>
<td>10</td>
<td>11</td>
<td>17</td>
</tr>
<tr>
<td>No. of Male Deputy Ministers</td>
<td>9</td>
<td>5</td>
<td>8</td>
<td>10</td>
<td>17</td>
<td>20</td>
</tr>
<tr>
<td>Total No. of Deputy Ministers in Cabinet</td>
<td>12</td>
<td>13</td>
<td>16</td>
<td>20</td>
<td>28</td>
<td>37</td>
</tr>
<tr>
<td>% representation of Women Deputy Ministers</td>
<td>25%</td>
<td>62%</td>
<td>50%</td>
<td>50%</td>
<td>39%</td>
<td>45.9%</td>
</tr>
</tbody>
</table>

183. It is also important to note that following the 2014 elections, the country has seen increase in appointment of persons with disabilities in Cabinet, with Ministers at 2.8% and Deputy Ministers at 5.4%. This has exceeded the 2% employment of people with disabilities that government set itself.

Women in Parliament

184. The table below indicates the representation of women members of parliament and provincial legislature over the five elective periods 1994-2014.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>% women in Parliament</td>
<td>27.8%</td>
<td>30%</td>
<td>32.8%</td>
<td>43.3%</td>
<td>41%</td>
</tr>
<tr>
<td>% women in Provincial Legislature</td>
<td>23.5%</td>
<td>27.7%</td>
<td>31.7%</td>
<td>41.5%</td>
<td>37%</td>
</tr>
</tbody>
</table>
Women in Local Government Level

185. The Local Government level is showing steady progress in the representation of women. Following the 2011 Local Government Elections, the representation of females on Local Government Councils is at 38.4% compared to 28.2% in 2000. The table below indicates the trends in the representation of women members of local government councils per major local government elections.

<table>
<thead>
<tr>
<th>Women members of local government councils 2000-2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>2000</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>Proportional representation</td>
</tr>
<tr>
<td>Ward</td>
</tr>
<tr>
<td>Overall</td>
</tr>
</tbody>
</table>
formed the SALGA Women’s Commission. The table below summarizes gender and local government election results over four municipal elections.

**Gender and local government election results 1995-2011**

<table>
<thead>
<tr>
<th>Year</th>
<th>% Women ward</th>
<th>% women PR</th>
<th>% women overall</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>11</td>
<td>28</td>
<td>19</td>
</tr>
<tr>
<td>2000</td>
<td>17</td>
<td>38</td>
<td>29</td>
</tr>
<tr>
<td>2006</td>
<td>37</td>
<td>42</td>
<td>40</td>
</tr>
<tr>
<td>2011</td>
<td>33</td>
<td>43</td>
<td>38</td>
</tr>
</tbody>
</table>

Source: Gender Links 2011

The table above highlights the steady progress made over the first three local government elections, with women’s representation increasing from 19% in 1995 to 29% in 2000. Following the adoption by the ANC of the 50/50 quota at a party level in 2006, this figure rose dramatically to 40% in the 2005 Local Government Elections. There is however a slight decline in the representation of women in ward seats to 33% in 2011, as well as a corresponding overall 2 percentage point decline in women representation.

**Women and Elections in South Africa**

In the 2014 elections, women comprised 56% of the total number of registered voters, compared to 55% in 2009. This shows that South African women have a keen interest in political participation.

**Table 2.2: Gender and decision-making in South Africa**

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2009</th>
<th>2014</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women voters</td>
<td>55%</td>
<td>55%</td>
<td>56%</td>
<td>Increase</td>
</tr>
<tr>
<td>Women premiers</td>
<td>44%</td>
<td>55%</td>
<td>22%</td>
<td>Sharp decrease</td>
</tr>
<tr>
<td>Women MPs</td>
<td>33%</td>
<td>43%</td>
<td>40%</td>
<td>Decrease</td>
</tr>
<tr>
<td>Women MPLs</td>
<td>30%</td>
<td>41%</td>
<td>37%</td>
<td>Decrease</td>
</tr>
<tr>
<td>Women in cabinet</td>
<td>42%</td>
<td>41%</td>
<td>41%</td>
<td>Slight decrease</td>
</tr>
<tr>
<td>Women deputy ministers</td>
<td>60%</td>
<td>39%</td>
<td>44%</td>
<td>Slight increase, but decrease since 2004</td>
</tr>
<tr>
<td>Women in the NCOP</td>
<td>41%</td>
<td>30%</td>
<td>28%</td>
<td>Decrease</td>
</tr>
<tr>
<td>Women as news sources</td>
<td>22%</td>
<td>24%</td>
<td>25%</td>
<td>Slight increase</td>
</tr>
<tr>
<td></td>
<td>2001</td>
<td>2006</td>
<td>2011</td>
<td></td>
</tr>
<tr>
<td>Women in local government</td>
<td>28%</td>
<td>40%</td>
<td>38%</td>
<td>Decrease</td>
</tr>
</tbody>
</table>

Source: Gender In the 2014 South Africa National Elections, Lowe-Morma C, Mbashtanyana N, Ndlovu S, and Robinson K.
Representation of Women in Senior Management Service in the Public Service

188. The Public Service comprises a Senior Management Service (SMS) which is made up of four categories ranging from levels 13 at the entry level to SMS i.e. Director; to level 16, at the topmost level i.e. Directors-General or Heads of Departments, also commonly known as Accounting Officers. The data provided is obtained from the Persal System of Government.
Currently there is 40% representation of women in Senior Management Service in the Public Service. The table below indicates trends in representation of women within management positions in government from 2005 to date, with an average of approximately 1 percentage point increase annually.

### Trends in the percentage representation of women in Senior Management Service in Government: 2005-2014

<table>
<thead>
<tr>
<th>YEARS</th>
<th>PERCENTAGE REPRESENTATION OF WOMEN IN SMS LEVELS</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 2005</td>
<td>30%</td>
</tr>
<tr>
<td>December 2008</td>
<td>34.3%</td>
</tr>
<tr>
<td>March 2009</td>
<td>34.6%</td>
</tr>
<tr>
<td>March 2010</td>
<td>36%</td>
</tr>
<tr>
<td>March 2011</td>
<td>37%</td>
</tr>
<tr>
<td>March 2012</td>
<td>38.1%</td>
</tr>
<tr>
<td>March 2014</td>
<td>39.8%</td>
</tr>
<tr>
<td>June 2014</td>
<td>40%</td>
</tr>
</tbody>
</table>

The table below indicates the representation in actual numbers and percentage of women in senior management by race and gender as at June 2014. African females make up 28.91% of the total SMS membership.

<table>
<thead>
<tr>
<th>Race</th>
<th>Female</th>
<th>Male</th>
<th>Total</th>
<th>% women per population group</th>
<th>% women per total SMS members</th>
</tr>
</thead>
<tbody>
<tr>
<td>African</td>
<td>2728</td>
<td>3980</td>
<td>6708</td>
<td>40.66%</td>
<td>28.91%</td>
</tr>
<tr>
<td>Asian</td>
<td>240</td>
<td>348</td>
<td>588</td>
<td>40.81%</td>
<td>2.54%</td>
</tr>
<tr>
<td>Coloured</td>
<td>293</td>
<td>493</td>
<td>786</td>
<td>37.27%</td>
<td>3.10%</td>
</tr>
<tr>
<td>White</td>
<td>520</td>
<td>832</td>
<td>1352</td>
<td>38.46%</td>
<td>5.51%</td>
</tr>
<tr>
<td>Total</td>
<td>3781</td>
<td>5653</td>
<td>9434</td>
<td>40.07%</td>
<td></td>
</tr>
</tbody>
</table>

The figures in the table above indicate that women in the senior management service of government tend to be aggregated at the entry level of management (i.e. level 13) at 41.01%, and tapers, in line with the typical global trends and patterns, towards the more senior decision-making positions in the public service (i.e. level 16) at 27.33%. This level represents where Directors-Generals and Heads of Departments are located.

