

**FINAL DRAFT DOCUMENT**

***THE BEIJING PLATFORM OF ACTION***  
**(PREPARED FOR TECHNICAL COMMITTEE MEETING 24 – 01 – 2000)**

***SOUTH AFRICA'S FIRST PROGRESS REPORT***

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## **EXECUTIVE SUMMARY**

### **Overview**

This report provides an account of South Africa's progress in fulfilling its commitments to the Beijing Platform of Action. Particularly it looks at South Africa's progress in establishing a Gender Machinery

The report charts a process punctuated by activities aimed at building effective mechanisms for accelerating programme delivery. Thus, the document highlights action geared at:

- Establishing a better understanding of the goals and objectives of the National Gender Programme;
- Establishing networks and structures that will accelerate delivery for both national and international commitments; and
- Reviewing progress made in the first five years of South Africa's democratic government.

Importantly, the report points to challenges which have emerged within a framework of a country actively engaging in a process of socio-cultural, economic and political transformation. It examines the impact this process has had on the implementation of a national gender programme as well as the impact that gender programming has had on the national transformation process.

### **Progress Made**

The South African Gender Programme is being developed and implemented within the context of a national transformation process aimed at creating a

“A non-sexist and non racist society”

By definition, this means the emphasis in South Africa is on deracialisation and the engendering of all institutions. Thus, the national gender programme is being designed at a time when the political ethos is supportive of gender transformation. Much of the progress made can therefore be directly attributed to these constitutional imperatives. They have formed the basis for the national gender programme by giving the programme its authority.

Within this context of transformation, many accomplishments have been made. This reality has enabled gender specialists and policy makers to centre gender in evolving national priorities. This historical imperative lends South Africa the opportunity of laying the foundation for engendering national programmes.

The first five years of the democratic government witnessed the creation of an enabling environment for overall transformation and gender equality. Specifically, policies and legislation have been adopted and passed which support the development of an enabling environment. Key gains directly relating to the gender programme have been the development of a comprehensive machinery, the development of key programmes with respect to violence against women and government's stated commitments to the implementation of strategic and integrated programmes to address poverty, HIV/AIDS and rural development which all have clear gender implications

### **Challenges for an Evolving Program**

The accomplishments made in the first five years have now become the challenges for the coming years. The policies adopted in the first years must now be converted into real and meaningful programmes. This means that there are very specific challenges experienced in integrating the Gender Programme in the activities of the government departments. Not least because the Gender Action Plan is evolving whilst the departments have established and clearly defined core activities which did not integrate gender concerns from the onset.

This report suggests that the achievements of the last five years in creating an infrastructure for advancing gender equality may be encumbered by both financial and human resource limitations. Additionally, it points to the urgency for enhancing the capacity of Gender Focal Points in the different departments to guide the process of engendering the core functions of their line departments.

Finally, the report documents numerous programmes and projects both new or at various stages of implementation which illustrate the commitment of government to addressing South Africa's socio - economic concerns including gender based violence, poverty, joblessness and HIV/AIDS. It notes that these need to be addressed with utmost urgency as they pose the most serious threat to the country's impressive gains of the last five years. These concerns echo those of the state president with regard to inequalities in the country in what has been dubbed the two nations speech, they have also been the driving force behind cabinet's determination to emphasise the importance of integrated strategies and programmes.

## ABBREVIATIONS

ABET	Adult Based Education and Training
ATIC	AIDS Training and Information Centre
BPA	Beijing Platform of Action
CBO	Community Based Organisations
CEDAW	Convention on the Elimination of Discrimination Against Women
CGE	Commission on Gender Equality
COLTS	Culture of Learning and Teaching Services
CUBP	Clinic Upgrading and Building Programme
GAD	Gender and Development
GAP	Gender Action Plan
GETT	Gender Equity Task Team
GFP	Gender Focal Points
GMS	Gender Management System
INDS	Intergrated National Disability Strategy
JSC	Joint Standing Committee
MTEF	Medium Term Expenditure Framework
NCPS	National Crime Prevention Strategy
NGO	Non-Governmental Organisation
OSW	Office on the Status of Women
RDP	Reconstruction and Development Programme
RPL	Recognition of Prior Learning
SADC	Southern African Development Community
SALGA	South African Local Government Association
WBI	Women's Budget Initiative

# CHAPTER ONE

## 1. INTRODUCTION

In September 1995, South Africa participated for the first time in the UN series of World Conferences on Women at the Fourth World Conference on Women held in Beijing China. At this Conference the South African Government committed itself to the Beijing Platform of Action (BPA). The Platform compels the South African Government to report on its progress in addressing the 12 critical areas of concern outlined in the BPA. Consequently this report documents progress made in each critical area of concern. The focus of the report is on the processes engaged in institutionalising a Gender Action Plan within government departments, the legislature, and organs of civil society.

The gains which this report discusses, to addresses women's specific concerns e.g. the Maintenance Act and the legislation pertaining to reproductive rights and gender based violence. The challenges which the report points to refer to engendering governance, that is mainstreaming gender within the day-to-day activities of government departments, the legislature, government agencies and programmes.

Progress made by South Africa must be viewed within the context of its own national transformation goals. Transformation objectives have defined national priorities over the past five years. Because gender transformation is integral to national transformation the national gender programme has had much to gain from integrating gender transformation into this very active process.