Out of the 9 434 SMS positions filled as at June 2014, 3 781 (40.07%) were filled by women and 5 653 (59.93%) were filled by men. The table below indicates that of the total number of African females at the senior management level (i.e. 2728 or 28.91%), majority of them (i.e. 1969 or 72.18%) are located within the entry level of the management levels (i.e. level 13), while only 33 (i.e. 3.85%) out of the total of 2728 are at the top-most level of management.
### Representation by Gender and Disability at SMS for 2012/13

<table>
<thead>
<tr>
<th>Race</th>
<th>Gender</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Female</td>
<td>%</td>
</tr>
<tr>
<td></td>
<td>Av no</td>
<td>Av no</td>
</tr>
<tr>
<td>African</td>
<td>1387</td>
<td>1950.33</td>
</tr>
<tr>
<td>Asian</td>
<td>55.33</td>
<td>86</td>
</tr>
<tr>
<td>Coloured</td>
<td>168</td>
<td>287</td>
</tr>
<tr>
<td>White</td>
<td>508</td>
<td>712</td>
</tr>
<tr>
<td>Total</td>
<td>2118.33</td>
<td>3035.67</td>
</tr>
</tbody>
</table>

### Representation of Women in the Foreign Service

Diplomatic appointments of women have equally increased dramatically. In 2001, only 8 women, constituting 17.4% of the total number, were serving as Heads of Missions abroad. This number increased to 24.2% in 2005. In 2008, women accounted for 26% of appointed Ambassadors, High Commissioners and Consul-Generals, increasing to 29.13% in August 2012 to 29.3% in 2013. As at November 2014, this figure remains at 29%.

### Representation of Women in the Judiciary

In 2005, women comprised 28 (13.52%) of the 207 judges in the country, one of whom was a Deputy Judge President. By 2008, the number of women judges had risen to 30% of the total number of judges in the country, increasing to approximately 34% in 2014.

<table>
<thead>
<tr>
<th>Court</th>
<th>September 2011</th>
<th>September 2012</th>
<th>September 2013</th>
<th>June 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Total</td>
<td>% of female</td>
</tr>
<tr>
<td>Constitutional Court</td>
<td>7</td>
<td>3</td>
<td>10</td>
<td>30%</td>
</tr>
<tr>
<td>Supreme Court of Appeal</td>
<td>18</td>
<td>7</td>
<td>25</td>
<td>28%</td>
</tr>
<tr>
<td>Provinces</td>
<td>129</td>
<td>50</td>
<td>179</td>
<td>27%</td>
</tr>
<tr>
<td>Labour Court</td>
<td>8</td>
<td>4</td>
<td>11</td>
<td>36%</td>
</tr>
<tr>
<td>Competition Appeal Court</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>154</td>
<td>60</td>
<td>214</td>
<td>28%</td>
</tr>
</tbody>
</table>
195. At present there are approximately 40% women magistrates in South Africa, with most of them located as Regional Court Presidents (i.e. 50%). Overall women magistrates exceed the 30% mark in all categories of the Magistracy.

Table showing representation of Magistrates according to gender as at October 2013

<table>
<thead>
<tr>
<th>Post Class</th>
<th>Total Males</th>
<th>Total Females</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional Court President</td>
<td>5</td>
<td>4</td>
<td>9</td>
</tr>
<tr>
<td>Regional Magistrate</td>
<td>212</td>
<td>112</td>
<td>324</td>
</tr>
<tr>
<td>Chief Magistrate</td>
<td>9</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>Senior Magistrate</td>
<td>70</td>
<td>40</td>
<td>110</td>
</tr>
<tr>
<td>Magistrate</td>
<td>742</td>
<td>508</td>
<td>1250</td>
</tr>
<tr>
<td>Percentages</td>
<td>61</td>
<td>39</td>
<td>100</td>
</tr>
<tr>
<td>Grand Total</td>
<td>1038</td>
<td>673</td>
<td>1711</td>
</tr>
</tbody>
</table>

Representation of Women in the South African Defence Force

196. The overall equity progress per gender of both uniformed and personnel employed under the Public Service Act (PSAP) in South Africa indicate an upward trend since 1994 and currently is almost at the 30% mark. The graph below highlights the progress made from 1994 to 2014.

197. The total strength for uniformed members is 66 326 which comprises 84% of the total armed forces population in the country. Of this 16 395 (25%) are women. The graph below shows the representation across rank and gender as at October 2014, where the representation of women at senior and middle management remains a challenge.

198. The equity status for the Military Skills Development System as at 2014 is 34%, and from 2011 to 2013, approximately 37% females received contracts. In the South African Defence Force, 32 905 members are utilized in the sharp-end (tooth) corps, of which women make up 19%. There is a 26% women representation in critical
mustering in the Defence Force, which includes females in Air Space Control (34%), Air Crew (8%), Anti-Air Craft (25%), Artillery (25%), Combat Navy (11%), Engineers (12%), Medical Professionals (59%), Nursing (75%), Technical (11%) and Technical Air (12%). Women can now be seen within previously male dominated areas, but in keeping with historical trends, women are concentrated in medical and nursing areas of work.

199. However, transformation is clearly happening in the armed forces. From 1994 onwards, females have been encouraged to follow career paths in all mustering and occupational spheres, including in the combat (tooth) environment. In 1997, the first 5 females qualified as pilots and currently there are 29 qualified female pilots in the South African Air Force. In 1998, there were only 5 female Brigadier Generals and 4 female Directors in the SANDF, with females only comprising 13% of the total population in the SANDF in 1998. Currently there are 19% female Brigadier Generals and the overall representation of females is 28.6%

Challenges

Representation of women Premiers of provinces

200. Since the 2004 elections, four of the nine Premiers that head Provincial Governments in South Africa were women and trend has drastically changed following the 2014 General Election where there are only two women premiers.

Representation of Women in the Private sector

201. The representation of women in decision-making positions such as corporate boards and as Chairpersons of Boards or CEOs of corporate companies in South Africa is obtained from the South African Women in Leadership Census conducted annually since 2004 by the Businesswomen’s Association (BWA). The most recent statistics that is available is that of the 8th Women in Leadership Census Survey, undertaken in 2013 and released in 2013 which provides a comprehensive analysis of women on boards, and in executive management of companies in the private sector in South Africa, especially Johannesburg Stock Exchange listed companies.

Women in Corporate Position: 2008-2012

<table>
<thead>
<tr>
<th>Representation of Women in Corporate Positions</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Executive Officers / Managing Directors</td>
<td>3.9%</td>
<td>3.6%</td>
<td>4.5%</td>
<td>4.4%</td>
<td>3.6%</td>
</tr>
<tr>
<td>Chairpersons</td>
<td>3.9%</td>
<td>5.8%</td>
<td>6.0%</td>
<td>5.3%</td>
<td>5.5%</td>
</tr>
<tr>
<td>Directorships</td>
<td>14.3%</td>
<td>14.6%</td>
<td>16.6%</td>
<td>15.8%</td>
<td>17.1%</td>
</tr>
<tr>
<td>Executive Managers</td>
<td>25.3%</td>
<td>18.6%</td>
<td>19.3%</td>
<td>21.6%</td>
<td>21.4%</td>
</tr>
</tbody>
</table>

202. The Gender Statistics in South Africa, 2011 Report released in 2013 by Statistics South Africa highlights that the percentage distribution of women aged 15-64 years by occupational category indicates that 6% of women are in the professional category as compared to 5.4% males but 6.1% females are in the managerial category as compared to 10.4% males, suggesting that men are more likely to be decision-makers in their jobs compared to women.
203. A “board-ready women” database was launched in South Africa, in partnership between the Business & Professional Women South Africa (BPWSA) and Government, through the Department of Trade and Industry. It is the first database of its kind in South Africa of trained senior businesswomen - from which both the public and private sector can access potential non-executive board members. Women represent a significant part of the workforce and of the customer base of most companies. Yet, with a few notable exceptions, their representation on boards is lacking. Broadening the gender diversity of boards not only helps increase the size of the candidate pool and therefore the quality of potential board members, but it also helps broaden the perspectives and experience of an entire team.

CHAPTER 12
INSTITUTIONAL MECHANISMS FOR THE ADVANCEMENT OF WOMEN

204. The South African National Policy Framework, adopted by Cabinet in 2000, specifically vests the responsibility for women’s empowerment and gender equality with the Minister in the Presidency, while placing the responsibility for gender mainstreaming as a strategy for realising gender equality in all members of Cabinet, government entities, the private sector and civil society, and at all levels of decision-making. This National Policy Framework outlines the mandates, structure and functions of the facilitative components of the National Gender Machinery (NGM) for women’s empowerment. In South Africa, the term “national gender machinery” refers to “an integrated package” of structures located at various levels of state, civil society and within the statutory bodies. The NGM is primarily a facilitative mechanism for women’s empowerment, and its role is therefore accordingly that of advisory and technical assistance to facilitate compliance by the mainstream structures. According to the National Gender Policy Framework, the facilitative structures include:

- **Parliament**: The Joint Committee on the Improvement of the Quality of Life and Status of Women, Women’s Caucuses, Women’s Empowerment Unit;
- **Government**: Cabinet, the National Office on the Status of Women (OSW) in the Presidency, Provincial OSWs in Premiers’ Offices, Gender Units and Gender Focal Points (GFP) in line departments (at best in the Offices of the Directors-General), gender units / GFPs in local government structures;
- **Independent bodies**: The Constitutional Court, other courts, and all Chapter 9 bodies, including the Commission on Gender Equality (CGE);
- **Civil society**: non-governmental organisations, religious bodies, CONTROLESÁ and SALGA. Civil society is recognized as an important component of the NGM especially in the role of monitoring implementation.