### 1.1 Background to the report

This report documents attempts to create state mechanisms for advancing gender equality. It examines the ability of these structures to promote gender sensitive policy and programme delivery.

Responding to the specific concerns of the Beijing Platform of Action (BPA), the report directly addresses South Africa's performance in the 12 critical areas of the BPA. In this report, gender is defined in terms of *social relations and processes embodied in the variety of institutions, which underpin day-to-day life.*

The reporting period coincides with the beginning of the second term of South Africa's democratic government. The two terms have very specific foci. The priority in the first term (1994-1999) was the development of an enabling

environment conducive to advancing national transformation goals with gender transformation at the centre of this process.

The priority for the current term of government is the implementation and conversion of policies passed (1994-1999) into meaningful programmes that will effect the intended changes envisaged in the new policies and legislation. Therefore in this term, delivery is the ultimate objective.

The South African government committed itself to both the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform of Action (BPA). To enable government to meet its obligations towards the Beijing Platform of Action, a National Machinery was established.

As an interim measure to activating the structures of the National Machinery, the Department of Welfare and Population Development was appointed Caretaker of the National Gender Programme. It was in this capacity that the department initiated a process whereby each government department made commitments to the Platform of Action. This was done in February 1996. In May 1996 Cabinet approved the establishment of the Office on the Status of Women and Gender Focal Points. In April 1997 the institutional machinery for advancing gender equality was activated, with the establishment of both the Office on the Status of Women (in the presidency) and the Commission for Gender Equality, a statutory body funded by but independent of the government. Other components of the machinery are the Parliamentary Committee and civil society organisations.

Amongst the important milestones towards the establishment of National Machinery for Gender Equality are:

- The Constitution
- The drafting of the Women's Charter in 1994
- The Draft Women's Economic Empowerment Policy of 1995 (which lays the basis for the Government Gender Policy framework)
- The Reconstruction and Development Programme

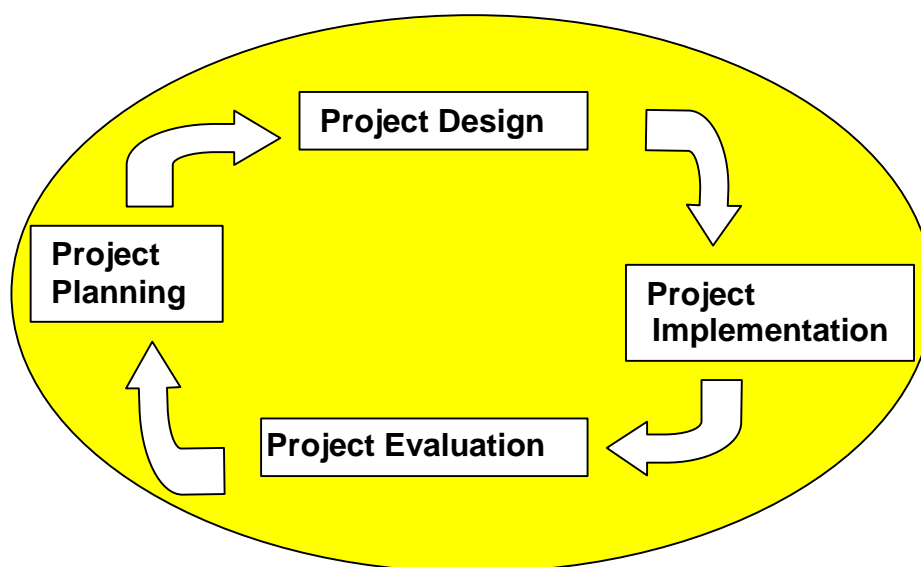
## **1.2 Scope of the report**

This report gives detailed information on the structures of the National Machinery; their objectives and functions as these will form the basis for advancing gender equality in the future. In addition, the report details the process embarked upon in launching the national gender programme. More importantly, the report gives an overview of progress made in each critical area of the Beijing Platform of Action.



The project life cycle approach employed by the South African Government comprises four phases. These are project design, project implementation, project evaluation and project planning. Given the fact that the South African Gender Programme is at its inception, the focus has been on programme design and implementation. For this reason it will not be possible at this stage to effect a reliable impact analysis. However the report does cover an output analysis which is feasible at this stage. Among the critical outputs documented in this text is the establishment of a comprehensive gender machinery which spans the executive branch, the parliamentary structures, statutory bodies civil society and government departments

**Diagram 1**



The report further highlights some of the challenges, which confront government, as it strives to fulfil its commitments towards gender equality. Among these are that:

- ❑ the institutional infrastructure and systems which have been put in place are still new and thus fragile and,
- ❑ within the evolving framework of the national gender programme, efforts need to be made to cost the differential of the evolving gender programme to ensure more realistic planning.