205. During the past decade, various quota systems and equity measures and mechanisms, aimed at measuring the levels of participation of women in the economy and decision-making have been introduced. Government’s commitment towards equity, equality and the provision of development opportunities for the vulnerable groups in general, and women in particular (including the girl child and women and girls with disabilities), was underscored by the establishment of the Ministry of Women, Children and People with Disabilities on 10th May 2009. After the 2014 elections, His Excellency President Jacob Zuma pronounced on the establishment of a Ministry in the President Responsible for Women with its concomitant Department.

206. The major challenge noted is the poor implementation of policies as well as women having to conform to pre existing norms that come with a lot of biasness and in some instances a lot of stereotypic family responsibilities. Patriarchy remains a concern.

207. It is emerging that there should be a creation of a conducive environment for women in the workplace e.g. introducing family friendly policies.
CHAPTER 13
HUMAN RIGHTS OF WOMEN

208. Women’s empowerment and gender equality and the elimination of discrimination against women is a constitutional imperative in South Africa. Section 9 of the Constitution of the Republic of South Africa (the Constitution) prohibits discrimination on a number of grounds including gender, sex, age, marital status, disability and pregnancy. The Constitution further acts as the normative foundation for the advancement of women’s rights in the country with several pieces of legislation providing the building blocks. After 1994 the principle of ‘gender equality’ influenced policy formulation in development-related areas such as access to land, housing, water, health care, protection and public works programmes as well as significant increase in women’s representation in decision-making positions in the state, private sector, political parties and all aspects of life.

209. Furthermore, South Africa is a signatory to a range of international, continental and regional instruments that inform equality, empowerment of women, promotion of women’s rights and dignity as well as protecting children’s rights. Among them are the following:


   ii) The African Charter on the Rights and Welfare of the Child was ratified in 2000 and South Africa has presented it report in October 2014.

   iii) The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was ratified in 1995 without reservation and it’s Optional Protocol in 2005. South Africa has since presented a combined 2nd, 3rd and 4th periodic report to the CEDAW Committee in January 2011 and the 5th periodic report by South Africa is due in February 2015.

   iv) The UN Convention on the Rights of the Child was ratified by South Africa in 2000 and the country is finalizing its report for submission to the United Nations on the Rights of the Child.

210. The Equality Act, Section 8 (d) it stipulates that unfair discrimination on the ground of gender includes “any practice, including traditional, customary or religious practice, which impairs the dignity of women and undermines equality between women and men, including the undermining of the dignity and well-being of the girl child”.

Equality Courts

211. The essence is not in treating everyone equally, but in treating everyone with the same concern and respect. Pursuant to the provisions in terms of section 9 (4) of the Constitution of the Republic of South Africa, 1996, the Promotion of Equality and the Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000) was enacted and came into operation in September 2000.

Equality Court: Matters registered

<table>
<thead>
<tr>
<th>Type of Complaint</th>
<th>2012/2013</th>
<th>2013/2014</th>
<th>%Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Dissemination and publication that unfairly discriminates)</td>
<td>27</td>
<td>27</td>
<td>0.00</td>
</tr>
<tr>
<td>(Harassment)</td>
<td>78</td>
<td>71</td>
<td>-8.97</td>
</tr>
<tr>
<td>(Harassment)(dissemination and publication that unfairly discriminates)</td>
<td>21</td>
<td>1</td>
<td>-95.24</td>
</tr>
<tr>
<td>(Hate speech)</td>
<td>255</td>
<td>244</td>
<td>-4.31</td>
</tr>
</tbody>
</table>

29 Department of Justice and Constitutional Development input: January 2015
212. During the reporting period a 3.24% increase of new matters can be observed. Hate Speech and Unfair Discrimination were the leading complaints in 2013/2014 with 255 and 217 respectively. While there is a 4% percent point decrease in hate speech complaints, unfair discrimination increased by more than 40 percent.

| (Hate speech) (dissemination and publication that unfairly discriminates) | 1 | 0 | 100 |
| (Hate speech)(harassment) | 50 | 45 | -10.00 |
| (Unfair discrimination) | 154 | 217 | 40.91 |
| (Unfair discrimination)(dissemination and publication that unfairly discriminates) | 5 | 5 | 0.00 |
| (Unfair discrimination)(harassment) | 10 | 9 | -10.00 |
| (Unfair discrimination)(hate speech) | 8 | 9 | 12.50 |
| (Unfair discrimination)(hate speech)(harassment) | 9 | 9 | 0.00 |

Did not indicate | 0 | 1 | 100 |
Grand total | 618 | 638 | 3.24 |

During the reporting period, there was a 30 percent decrease in the total number of cases disposed of. Out of the total cases disposed of, 31.5 percent were referred to alternative forums.

213. During the reporting period, there was a 30 percent decrease in the total number of cases disposed of. Out of the total cases disposed of, 31.5 percent were referred to alternative forums.

214. The South African government has developed progressive legislations and regulatory frameworks to ensure meaningful participation of women in the media. A legislative framework has been put in place, which considers the under-serviced areas as priority areas, and makes an effort to ensure significant ownership of and involvement, by previously disadvantaged groups including women.

215. The Independent Communications Authority of South Africa (ICASA) Act, 2000 (Act 13 of 2000), which is a significant tool in the empowerment of women and promotion of other disadvantaged groups is an important piece of legislation towards meaningful participation of women in media. The law enables the Authority to promote and encourage the ownership and control of telecommunication and broadcasting services by people from historically disadvantaged groups including women.

216. Section 5 (9) (b) of the Electronic Communications Act (Act 36 of 2006) stipulates that the Authority must, in granting a licence— (b) promote the empowerment of historically disadvantaged persons including women and the youth and people with disabilities, in accordance with the requirements of the ICT charter.

217. Section 3 (b)(i) of the Media Diversity and Development Agency Act Act 14 of 2002) fosters the ownership, control and access to media by historically disadvantaged communities, including women.

218. The South African Broadcasting Act, 1999 (Act4 of 1999), provides that the public service delivered by the South African public broadcaster shall strive for a broad range of services, targeting women and the previously
disadvantaged groups. As a result, policies have been put in place to give guidance on how matters of discrimination and stereotyping are to be dealt with. Arising out of this, the public broadcaster must strive to ensure that when judged, its programming does not:

- Promote violence against women
- Depict women as passive victims of violence and abuse
- Degrade women and undermine their role and position in the society
- Reinforce gender oppression and stereotypes

219. The implementation of this legislation is monitored through ICASA. Through the Films and Publication Act, 1996 (Act 65 of 1996), that it is a legal transgression to distribute publications or films which advocate hatred based on race, gender, ethnicity or religion and which incite others to harmful practices. Furthermore, to ensure that women and girls are not portrayed or depicted adversely through advertising in the media, the Advertising Authority (ASA) has been set up to monitor all complaints.

220. The National Film and Video Foundation Act of 1997, established the National Film and Video Foundation (NFVF) a government Agency whose main objective is to develop and transform the film industry. Since its establishment in 1999, the South African film industry has seen the emergence of new voices that also includes women directors and writers who are making names for themselves locally and internationally

- In 2004, the NFVF and the South African Broadcasting Corporation (SABC) in celebration of our democracy created a 10 documentary series named Project 10 wherein 10 documentary projects were commissioned for the SABC and out of the 10 documentaries 9 of them were directed by women.
- In 2012, the NFVF introduced slate funding and one of the companies awarded a slate deal was a female owned production company.
- A call for proposals for 10 short film projects for direction by women in 2014 has resulted in 10 short films written, directed and produced by first time female participants. The initiative is aimed at female filmmakers who have just entered the industry in order to build capacity and launch careers in the film industry.
- The NFVF's in-house Sidebar Screenwriting training programme is headed by women mentors.
- In 2005, Women in Film and Television South Africa (WIFTSA) was founded and has grown steadily into an active organization focused on providing a professional platform for women in the film and television industry to network and learn.
- In 2013, the NFVF and the Department of Women, Children and People with Disabilities for a partnership for the production of films by women with disabilities.

Challenges

221. Piracy – although counterfeit laws are in place, the enforcement of legislation and lack of awareness by the public continue to devalue the market potential of many local films who are pirated before official releases. The Southern African Federation against Copyright Theft (SAFACT) continues to raise public awareness and fight against piracy. The collaboration between industry, organisations and government continues to grow in order to curb piracy and to enforce anti-piracy and counterfeit goods legislation.