### 1.3 National Context

The context against which the South African government attempts to fulfil its commitments to the BPA is one of National Transformation. To effect transformation, the Government has enacted laws, formulated policies and passed bills which have a direct bearing on gender. Amongst these are:

- The adoption of a new Constitution for the Republic of South Africa. Of direct relevance to gender equality is the Bill of Rights;
- The Reconstruction and Development Programme;
- The White Paper on the Transformation of the Public service;
- The adoption and commitments to the implementation of the Beijing Platform of Action at the February 1996
- The White Paper on Affirmative Action in the Public Service
- The Employment Equity Act
- The Promotion of Equity and Prevention of Discrimination Bill
- Recognition of Customary Marriages Act
- Skills Development Act
- South Africa passed CEDAW in 1995
- Human Rights Commission Act, 1994 (Act 54 of 1004)
- Commission on Gender Equality Act, 1996 (At 39 of 1996)
- Divorce Amendment Act, 1996 (Act 95 of 1996)
- Maintenance Act, 1996 (Act 99 of 1998)
- Domestic Violence Act, 1998 (Act 116 of 1998)
- Health Care to pregnant women and children
- Recognition of Customary Marriages Act, 1998 (Act 120 of 1998)
- Labour Relations Act of 1995 (Act 66 of 1995), specifically the Maternity Provisions and the Broadcasting Code
- Basic Conditions of Employment Act of 1997 (Act 75 of 1997)
- Employment Equity Act of 1998 (Act 55 of 1998)
- Termination of Pregnancy ACT (Act 92 of 1996)

#### 1.3.1 National Programmes addressing National Priorities

From a programmatic point of view, South Africa has made measurable strides in programmes relating to its identified national priority areas. These are:

- National campaign on no-violence against women including the implementation of the SADC declaration, the prevention and eradication of Violence Against Women
- Economic empowerment of women
- Poverty Alleviation Programme
- Human Resource Development Programme
- Primary Health care; and
- National Partnership Against Aids

## 1.4 Central National Priorities

In advancing a national gender programme, the thrust has been on mainstreaming the gender programme into existing government priorities. The idea is to engender the national transformation process.

Toward this end, gender transformation is defined to be central to and a prerequisite of national transformation. The National Transformation priorities are as follows:

- Poverty Eradication
- Job Creation
- Skills Development
- Gender Equality
- Strengthening the National Machinery
- Development of programmes to advance women's economic empowerment
- The establishment of an intergrated approach to stemming the tide of gender based violence
- Strengthening of efforts to place women in decision making at levels of government, the judiciary and the private sector.

In looking at South Africa's central national priorities one notes that 3 out of the 8 relate to women specific concerns. One emphasises gender equality and the remaining four priorities (i.e. poverty eradication, skills development, job creation and strengthening the National Machinery) have specific significance for women.

It is significant that even though these national priorities were selected with the participation of women but independent of the gender programme; they correlate with five of the 12 critical areas of the BPA. The above 5 national priority areas together with the following two priority areas- the advancement of institutional mechanisms and women and decision making- comprise the priority areas for the South African Gender Programme.

## **1.5 South Africa's National Priorities in the Beijing Platform**

Out of the 12 critical areas South African programmes emphasise the following:

- Women and Violence
- Women and Poverty
- Women and Health
- Women and Education
- Women Economic Empowerment
- Institutional Mechanisms
- Women and Decision Making

From the above, it becomes apparent that the process of national transformation in South Africa is being engendered at least at the levels of policy and programme development. The challenge facing the government is to ensure that the gains of women in South Africa - which are an outcome of the national liberation struggle, women's participation in the processes of negotiations, constitution making and nation building - are not eroded. The momentous gains of women in South Africa are threatened by intensifying violence, poverty, ill health (for women and the girl child this is heightened by the prevalence of HIV/AIDS) and joblessness.

## CHAPTER TWO

### 2.1 Gender issues in post apartheid transformation

The purpose of this chapter is to explain the context in which the Gender Programme functions and to outline the components and functions of the national machinery. In addition this chapter contextualises some of the constraints encountered by the OSW in its work

and documents mechanisms which have been put in place in order to facilitate the assessment of progress in advancing gender equality.

The political struggles of women and men against apartheid, as well as women's insistence on the inclusion of their concerns in the liberation struggle and the constitution making process had a major impact on transformation. Through these struggles, a strong women's movement emerged. Consequently, there is a high level of political representation of women in the post-apartheid government. Importantly, gender inequality is recognised as a key challenge by the country's political leadership.

At the opening of the first democratically elected Parliament, then President, President Mandela singled out the importance of this issue.

"Freedom cannot be achieved unless women have been emancipated from all forms of oppression. All of us must take this on board that the objectives of the Reconstruction and Development Programme (RDP) will not have been realised unless we see, in practical and visible terms, that the condition of the women in our country has been changed for the better and that they have been empowered to intervene in all aspects of life as equals with any other member of society".

These collective historical processes and strong political commitment to gender equality have resulted in identifiable accomplishments for South Africa. These include amongst others:

- The adoption of a constitution guaranteeing equality
- Establishment of a comprehensive national gender machinery
- High representation of women in governance structures
- An accelerated process aimed at gender based violence

However, inspite of these gains much remains to be done. There are major disparities and inequalities that are the direct outcome of structural inequalities imposed by the apartheid regime. Among the central markers of such inequality are the following:

- Gender inequality underpins other dimensions of inequality including class, race, age and location. Overall the most disadvantaged groups are women living in rural, former “homeland” areas.
- A high proportion of African households are headed by women (over 40%) and have the majority of dependants – a higher proportion on both counts than for white households.
- African women constitute the majority of workers in the informal sector where they are in elementary activities (street vending , domestic work and scavenging )

Women in South Africa are at risk from high levels of violence and of abuse and rape. There is close correlation between economic deprivation and a high risk of violence.

Women, especially rural African women, suffer more from poverty than men.

## **2.2 Building blocks for Gender Equality: The National Machinery**

In response to its national and international commitments to gender equality, the government has established a comprehensive National Machinery composed of a variety of structures, all dedicated to advancing gender equality. These structures are located in the executive branch, parliament and in civil society. In addition, a statutory independent body was established to monitor the progression towards gender equality. (Diagram 2 presents a representation of the National Machinery.) This diagram emerged out of the consultations held about the nature and scope of the national machinery.

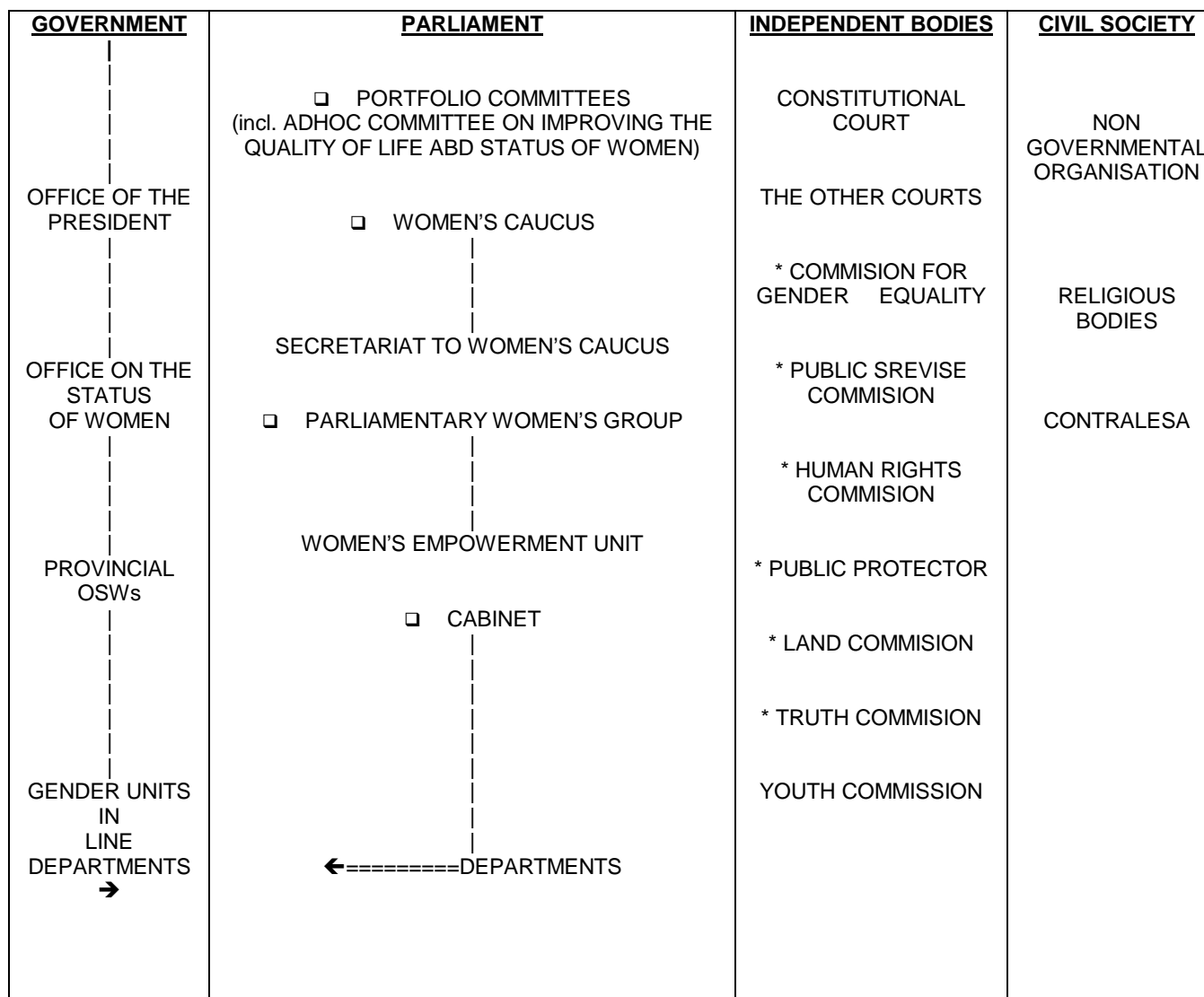


Diagram 2

Adaptation of presentation of memorandum by Naicker and Hassim in Baden, 1999<sup>1</sup>

### 2.2.1 Components of the National Machinery

- *Government* – the key structures in government are the Office on the Status of Women and the Departmental Gender Focal Points. The Office on the Status of Women (OSW) is based in the President's office and has provincial counterparts in eight Premiers' offices. Its role is co-ordinating and facilitating the implementation of government policy and programmes on gender. The Gender Focal Points implement gender programmes in their respective departmental programmes.

<sup>1</sup> Since then the Youth Commission has been established.