222. Media has managed to expose and heighten awareness on the issue of violence against women. In this section results from public perception research on issues affecting South African women are explored.

223. Media coverage on gender equality and women empowerment appears to be seasonal and event driven, increasing during Women’s Month (August) as well as 16 Days Campaign for no Violence Against Women and Children each year, and dropping in the subsequent months. From February 2013, reporting on issues affecting women has
shifted from that of empowerment to issues of violence against women, i.e. rape. This was further fuelled by high profile cases of violence against women and children.

224. The South African Gender Baseline Study released in 2010 found that only 19% of news sources were women, and black women made up only 7% of that total. The voices which have predominated within the South African media are male voices. In looking at the situation of media practitioners, the Gender and Media Baseline Study found that women, especially black women were still heavily underrepresented in South African news-rooms. They were best represented as television presenters and worst presented in the print categories and as for radio reporters, the trend is moving towards parity.

Women’s Access to ICT

225. The study on the Understanding of What is Happening in ICT in South Africa found that there is little difference between the number of males and females who own mobile phones, with about 86% of males and 82% of females stating that they owned at least one mobile phone. However, more males (59%) than females (44%) stated that they have a mobile phone capable of browsing the internet, and more males use the mobile phone to browse the internet (33%) and to access Facebook (29%) than women (at 23% and 22% respectively). However, studies show that more men use mobile phones for business than women.

226. More females (46%) than males (43%) stated that they own a desktop computer. However, more males (39%) than females (29%) stated that they own a laptop. The study also found that a higher percentage of males (36%) than females (23%) use a computer. Meanwhile, among computer users, females are more likely (64.6%) than males (59%) to use a computer at home, and more females (31%) than males (28%) use computers at internet cafes. More males (48%) than females (30%), among the computer users, use a computer at work.

227. More males (40%) than females (29%) stated that they use the internet. Among internet users, there are more males (72%) than females (57%) who first used the internet on a computer, while there are more females (43%) than males (28%) who first used the internet on a mobile phone.

228. It was also found that most males (71%) and most females (70.9%) were found to have primarily accessed the internet via the mobile phone in the previous 12 months. More males use the internet at work (45%) and at home (46%) than females (at 38% and 25% respectively). Meanwhile, more females access the internet via a commercial internet access facility (36%) and place of education (22%) than males (at 30% and 20% respectively).

229. South Africa’s Information Communications Technology (ICT) industry is slowly transforming to be more welcoming and accessible to women. Over the past few years, a number of senior female executives have moved up the ranks, but the numbers, compared to male counterparts are still low.

Women in the ICT workforce

230. Statistics released by the Institute of Information Technology Professionals (IITPSA) state that 56% of global ICT professional jobs are held by women, but in South Africa – where women comprise 55% of the country’s entire workforce – only 20% of the ICT workforce are women.

231. The status of women and men in the ICT sector is reflected in the results from two recent surveys: 1) the Labour Force Surveys and 2) the Department of Trade and Industry and Information Systems, Electronics and Telecommunication Technologies SETA skills audit (2005). These two surveys differ radically in terms of the conclusions reached on size, composition and available skills levels in the ICT sector. The Labour Force Surveys consistently show that ICT work is not engendered, with marked differences between men and women core ICT workers.
232. The charts below show gender in the ICT workforce

Core ICT Occupations by Gender

233. Although 44.2% of women core ICT workers had higher education and training qualifications in 2005, very few women, compared to men, were employed as ICT managers, engineers, programmers, technicians and artisans. Women make up the majority in ICT technical sales and systems analyst occupations, as shown in the figure below. The ICT manager component by gender, however, does not reflect all ICT managers, as there are no separate codes for all ICT managers (except for computing service managers) in the Labour Force Survey. ICT managers were only calculated according to the manager: professional ratio to determine the total high-level core ICT component in the ICT workforce.

234. It has been reported that more than 68% of South African women have enrolled in the ICT related courses at tertiary institutions in the last few years. Most tertiary institutions’ science and technology faculties are also dominated by female students these days.

Access to ICTs for young women

235. Information and Communication Technologies (ICTs) such as radio, internet, telephone, television, computers and mobile phones can facilitate communication, processing and transmission of information, and have the potential to improve the quality of lives of young women. The reality however is that in many of the technology sectors, and particularly in the ICT sector, much has to be done to encourage girls and women to pursue a career in this direction.

236. There were research undertakings that focused on the lack of understanding of young women’s capabilities for their development through the use of ICTs especially:

- How ICTs have the potential to develop young women.
- How poverty can be addressed through the use of ICT-enabled projects.
- If political arrangements, cultural and social barriers would hinder women in accessing communication technologies.
- If mere provision of low cost technologies, good ICT infrastructure and access to the technologies may not necessarily empower women.
237. The ICT services and information are seen as tools to develop young women in the country. Government put in place projects that support young girls in the country to provide them with opportunities to use ICTs for their empowerment. There is growing realisation that women with access to ICT services increase their ability to generate income and plays a role to empower other women, especially young women who are more open to the use of technologies.

238. The pie-graph above indicates that more young women graduate in information processing at Further Education and Training Colleges in South Africa, yet fewer women than men actually have leadership or ownership positions in the ICT fields.

**ICTs in Education**

239. Government has initiated policy processes to promote the use of ICTs in education. In 2003, it published the Draft White Paper on e-Education in which it highlighted the value of ICTs for teaching and learning, and set the policy goal that every learner in the general (GET) and further education and training (FET) bands will be ICT literate by 2013. The policy paper also established a framework for the provision of computers in schools for the purposes of teaching and learning.

240. Government has also encouraged access to ICT by way of supporting ICT infrastructure support to community multi-purpose centers and computers labs at school facilities. A campaign of moving the education system to a “paperless classroom” by proving I-Pads for learners to school with the required curriculum already imprinted onto each device.

**Women in Information Technology (WIIT)**

241. The Women in IT programme was launched in September 2005 as a networking initiative between women IT students, tertiary institutions, South African IT professionals and corporates. Microsoft SA heads the initiative, with support from various South African ICT companies such as Bytes Technologies, Futurex and Vodacom. Its activities consist of the creation of formal and informal networks as well as a bursary and mentoring scheme for financially disadvantaged women studying IT. In its first year (2006), WITT awarded a R20 000 bursary (each) to two young women in their final year of undergraduate study. WITT intends to offer the bursary on an annual basis. Microsoft also runs an internal Women in IT Forum which is active in four areas – a parenting forum, development training for women IT employees, workshops on assertiveness training and conflict resolution for women employees, support for the national Bring a Girl Child to Work, and a network within the company for non-IT related community outreach.

242. To date, the career development support for WITT members is mainly encapsulated in its mentorship programme. The WITT website includes a database of women mentors in the IT industry, including an overview of their core skills and what they can offer as mentors. WIIT’s reports are quite small scale and targeted. For its life-span, it has however shown a capacity to deliver rapidly on its objectives.

**Vodacom, South Africa - Graduate Programme for Females in Technology**

243. Vodacom (Pty) Ltd is the operating company responsible for the construction and maintenance of Vodacom’s GSM cellular network. Vodacom had no specific programme for women and therefore introduced a three-year Graduate Programme for Females in Technology (GPFT) in April 2006. The GPFT programme is designed to develop aptitude on a wide range of technical skills, engineering know-how and business acumen which to support Vodacom’s mobile telecommunication systems. The ultimate goal is to increase the number of females in the core business positions to ensure that Vodacom meets the requirements of the ICT Charter and Employment Equity. The group of 10 female candidates who were selected to this graduate programme have completed either a Bachelor of Science (B.Sc) or Bachelor of Commerce (B.Com) degree in Mathematics, Science, Engineering or Information Technology, and are interested in working in the telecommunications sector.
Computer Science Corporation (CSC), South Africa

244. The Computer Science Corporation (CSC) launched a bursary programme five years ago, which currently funds the studies of 12 students, of which 7 are women. It provides hands-on work experience during university holidays. In addition to its external bursary programme, CSC provides 10 graduates with an eight-month IT internship through the ISETT SETA Learnership programme. The programme gives these previously unemployed students with the opportunity to hone their technical skills and to acquire business skills.

Cape IT initiative - CITI

245. CITI is a Cape-Town based industry body that acts as a regional trade association, networking body and a promotion agency for the ICT industry in the Western Cape Province. This includes ICT cluster marketing, networking and business development. Since 2000, CITI has operated a business incubator for the ICT industry called the Bandwidth Barn. This presently consists of 65 companies. Six of these companies are owned or run solely by women. Recently, CITI has called on women ICT achievers to participate in a schools outreach programme in which they were asked to talk to femaleGrade 8 – 12 learners in selected schools. The idea is to raise the prominence of women role models for the ICT industry with schoolgirls. CITI launched a new initiative in June 2006, in which it will mentor and nurture one female ICT entrepreneur with an existing ICT business.

The Innovation Hub - Blue IQ (Gauteng Province)

246. The Innovation Hub is part of the Gauteng Province’s Blue IQ initiative to create a ‘smart’ province. It is the only internationally benchmarked science-park in Southern Africa, and is located in Pretoria. Companies operate in a selected group of technology-led and research-based sectors – these include ICT, biosciences, electronics, and advanced materials and manufacturing. The Innovation Hub houses the maxim Business Incubator, which presently has 10 small high-tech companies. Of these, only one, is totally owned by women and one partially owned by a woman. The companies are focused on skills competency assessment and e-learning respectively.

CHAPTER 15
WOMEN AND THE ENVIRONMENT

247. The environment is a key factor in developing a sustainable economy and ensuring that all socio-economic elements of this field of study and work accommodate the inclusivity of women. This is done through actively involving women in environmental decision making at all levels; integrating gender concerns and perspectives in policies and programmes for sustainable development as well as through strengthening or establishing mechanisms at national, regional and international levels to assess the impact of development and environmental policies that are specific to woman.

248. The South African Constitution stipulates that everyone has the right: (a) To an environment that is not harmful to their health or well-being; and (b) To have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that: (i) prevent pollution and ecological degradation; (ii) Promote conservation; and (iii) Secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development. This affirms South Africa’s position on the importance using its natural resources in a sustainable manner.

249. The work of Government is guided by the constitutional imperatives in the execution of their mandate which also promises that all South Africans have a right to an environment that is not harmful to their health or well-being, and

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30 Extracted from the CGE Beijing +20 Report, 2015
to have the environment protected, for the benefit of present and future generations. Thus Government’s work on the environment includes:

- Protecting and conserving oceans and coastal environment
- Waste management
- Creation of green jobs while contributing to the creation of decent work and livelihood opportunities.
- Developing communications to heighten environmental awareness.
- Ensure that government, industry and the public are informed, supported and regulated to act responsibly to conservation generally including conservation of the ocean and coastal environment,
- Ensure that South Africa honors local and global obligations.
- Promote, coordinate and manage an effective national mitigation and adaptation response to climate change

250. The priority areas of focus include:

- providing support to local government in the areas of air quality management, waste management, biodiversity management, coastal planning and open space planning;
- drawing linkages between climate change, the green economy and sustainable development;
- paying particular attention to ensuring that environmental assets and natural resources are valued, protected and continually enhanced.

251. The most impoverished communities in South Africa are most vulnerable to issues surrounding their environment, for example climate changes caused by un-sustainable means of resources management. Women in particular from the rural areas are considered to be most vulnerable to harsh impacts of climate change because of their high levels of poverty and underdevelopment, as a result their capacity to adapt to, and recover from, climate change related impacts is limited to a very large extent. In many cases women in these areas are still directly dependent on ecosystem services as the basis for their survival and livelihoods.

252. Addressing these issues requires vigorous interventions such as those envisaged by initiatives undertaken by the Conference of Parties (COP), the resolutions undertaken within these structures can be used to drive this transformation by raising local, national and international awareness of climate change issues, to create and encourage political support for climate protection, and to catalyse the conversion to the green economy. To this end, the country has set up a multi departmental team to ensure that the country implements resolutions with identified timeframes.

253. For instanceiv: “a number of important climate change related interventions were instigated as a direct consequence of hosting the 2010 FIFA World Cup in Durban; these included reforestation projects with mitigation, adaptation and social upliftment co-benefits, as well as urban greening initiatives and awareness raising. Hosting the United Nations Framework Convention on Climate Change COP 17/CMP 7 negotiations has extended these efforts, providing the opportunity to increase awareness of climate change and the climate protection work that is being done by eThekwini Municipality. It has also catalysed the development of novel approaches such as the CEBA concept.”

254. Programmes of Governmentv

- Environmental Quality and Protection: Protect and improve the quality and safety of the environment to give effect to the right of all South Africans to an environment that is not harmful to health and wellbeing.
- Oceans and Coasts: Ensure that government, industry and the public are informed, supported and regulated to act responsibly to conserve the ocean and coastal environment as well as to honour South Africa’s local and global obligations.

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31 Ibid
32 Extracted from CGE B+20 Report, 2015
• Climate Change: Promote, coordinate and manage an effective national mitigation and adaptation response to climate change
• Biodiversity and Conservation: Promote the conservation and sustainable use of natural resources to contribute to economic growth and poverty alleviation.
• Environmental Sector Programmes and Projects: Implement environmental sector projects and assist in job creation. In dealing with political challenges they reaffirming Rio principles and past action plans by reaffirm their commitment to advance progress in implementation of the Rio Declaration on Environment and Development, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development, the Barbados Programme of Action and the Mauritius Strategy for Implementation33.

255. Other programmes that empower women include:

i. Working for Water-The programme is globally recognised as one of the most outstanding environmental conservation initiatives on the continent. It enjoys sustained political support for its job creation efforts and the fight against poverty. WW considers the development of people as an essential element of environmental conservation. Short-term contract jobs created through the clearing activities are undertaken, with the emphasis on endeavouring to recruit women (the target is 60%), youth (20%) and disabled (5%). Creating an enabling environment for skills training, it is investing in the development of communities wherever it works. Implementing HIV and Aids projects and other socio-development initiatives are important objectives. Since its inception in 1995, the programme has cleared more than one million hectares of invasive alien plants providing jobs and training to approximately 20 000 people from among the most marginalized sectors of society per annum. Of these, 52% are women.

ii. Working for Land (WfL) project- Working for Land in partnership with Land care Programme, communal farmers and community leaders to prevent and continuously control natural resources so as to mitigate bush encroachment/thickening and loss of top soil. This would create employment opportunities and socio-economic benefits for the local residents and thus making the necessary contribution to the Expanded Public Works Programme (EPWP). The Special Public Works Programme includes the targets of 60% women, 20% youth and 2% disability.

iii. Working for Wetlands- The programme is implemented by the South African National Biodiversity Institute (SANBI) on behalf of the departments of Environmental Affairs (DEA); Agriculture, Forestry and Fisheries (DAFF) and Water Affairs (DWA). It forms part of the government's Expanded Public Works Programme, which seeks to draw unemployed people into the productive sector of the economy.

iv. Working on Fire- Working on Fire (WoF) was launched in September 2003 as part of the South African Government's initiative to create jobs and to alleviate poverty. Today WoF employs more than 5000 young men and women who have been fully trained as veld and forest fire fighters and are stationed in more than 200 teams throughout South Africa. WoF addresses the prevention and control of wild land fires to enhance the sustainability and protection of life, poverty and the environment through the implementation of Integrated Fire Management (IFM) practices 85% of whom are youth, 37% are women (the highest level in any comparable fire service in the world).

256. There are other programmes that involve women and the environment to name some like; Rhino Dialogues South Africa, Green Cars, Green Fund, Climate Action Now, as well as donor funded projects5. The socio-economic development of any country leans strongly on the need to conserve its natural resources and to this regard South

33 http://www.unsd2012.org/futurewewant.html - top
Africa has been working towards bolstering this sector and ensuring our natural resources are seen as a scarce and therefore valuable resource for development.

CHAPTER 16
THE GIRL-CHILD

National Adolescent Sexual and Reproductive Health and Rights Framework Strategy

257. The National Adolescent Sexual and Reproductive Health and Rights Framework Strategy developed by Government seek to provide an integrated action guide on adolescent sexual and reproductive health and rights to stakeholders in the country. The Framework Strategy was adopted by Cabinet in February 2015. The implementation of this strategy will be monitored through an Inter-Ministerial Committee (IMC) that will be set up especially for this process, and the IMC is expected to report directly to Cabinet annually on the progress made in implementation.

258. The Strategy is based on five key priority areas: (i) increased coordination, collaboration, information and knowledge sharing amongst stakeholders; (ii) developing innovative approaches to comprehensive sexual and reproductive health and rights information, education and counseling for adolescents; (iii) strengthening adolescent sexual and reproductive health and rights service delivery and support on various health concerns; (iv) creating effective community supportive networks for adolescents; and (v) formulating evidence-based revisions of legislation, policies, strategies and guidelines on adolescence sexual and reproductive health and rights.