- *The legislature* – in the national assembly there is a multiparty Parliamentary Women’s Group and a full parliamentary committee entitled the Committee on Improving the Quality of Life and Status of Women. This committee is responsible for monitoring government’s implementation of the National and International Commitment to Gender.
- *Statutory Body* – the Commission on Gender Equality (CGE) is a statutory body, independent of government but funded by it. The commission monitors the implementation of government policy and commitments. It also has public education and investigative roles.
- *Civil Society* – the above structures liaise and consult with organs of Civil Society composed of NGO’s, business and church organisations.

### 2.2.2 The goals of the National Machinery

The National Machinery has three main goals. These are to:

- Develop programmes of action, which will result in equality for women as participants, decision-makers and beneficiaries in the political, civil, social, economic and cultural spheres of life.
- Prioritise the needs of those women who benefited least from the system of Apartheid.
- Transform all national, provincial and local institutions by mainstreaming and integrating issues of women empowerment and gender equality into their work. These include institutions of government, independent statutory organisations, the private sector, the public sector, the labour movement and organs of civil society.

In pursuit of these broad goals, the National Machinery has the following specific objectives:

- To promote South Africa’s constitutional and international commitments to women’s empowerment, gender equality, women’s human rights and social justice.
- To transform the laws, policies, procedures, consultative processes, budgetary allocations and priorities of all institutions to take account of the needs and aspirations of all women, and particularly those who were most disadvantaged by the previous dispensation.



- ❑ To ensure that all statutory, government, public and private institutions develop policies, structures and practices, which address women's empowerment and redress gender inequality in their transformation goals.
- ❑ To develop a national policy for gender equality and ensure that all levels of government and civil society implement the policy.
- ❑ To co-ordinate the implementation of gender equality policies and monitor and evaluate their impact and effectiveness.
- ❑ To set appropriate priorities, targets time frames and performance indicators.
- ❑ To conduct a gender analysis of existing policy.
- ❑ To raise awareness about gender issues and to advocate for gender sensitivity and gender equality

### 2.2.3 Functions of individual structures of the National Machinery

The functions assigned to the National Machinery are assigned to enhance their individual competitive advantage to promote synergy and enhance advancement towards gender equality.

#### 2.2.3.1 The Office on the Status of Women

The Office on the Status of Women (OSW) – was established in 1997. Its principal function being to co-ordinate and facilitate the implementation of the national gender programme in government. The national OSW co-ordinates the work of the Gender Desks in line departments, and of provincial OSWs as part of a gender management system. Out of nine provinces there are 8 active provincial OSWs. These are located in the Premiers' offices. The various gender units through which the OSW works are referred to as Gender Focal Points (GFPs). Figure one outlines the functions of the OSW.

### **THE OFFICE ON THE STATUS OF WOMEN (OSW)**

- ❑ **Key functions of the OSW are:**
- ❑ **Advance A National Women's Empowerment Policy;**
- ❑ **Prioritise key concerns and initiate policy and action orientated research relevant to gender mainstreaming;**
- ❑ **Advice and brief the President on all matters pertaining to the empowerment of women;**
- ❑ **Liase between non-governmental organisations which deal with women's issues and the Office of the President;**
- ❑ **Liase between international bodies (i.e. United Nations) and the Office of the President;**
- ❑ **Work with line ministries, provinces and all publicly funded bodies in mainstreaming gender into all policies and programmes;**
- ❑ **Develop key indicators for measuring the national progression to gender equality;**
- ❑ **Arrange for training in gender analysis and gender sensitisation**
- ❑ **Facilitate awareness raising and confidence building among women at all level;**
- ❑ **Act as a catalyst for affirmative action with respect to gender;**
- ❑ **Initiate and promote cross-sectoral action on cross-cutting issues such as violence against women ;**
- ❑ **Provide a co-ordinating mechanism for structures at the provincial level;**
- ❑ **Consult and liase with civil society and parliament.**
- ❑ **Source: OSW**

Figure 1

#### 2.2.3.2 The Gender Focal Points

Cabinet approved the establishment of Gender Focal Points (GFP) in May 1996. A year later (May 1997) 17 of the 29 departments had some form of a gender unit although many were located in the corporate divisions rather than at the offices of the directors general.

## **GENDER FOCAL POINTS IN GOVERNMENT DEPARTMENTS**

**Key functions of the GFP are:**

- ❑ **Ensure that gender issues are routinely considered in strategic planning exercises;**
- ❑ **Reflect gender considerations in their business plans and routinely report on them;**
- ❑ **Review all policies, projects and programmes for their gender implications;**
- ❑ **Ensure that the department provides and uses gender desegregated data in their work;**
- ❑ **Co-ordinate gender training and education of all staff within departments to ensure that gender is intergrated into all aspects of the work from the outset;**
- ❑ **Review departmental policy and planning in line with the National Gender Policy Framework;**
- ❑ **Ensure that each department implements the National Gender Policy;**
- ❑ **Monitor and evaluate departmental projects and programmes;**
- ❑ **Establish mechanisms to link up with civil society, in particular, to facilitate electoral organisations in the areas of their work.**
- ❑ **Source : GFP**

**Figure 2**

### 2.2.3.3 The Commission on Gender Equality

The Commission on Gender Equality (CGE) was established in April 1997. It is an independent, statutory, advisory, consultative and research body. Its key functions are as listed in figure 3.

## **THE COMMISSION FOR GENDER EQUALITY**

**As an independent, statutory, advisory, consultative and research body its key functions are:**

- ❑ **To monitor, evaluate and make recommendations on all policies and practices of organisations, bodies and institutions in South Africa to ensure that they promote gender equality in their work;**
- ❑ **To develop, conduct and manage information and education programmes, to enable the public to promote gender equality as well as to understand the role of the Commission;**
- ❑ **To evaluate any proposed legislation likely to affect gender**

**equality or the status of women and make recommendations accordingly to parliament or the appropriate provincial legislatures;**

- ❑ To recommend to parliament or the provincial legislatures the adoption of new legislation which would promote gender equality and the status of women;**
- ❑ To investigate any gender related issue on its own accord, or on receipt of a complaint and attempt to resolve any dispute or rectify any act or omission by mediation, conciliation and negotiation;**
- ❑ To liaise closely with institutions, bodies or authorities with similar objectives to the CGE, in order to foster common policies and practices and promote co-ordination and co-operation in relation to the handling of complaints in case of overlapping jurisdiction;**
- ❑ To liaise and interact with any organisation which actively promotes gender equality, as well as with other sectors of civil society to further the objectives of the Commission;**
- ❑ To monitor compliance with international conventions, covenants and charters, acceded to or ratified by the Republic of South Africa, and related to the objectives of the Commission;**
- ❑ To prepare and submit reports to parliament to any such convention, covenant or charter related to the objectives of the Commission;**
- ❑ To conduct or commission research to further the objectives of the Commission;**
- ❑ To consider recommendations, suggestions and requests concerning the promotion of gender equality.**
- ❑ Source: CGE**

Figure 3

## **CHAPTER 3**

### **ACTIVATION OF THE GENDER MACHINERY AND IMPLEMENTATION OF GENDER MAINSTREAMING**

#### **3.1 Mechanisms for Implementing the National Gender Programme**

The period April 1994 through June 1999 will be described in the recorded history of the South African Gender Programme as a period characterised by the establishment and development of the national gender programme. It was also a period of active programs for the purposes of devising an integrated national programme. Thus, it was a phase of ongoing strategic planning. This planning was executed through extensive planning and consultation with a wide range of stakeholders. This consultation was geared to ensuring a co-ordinated program that would enhance delivery. In structuring the program, the emphasis was on ensuring that the mechanisms established would permit ongoing public review of program.

The gender program was initiated by the preparation of a Framework, which emphasised Gender and Development (GAD). GAD was selected since its key characteristic is that it is relational and focuses on gender relations, particularly the balance of power while at the same time aiming at improving the quality of life for both men and women. Gender Mainstreaming was adopted as a strategy that would promote the integration of gender considerations into government's programmes and projects.

#### **3.2 Objectives of the National Gender Program**

The approach to the national gender program has been to develop a program that is sustainable and feasible. External reporting has always been viewed as a mechanism that stimulates internal debate about the scope and objectives of the national programme. More importantly this reporting is viewed as a means of enhancing accountability to national stakeholders. Thus, reporting to the UN and other international organisations was integrated into the national audit process.

The audit process aims to identify accomplishments, determine constraints and define gaps. These would provide a framework for the national reports. In addition, the national audit was conceived as integral to developing a national action plan. Table 1 below summarises the phases of the audit and details outputs and objectives for each phase.

	TITLE	TIME FRAME	KEY PLAYERS
<b>PHASE 1</b>	Conceptualisation of audit	Dec '97- April 98	<ul style="list-style-type: none"> <li>• National Office on the Status of Women (OSW)</li> <li>• Gender Specialist</li> </ul>
PHASE 2	Development of process and Instrument	April '98-Oct '98	<ul style="list-style-type: none"> <li>• National OSW</li> <li>• Gender Specialist</li> </ul>
PHASE 3	Training and Consultation	Oct '98-May 99	<ul style="list-style-type: none"> <li>• National OSW</li> <li>• Provincial OSW</li> <li>• National Gender Focal Points (GFPs)</li> <li>• Gender Specialist</li> </ul>
PHASE 4	Data Collection	June '99-Sept '99	<ul style="list-style-type: none"> <li>• National OSW</li> <li>• Provincial OSW</li> <li>• National Task Team</li> <li>• GFPs</li> </ul>
PHASE 5	Synthesis and Analysis of Data	Oct '99 – Dec '99	<ul style="list-style-type: none"> <li>• National OSW</li> <li>• Provincial OSW</li> <li>• National Task Team</li> <li>• National Working Committee</li> </ul>
<b>PHASE 6</b>	Long term implementation	Jan 2000- Dec 2005	<ul style="list-style-type: none"> <li>• National OSW</li> <li>• Provincial OSW</li> <li>• National Task Team</li> <li>• National Technical Committee</li> <li>• GFPs</li> </ul>