259. The intended outcomes of the Strategy is to equip adolescents of both sexes with a sense of inner-belief, self- and mutual respect and build their skills and capacity to make, and take, better decisions on sexual and reproductive health matters concerning them. The strategy aims to also increase their access to these services and information and to enable them to feel free to do so. In addition, the Strategy aims to address family and community role in this regard by building supportive networks for adolescents and enabling active involvement of family and community leaders in initiatives that address adolescent sexual and reproductive health and rights challenges. The Strategy seeks to attain its intended outcomes through increased collaboration amongst stakeholders including greater collaboration between government and civil society.

260. Government Intervention Measures for increasing economic chances of Girls

i. Mathematics and Science Camps for Girls

There are a number of initiatives – often ad hoc and not always consistently implemented – to build girl learners’ mathematics and science abilities, and to encourage their entry into SET fields. More often than not, the initiatives take the form of girls’ camps to create an environment that allows for intensive engagement with science and maths concepts. Such Girls' camps are run by Government especially the education and science and technology departments in partnership with the Chemical Industries Education and Training Authority (CHIETA). The education sector camps are often implemented in partnership with initiatives such as Technology for Women in Business (TWIB) and UNICEF’s Global Girls Education Programme. Activities under the Girls’ Education Movement (GEM), a programme designed to targeted young girls in South Africa, is also undertaken by Government.

ii. SAASTA Programmes for Young Learners

The South African Agency for Science and Technology Advancement (SAASTA) implements a number of projects on behalf of other agencies, including the national Department of Science and Technology. One of these is a Primary Science Day, which is devoted to promoting science in primary schools and is intended to address directly the weak international ranking of South African mathematics and sciences, especially in younger learners.

The second initiative of SAASTA, with similar aims, is the National Science Week event which, amongst others, aims to excite youth about science from an early age and to encourage them to develop an interest in studying mathematics and science subjects. National Science Week is typically implemented at provincial level. Some of the key activities include interactive exhibitions, science shows, workshops, theatres, and career information sessions hosted at provincial venues throughout the week. Schools are encouraged to take their learners on excursions to participate in the National Science Week activities.

iii. The Dinaledi Initiative

In 2001, a National Strategy for Mathematics, Science and Technology in the country called Dinaledi was launched by Government. Dinaledi is an initiative to develop the mathematics and science skills base in the country, through a programme that is implemented at both national and provincial levels. The overall aim is to double the number of successful passes in higher grade mathematics and sciences at the Grade 12 level by 2008. It seeks is to produce, by 2008, at least 50 000 mathematics and science graduates at the Senior Certificate level. Girls have been the chief beneficiaries of these Dinaledi schools.

iv. Clean Energy Education & Empowerment (C3e –Sa) Initiative

C3E (Clean Energy Education & Empowerment) is a South African initiative led by the Department of Energy designed to empower young girls and women in the field of clean energy. It aims to recruit young girls and women to take up subjects and pursue careers in the fields of science, technology, engineering, and mathematics. It is an all-inclusive package for empowerment of girls which includes career guidance; mentoring and coaching; bursaries; internships; an exchange programme, both locally & internationally; leadership grooming; training; and support for women in business in energy. This initiative is run in partnership with other Government Departments and companies in the energy sector in the country.

vi. TechnoGirl Programme

261. The TechnoGirl programme is a strategic partnership between the Government of South Africa, UNICEF as a development partner, and an independent service provider. This programme is ongoing in the country since its inception in 2005 and targets young female learners in public schools from grades 9 to 12 for job shadowing in the corporate sector. The intention is to create opportunities for career-pathing for young girls especially into fields previously dominated by males.

262. In this regard there are two differentiated programmes: (i) the Dti TechnoGirl Entrepreneurship Programme which commenced in 2005, targeted girls in Grades 10 and 11 studying commercial, mathematics and science subjects with the aim of assisting them to develop an entrepreneurship idea, based on market opportunities or gaps within their communities, and aimed towards profit making; (ii) TechnoGirl programme which commenced in 2004, targeted disadvantaged girls in Grades 9 to 12 from “NO FEE” paying schools and provides them with access to the world of work to enable them to take up scarce careers in science, technology, engineering and mathematics (STEM) fields. This programme has established an Alumni component to track and support girls furthering their studies at post-schooling institutions. Thus far 100 girls have been placed at various entities for job shadowing.

36 Integrated Programme between Government, UNICEF, SITA and Uweso Consulting
263. The job shadowing initiative is driven by the need to increase access by girls to work opportunities and career-pathing particularly in scarce skills and previously male dominated fields. This is underpinned by the ideology that girls were traditionally not exposed to these scarce skills careers or to females in influential positions. When girls are placed in these fields where the core business is in areas where women tend to be underrepresented such as in engineering, construction, mining, forensic sciences, etc., it broadens their opportunities for future careers.

264. The Alumni Association programme was established as part of the maturation of the TechnoGirl job shadowing programme which has completed several implementation cycles to date. Increasingly, girls who have completed the programme are furthering their education at higher education Institutions. In due course these girls will enter the world of work and become business leaders. Anecdotal evidence indicates that the vast majority of girls, who have exited the programme, attribute their choice of study and future career to their participation in the programme. The aim of the Techno Girl Alumni Association is to continue support of beneficiaries to ensure a high completion rate of studies. Moreover, the girls will require support to access job opportunities in their chosen field of study upon completion of their studies. This will enable the tracking of the uptake and placement of girls in STEM careers.

265. It is well documented that South African women, over and above a disadvantaged educational background, also face societal stereotyping and values that impose on them when choosing a career. In particular, the following barriers are evident: (i) inadequate exposure to women career role models in the STEM fields; (ii) teacher stereotypes in the teaching of mathematics and science; (iii) low parental expectations; (iv) gender-biased career counseling; (v) under qualification of teachers in Mathematics and Science; and (vi) inadequate teaching and learning facilities in these subjects. These barriers negatively impact on the attitudes and motivation of girls to study and perform in mathematics and science at school level, resulting in an inadequate number of girls taking up or achieving the learning outcomes of subjects relating to STEM fields. This in turn acts as a barrier to their entry into STEM-related studies at higher education institutions and ultimately prevents their entry into scarce field careers, most of which require a degree in one of the STEM fields. Government conducts annual National Assessments in numeracy and literacy among learners in grades 1 – 6, and 9 by means of a standardised national test. In 2014, while an improvement was evident in the performance in numeracy among learners in grades 1 – 6, the grades 9s (which are also the target audience of the Techno Girl programme) performed worse than in previous years. Similarly the results achieved in the 2014 National Senior Certificate examination indicate that learner achievements in Mathematics and Physical Science are significantly lower than for other gateway subjects.

266. The results achieved in mathematics and science according to gender as contained in the 2014 NSC Technical Report indicates that boys outperform girls in both mathematics and science. Of the girls who wrote the mathematics exam, 49% achieved a pass as opposed to 59% of boys. In science, 64% of boys passed as opposed to 59% of girls. Consequently many girls leave school without the necessary competencies to take up further studies in STEM fields. This inadequate uptake among students of studies in STEM careers affects not only the economic growth of the country, but also adversely impacts on service delivery and leads to high unemployment among young people. Moreover, women in South Africa are particularly affected when it comes to underrepresentation in STEM professions in scarce skill careers particularly when it comes to: (i) Engineers and Engineering Technicians; (ii) Scientists and Science Technologists; (iii) Information Technology Professionals; and (iv) Medical Doctors; etc.

267. A study on STEM Self-Efficacy and Professional Commitment to Engineering among female high school students found that female high school learners STEM self-efficacy and professional commitment was strongly influenced by exposure to female engineer role models. The study also found that when female learners are exposed to opportunities of women’s self-development and gender equality they display greater confidence and belief in their ability to enter the engineering field. It is therefore evident that structured job shadowing could significantly contribute towards breaking down stereotypes and beliefs among girls that certain professions are the traditional domain of males.