	<b>ACTIVITIES</b>
PHASE 1	<ul style="list-style-type: none"> <li>• Review Methodologies</li> <li>• Define terms of reference for the audit</li> <li>• Define processes to be followed</li> <li>• Preview audit transformation</li> </ul>
PHASE 2	<ul style="list-style-type: none"> <li>• Consultation with South African and international gender specialists</li> <li>• Refine audit instrument</li> <li>• Consultation with demographer and social scientists on the questionnaire</li> <li>• Fund raising for support of the audit process</li> </ul>
PHASE 3	<ul style="list-style-type: none"> <li>• Announcing the audit to national ministries and provinces</li> <li>• Consultation with GFPs about their roles and specific tasks in the audit process</li> <li>• Training OSW staff and GFPs on how to administer the questionnaire</li> <li>• Training at provincial and national levels</li> <li>• Establishment of the National Task Team; Technical Committee and Planning Committee</li> </ul>
PHASE 4	<ul style="list-style-type: none"> <li>• Administration of the questionnaires</li> <li>• Briefing of the National Officials</li> <li>• Guiding provinces through the data collecting process</li> <li>• Secondment of targeted officials to OSW national</li> <li>• Development of terms of reference for seconded officials and provincial task teams</li> </ul>
PHASE 5	<ul style="list-style-type: none"> <li>• Detailed analysis of data</li> <li>• Generation of draft National Gender Plan</li> <li>• Generation of reports for internal agencies</li> <li>• Preparation and submission of the Beijing +5, Common Wealth and SADC reports</li> <li>• Establishment of long term gender monitoring and co-ordinating systems</li> <li>• Administration of focus groups</li> </ul>
PHASE 6	<ul style="list-style-type: none"> <li>• Implementation and monitoring of National Gender Action Plan (NGAP)</li> <li>• Continuation of capacity building systems</li> <li>• Meeting of national and international requirements</li> </ul>

	<b>OUTPUTS</b>
PHASE 1	<ul style="list-style-type: none"> <li>• Documenting framework for the audit</li> <li>• Terms of reference and conceptual framework for audit</li> </ul>
PHASE 2	<ul style="list-style-type: none"> <li>• Draft of questionnaire</li> <li>• Consultation with and training of GFPs</li> <li>• A grant was secured from the Dutch embassy</li> </ul>
PHASE 3	<ul style="list-style-type: none"> <li>• Generate terms of reference for the task team and other committees</li> <li>• Adoption of methods, processes and time frames for national and provincial ministries</li> </ul>
PHASE 4	<ul style="list-style-type: none"> <li>• Receipt of completed questionnaires by the national OSW</li> <li>• Completed questionnaires from 7 out of 9 provinces completed</li> <li>• Briefing of Heads of Departments in the following provinces: <ul style="list-style-type: none"> <li>- Northern Province</li> <li>- North West Province</li> <li>- Free State</li> <li>- Kwa-Zulu Natal</li> <li>- Mpumalanga</li> </ul> </li> <li>• Conducted training sessions for provincial task teams in the following provinces: <ul style="list-style-type: none"> <li>- Northern Cape</li> <li>- North West Province</li> <li>- Northern Province</li> <li>- Kwa-Zulu Natal</li> <li>- Mpumalanga</li> <li>- Eastern Cape</li> </ul> </li> <li>• Preliminary analysis of questionnaire for presidential use</li> <li>• Meet with provincial Director General</li> <li>• Confirmed list of seconded officials</li> <li>• Terms of reference for seconded officials and provincial task teams</li> </ul>
PHASE 5	<ul style="list-style-type: none"> <li>• Final comprehensive draft report on audit</li> <li>• Draft Beijing report for Addis Ababa</li> <li>• Draft NGAP and National Gender Machinery (NGM)</li> <li>• Draft gender monitoring and co-ordinating management system</li> </ul>
PHASE 6	<ul style="list-style-type: none"> <li>• Approval of NGAP and NGMs by Cabinet</li> <li>• Co-ordination system approved by cabinet</li> <li>• Ongoing delivery engaging all key stakeholders</li> </ul>

**Table 1**



As reflected in the table, the gender audit is an ongoing process. Information gleaned through this process will assist South Africa to determine national priorities, craft a national action plan and devise strategies to advance gender equality.