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Support/Empowerment Interventions by the Private Sector

i. Businesswomen’s Association of South Africa (BWASA)

The Businesswomen’s Association of South Africa is the largest association of business and professional women in South Africa, with corporate sponsorship for its activities. The Association undertakes various activities to support women in industry, although no particular emphasis is given to women in ICTs. Some of its activities include:

- The Businesswomen of Tomorrow (BOT) Initiative which was launched in June 2006. This initiative targets disadvantaged Grade 8 – 12 girls who will be invited to attend training in business and life skills. The BOT initiative will have a strong industry focus with emphasis on entrepreneurship development;
- A Career Day which emphasises areas where women are under-represented, e.g. Science, Engineering and Technology; and
- A mentoring programme, with women role models in industry volunteering their time, is planned as a next phase.

ii. “Take a Girl Child to Work” Campaign

Since 2002, Cell C, a South African leading mobile provider, invites government, private sectors, and agencies to participate in the largest South African corporate social investment event: Take a Girl Child to Work Day. This initiative is held every year on 29 May. It is an annual event. Companies involved organise for female learners (school pupils), usually from disadvantaged backgrounds, to spend the day at their place of work on the last Thursday of May. This programme is endorsed by the Government of South Africa and has been called South Africa's "largest collaborative act of volunteerism. The goal of the initiative is to "deepen the thinking of the girl child with regard to their infinite roles in society, enhance her self-esteem, inspire and motivate her to reach her full potential and through exposure to diverse careers and positive role models assist her to prepare for the world of work". Additionally, Cell C believes that the impact is far-reaching, as "benefits will be shared as she pass[es] them onto her children, her community and her country".

iii. Proctor & Gamble: Always – Keeping Girls in School programme

Proctor & Gamble, in partnership with Government and other stakeholders is implementing the “Always: Keeping Girls in School” programme across the country. Its objectives include empowering female learners and keeping them in school; providing puberty and sexual and reproductive health and rights education; sanitary protection; access to educational resources; as well as motivation to stay in school. Since 2006, this programme has reached over 28 000 girls in the country.

iv. ZAZI – Know your strength Campaign

ZAZI, a new campaign aimed at women and girls was launched on 25th May 2013 in the country. It is a partnership between Government and other stakeholders. The ZAZI Campaign encourages women and girls to draw on their inner strength, power, and self-confidence to know themselves and what they stand for in order to guide their decisions about their future. The development of the ZAZI Campaign was informed through extensive quantitative and qualitative research. In-depth conversations with communities and consultation with experts and stakeholders working in this arena form the foundation of the campaign and have guaranteed that interactions and interventions taking place on the ground are reaching the correct stakeholders with maximum impact. The vision for the ZAZI campaign is aligned to South Africa’s HIV/AIDS National Strategic Plan: 2012-2016 long-term vision for South Africa with respect to the HIV/AIDS, TB and STI epidemic. The aim of the campaign is zero new HIV/AIDS and TB

40 www.zazi.org.za
infections; zero new infections due to vertical transmission; zero preventable deaths associated with HIV/AIDS and TB; zero discrimination associated with HIV/AIDS and TB; and the end to gender-based violence.

Elimination of Harmful Practices

268. Harmful practices, which negatively affect the fundamental rights of women and girls, are expressly prohibited in South Africa. In this regard, the Equality Act, Section 8 (d) stipulates that unfair discrimination on the ground of gender includes “any practice, including traditional, customary or religious practice, which impairs the dignity of women and undermines equality between women and men, including the undermining of the dignity and well-being of the girl child”.

269. Ukuthwala is a form of abduction that involves kidnapping a girl or a young woman by a man and his friends or peers with the intention of compelling the girl or young woman’s family to endorse marriage negotiations. Ukuthwala was traditionally intended for people of the same age group who, in the normal course of events, would have been expected to marry each other and never intended to apply to minor children, however, forced marriage of girls as young as 12 to adult men, is still practiced in some remote villages in the country.

270. In 2009/2010, of the 493 reported cases of ukuthwala, 180 were finalised. In 2010/2011, 174 cases were reported. Only 67 were finalised. Out of the 1273 total reported cases as from 2008 to 2011, there are 617 cases still pending. In February 2012 a man was brought before the Wynberg Regional Court in Cape Town, Western Cape Province, and charged with rape, human trafficking and assault because of an ukuthwala kidnapping. This case was finalized early 2014 where it recognized this practice as harmful to women and young girls, including trafficking and rape of the minor girl. The 22 year sentence handed down shows that the country will no longer tolerate such adverse practices that violate women’s rights and dignity.

271. Government through the Department of Justice and Constitutional Development hosted a public education event on harmful religious practices in June 2014 at a High School in Soweto. A public education brochure on harmful practices was developed and circulated at the event where five (5) schools were part of the event and 500 learners were reached.

272. Other cultural practices include virginity testing, the killing of "witches" and the practice of female genital mutilation amongst certain populations. The approach that is adopted is an overarching advocacy strategy, awareness raising, rights education and awareness of legal measures that can be taken. The strategy also incorporates an investigative element to determine the extent of the problem. The South African Law Reform Commission has been requested to investigate and recommend advice on the legislation that will prohibit these practices.

273. Female genital mutilation and virginity testing is expressly prohibited and regarded as a form of gender discrimination in South Africa. The relevant legislation in this regard is the Equality Act and the Children’s Act. The Children’s Act prohibits virginity testing of children under the age of 16. A child older than 16 may undergo virginity testing on three conditions: (a) she has given consent to the testing in the prescribed manner; (b) after she has been properly counseled; and (c) the testing is conducted in the manner prescribed. The results of virginity testing may not be disclosed without the consent of the child. In addition, the body of the child who has undergone virginity testing may not be marked.

274. However, South Africa’s efforts to curb female genital mutilation and virginity testing are impaired by the lack of empirical information on their prevalence. Moreover, these practices are culturally ingrained and as such, they are difficult to root out. In most circumstances, victims maintain silent acceptance and tolerance of the practices
SECTION THREE
DATA AND STATISTICS
Sources of data

275. Statistics South Africa collects gender disaggregated data on a number of issues, including, economic activities, education, poverty, employment, health and other issues. Government departments collect different administrative data and also conduct surveys and research on different issues. Local and international NGOs conduct research on different gender specific research on areas in South Africa.

276. A set of national indicators to monitor progress in gender equality has been established. The national indicators are guided by nationally adopted legislation and policy documents. The key document defining the central goal of gender equality is the Constitution of the Republic of South Africa, 1996. This includes all other all other Legislations that promote women empowerment and gender equality.

277. The responsibility of collecting data is not located within one entity. There are different sources of data for monitoring gender equality which include: Administrative data, surveys and census. Even within government, there are many other sources. In particular, many government agencies have administrative data that are analyzed to determine issues regarding access of women, men, girls and boys to the various services delivered by government. For example, the agriculture sector is expected to provide information on access to farms by rural women.

278. The collection and compilation of the set of Minimum set of Gender Indicators agreed by the UN Statistical Commission in 2013 has begun.

279. The main sources of statistics on household, demographic and labour statistics are the 2001 Census, the General Household Survey of 2011 and the 2011 Quarterly Labour Force Survey (QLFS) annual data. The Census attempted to cover all households. The two household surveys each cover approximately 30 000 households that are representative of all nine provinces. The Census was weighted to correct for under-count and both household surveys were weighted so as to make the results representative of the overall population of the country.

280. Another source of survey data is the Time Use Survey (TUS) conducted in the fourth quarter of 2010. This survey, the second national TUS to be conducted in the country, collected information on the daily activities of nearly 40 000 individuals from over 22 000 households around the country. [http://www.statssa.gov.za/publications/Report-03-10-05/Report-03-10-052011.pdf](http://www.statssa.gov.za/publications/Report-03-10-05/Report-03-10-052011.pdf)

281. The following are some of the examples of products that collect data on different indicators:

   i. Gender Statistics

282. Statistics South Africa produces a large number of surveys, and the number has increased over time. Out of these surveys, the first gender report was published by Statistics South Africa (Stats SA) 1998. The 1998 publication titled, Women and Men in South Africa compared the life circumstances and living conditions of women and men in the country at the time.

283. The 1998 gender report was succeeded by another publication in 2002, titled ‘Women and Men in South Africa: Five Years On’. In 2013, just over ten years later, Stats SA has produced a third booklet in the series of gender reports; Gender statistics in South Africa, 2011. Gender statistics extend beyond disaggregation of indicators into the categories of female and male. Gender statistics focus on issues of particular relevance to women and men, girls and boys, and their different roles and positions in society. For example, this report includes information about collection of fuel and water, housework and childcare.

284. Gender analysis also extends beyond mere disaggregation in another way, namely that disaggregation into male and female needs to be combined with disaggregation by other characteristics. In the South African context,
disaggregation by population group remains important and many of the figures in this publication illustrate how population group and gender interact to place particular groups – often black African women – at a particular disadvantage. Similarly, geographical location is often a strong determinant of the situation and opportunities available to different women and men, girls and boys. In some cases, and where relevant, the publication presents the statistics in terms of different age groups of women and men, girls and boys.


285. This is the first release of its own kind by Statistic South Africa and its purpose is to provide analysis relating to gender disparities in economic empowerment using secondary data, as well as administrative data obtained from external sources.

iii. **Quarterly Labour force Survey**

286. The Quarterly Labour Force Survey (QLFS) is a household-based sample survey conducted by Statistics South Africa (Stats SA). It collects data on the labour market activities of individuals aged 15 to 64 years who live in South Africa. The survey is collected throughout the year with 4 quarterly reports published each year. The sample size for the QLFS is roughly 30 000 dwellings per quarter. The sample is designed to be representative at provincial level and within provinces at metro/non-metro level. Within the metros, the sample is further distributed by geography type. The four geography types are: urban formal, urban informal, farms, and tribal. This implies, for example, that within a metropolitan area, the sample is representative of the different geography types that may exist within that metro viii. [http://beta2.statssa.gov.za/publications/P0211/P02114thQuarter2013.pdf](http://beta2.statssa.gov.za/publications/P0211/P02114thQuarter2013.pdf)

iv. **General Household survey:**

287. The General Household Survey (GHS) is an annual household survey conducted by Stats SA since 2002. The survey measures, on a regular basis, the performance of programmes as well as the quality of service delivery in a number of key service sectors in the country.

288. The GHS covers six broad areas which are education, health, disability, social security, religious affiliation and observance, housing, energy, access and use of water, sanitation, environment, refuse removal, telecommunication, transport, household income, access to food and agriculture.

v. **The Social Profile of Vulnerable Groups**

289. This is South Africa’s annually produced report by Statistics South Africa which analyze the changes in the situation of women and the elderly over time viii.

vi. **The South African Demographic and Health Survey (SADHS)**

290. The findings of the South African Demographic and Health Survey (SADHS) enable the country to track the changes in the health status of the population, identify risk factors, access and utilisation of key health services over a period of time.

291. The results of the SADHS provide valuable information for addressing important areas such as antenatal care for mothers during pregnancy and assistance at the time of delivery, child health, infant feeding practices, and the prevalence and treatment of diarrhoeal disease among children. Information on adult health conditions, women’s reproductive intentions, fertility levels, knowledge about contraception and use thereof are also included in the findings. However, the last survey of this nature was conducted in 2003. No recent survey was conducted viii. [www.doh.gov.za/](http://www.doh.gov.za/) or [www.mrc.ac.za/bod/bod.htm](http://www.mrc.ac.za/bod/bod.htm)
Sources of data related to violence against women

324. **Victims of Crime Survey (VOCS)** is a South African countrywide household-based survey which includes data on Violence against Women. The survey is conducted by Statistics South Africa. Administrative data from police has been the only main source of crime statistics, which relies on the extent to which crime reporting takes place. Those incidents which were not reported by victims remain largely unknown and unrecorded. Victimisation survey was introduced since 1998 in South Africa as a complementary source of measuring crime in victim’s point of view. [http://www.statssa.gov.za/publications/P0341/P03412012.pdf](http://www.statssa.gov.za/publications/P0341/P03412012.pdf)


Data collection and compilation on Violence Against Women

326. Data on the nine indicators on violence against women is collected in the country. While the data on violence against women is being collected, there is a still challenge with data quality and reliability. There is a need to develop Gender Based Violence (GBV) surveillance system to track GBV cases and also to strengthen data collection system. The following are the examples of data being collected on violence against women:

- **Administrative data** is collected by the police, the court, health and social departments or other service providers. This data and the statistics reflect cases where abuse has been reported or has otherwise come to the attention of the authorities. These indicators help monitor access to services and ultimately monitor the coverage of measures undertaken to respond to Violence against Women. For example, information on sexual offences is kept by the South African Police Service. The challenge with this data is that it is not disaggregated by type of sexual offence. Although SAPS does not have a separate crime category for domestic violence, police stations are supposed to keep a Domestic Violence Register in which to record domestic violence incidents. The courts keep records of protection orders applied for under the Domestic Violence Act.

- **Survey data** provides indicators on the scope, incidence and prevalence of Violence against Women and associated factors. Since some cases of Violence against Women are not reported to the police nor do they result in hospital emergency department visits, surveys are the only way to accurately measure prevalence and incidence of VAW.

- Population-based surveys, non-population based studies of Violence against Women and qualitative research have provided a wealth of information on factors associated with experience of Violence (whether victimization or perpetration).

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1 Bradshaw (2008): Determinants of Health and their Trends, South African Medical Research Council
SECTION FOUR

EMERGING PRIORITIES
4.1 Gender responsive budgeting

328. Since the advent of constitutional democracy, South Africa has implemented various measures that seek to ensure financing for women’s empowerment at all levels of government. This has entailed the integration of gender considerations in the preparation and implementation of the national and other budgets to become responsive to the needs of women. The process also seeks to ensure that where possible, resources are deployed as a positive measure to equalize opportunities between men and women. As a result a substantial portion of the budget is increasingly being invested in services that advance women.

329. In 1995, the Gender and Economic Policy Group of the Joint Standing Committee on Finance and Fiscal was established to produce, in conjunction with NGOs, annual women’s budgets. Since then, the Policy Group has issued research reports that have informed budgeting for women. The Financial Fiscal Commission, which advises government on the allocation of government money, has also been keen on gender budgeting. Over the years, the Commission’s formula has favoured the more rural provinces. This bias has a positive impact on women, as the majority of rural people are women.

330. In 2012, the Financial Fiscal Commission had also undertaken an analysis of gender responsive budgeting at the local government level and released its findings to Parliament for submission for the 2013/14 Division of Revenue. The intention is that there must be a committed implementation for women’s advancement, development and gender equality at this level, where most sustainable effects in this regard can be felt by women on the ground. The study’s identified two sets of recommendations for attention of national and provincial governments, and the other that requires the attention of municipalities themselves.

331. The Commission recommends that National and provincial governments should:

- Run gender budgeting pilots in a few municipalities first and evaluate results before wider application. These pilots could be linked to ensuring gender disaggregated data for key conditional grants as part of the grant framework in the Division of Revenue Act;
- Ensure municipal IDPs institutionalise gender planning by sector (e.g. water and sanitation, LED etc.) and include gender disaggregated performance indicators and targets;
- Provide gender budgeting good practice guides and toolkits; and
- Provide guidelines for collecting sex-disaggregated data for budgeting processes and ensure that municipalities have the capacity to analyse budgets from a gender perspective.

332. While the local government should:

- Institutionalise gender-responsive budgeting process linked to IDPs;
- Build capacity for gender mainstreaming and GRB at local level;
- Ensure gender-responsive appropriations and budget allocations; and
- Ensure gender-sensitive public participation and consultations at local level.

333. While many challenges were experienced with respect to the full implementation of gender responsive budgeting in South Africa over the years, the initiative has found renewed energy in the country. Under the stewardship of the Minister of Women, Children and People with Disabilities, the country is currently in the process of consolidating gender-responsive budgeting interventions and processes which began in 1995. One of the envisaged tasks is that of forging an alliance with the Department of Finance to ensure integration of the principles of gender responsive budgeting in Government’s planning and budgeting cycle.
334. Over the past 18 years some instances of good practices on gender responsive budgeting, amongst others, within government include:

i. Department of Trade and Industry: is able to budget for women in trade broadly including SMME’s;

ii. Department of Health: is able to budget for maternal and child mortality and HIV and AIDS with a considerable annual increase in the budget. This has resulted in a reduction in mother-to-child transmission of HIV and AIDS from 8% in 2009 to 2.6% in 2012.

iii. Department of Environmental Affairs: has set aside R800 million for green economy initiatives, a percentage of which is earmarked for women in businesses and entrepreneurship in environmental issues.

iv. Department of Social Development: increased social grants for children of single mothers, which is alleviating child poverty by 17%. Social grants for the elderly are mostly taken up by women.

335. While these budgets are responding to women’s needs they cannot be said to have been analysed in a systematic manner using gender responsive budgeting principles. Furthermore, the Department of Women, Children and People with Disabilities, working with a NGO, known as the Molsepe Foundation, have undertaken an analysis of the national budgets of four national departments namely the Department of Energy; Department of Health; Department of Agriculture, Forestry and Fisheries and the Department of Trade and Industry. These are departments that affect directly the lives of women particularly those in rural areas.

336. The gender responsible budgeting work on gender-based violence has been mainly undertaken by civil society organizations that do this work as part of broader research and advocacy. The overall aim of the work is to promote improved implementation of key legislations such as the Domestic Violence Act and Sexual Offences Act. This has been done by researching and reporting on the resources allocated as well as on the experiences of women who attempt to access the services provided for in the different pieces of related legislation. The work has contributed to a growing knowledge base on facts and figures of the extent of the problem in South Africa.

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ii Beijing +10 progress report on the implementation of the Beijing platform for action
iii COP17/CMP7, Durban, South Africa, 2011
iv https://www.environment.gov.za/projectsprogrammes/donorfunded/about
ix www.doh.gov.za/ or www.mrc.ac.za/bod/bod.htm