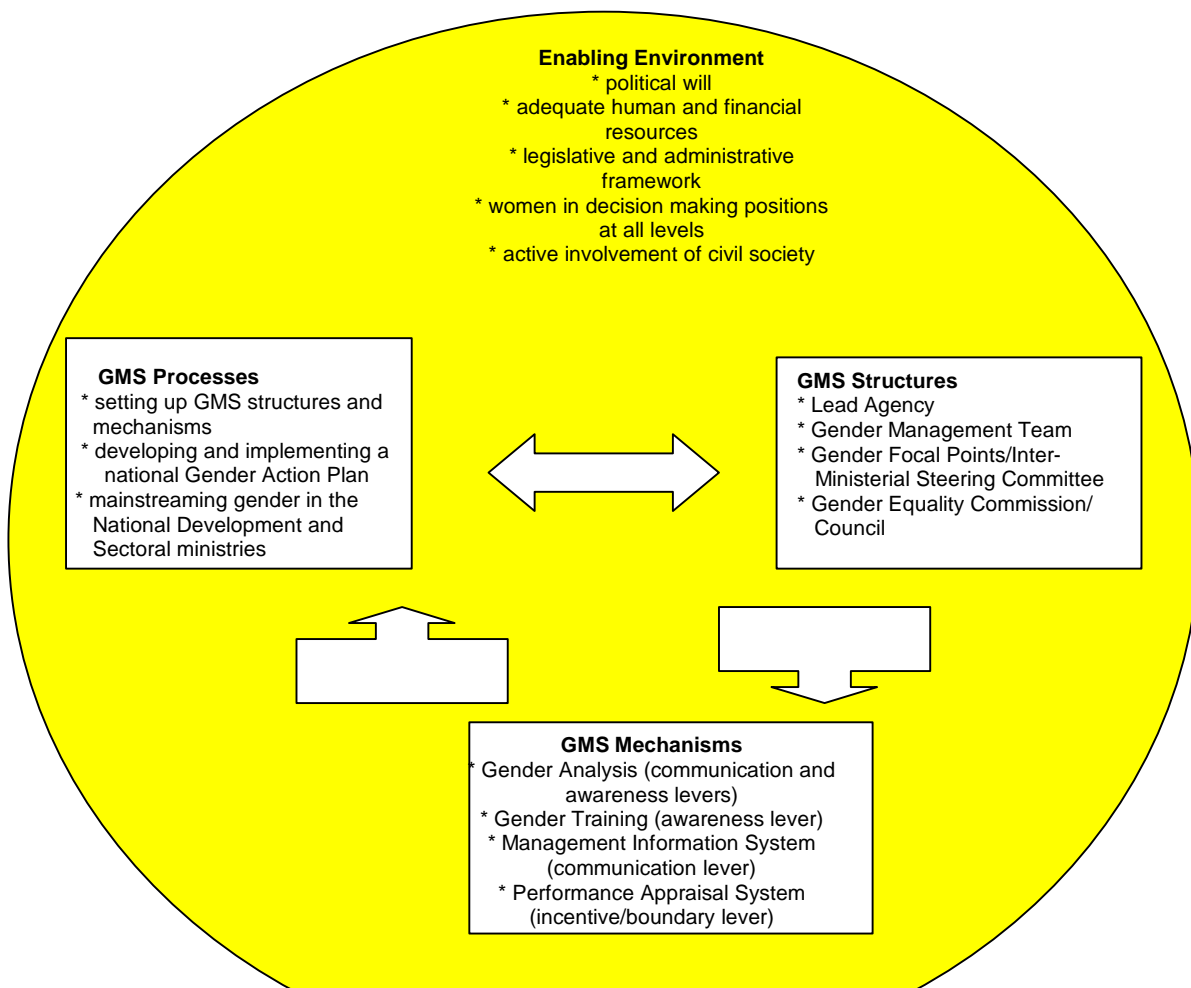
The gender audit is a key mechanism for advancing programming and thus accelerating South Africa's performance under its national and internationally defined objectives. Within the 12 critical areas of concern, the principal area of concern for South Africa has been the development of solid institutional mechanisms. Without these mechanisms, program delivery will not be effective. Thus, the emphasis has been the development of strong gender structures at the national and provincial levels. Developing these structures entailed determining the presence of Gender Focal Points and Offices on the Status of Women at the provincial levels. A key activity for establishing the OSW was arriving at a set of uniform functions for all OSWs. More importantly, it was important to ensure that all OSWs approached co-ordination from the same point of view.

### **3.3 Process Adopted**

In preparing the Framework for implementing the national gender program in 1997, it was accepted that at the initial stage of the gender program, the critical concern would be attention to a process for the promotion of conceptual and methodological approaches to the national gender program. This was done to ensure that there is wide participation in the design and implementation of the program as possible. Nowhere was this more true than in the gender auditing process. The initial framework of the gender audit was developed by the OSW. However, over a six-month period the instrument was perfected and finalised in consultation with Gender Focal Points as well as with South African gender specialists and a demographer.

### **3.4 Identification and Development of a National Gender Management System**

To ensure a broader ownership of the gender program, the OSW established a network of structures at the national and provincial levels to ensure wider participation in planning and implementation of not only the gender audit but also the broader gender management program. It was identified earlier on in the process that for the sustainability of the programme there is need to identify an effective and sustainable gender management system. The key elements of this system is reflected in Diagram 3. Though this diagram was received much later from the Commonwealth Secretariat, it was important to note that the audit process emphasised a review of all four characteristics of the Gender Management system as defined in this diagram.



**Diagram 3**

**Source: Commonwealth Gender Management System Handbook, 1999**

Thus, an important objective of the audit process was to determine the presence of an efficient Gender Management System (GMS) for the purpose of advancing gender mainstreaming. This was done on the basis that without a solid Gender Management System it would be difficult if not impossible to deliver coherent programmes. The Gender audit affirmed South Africa to be relatively strong with respect to the enabling environment and GMS Structures. As part of its evolving characteristic the focus is on advancing the GMS Processes and Mechanisms.

### **3.5 Mechanisms for Accelerating Programme Delivery**

Although the first priority of the Gender Audit was to assess the presence and viability of the National Management System, an equally important objective was to establish appropriate and feasible structures that will be sustainable over time. Toward this end, a network of structures were developed aimed at addressing capacity needs and ensuring a broader participation in the national gender programme. Structures established at the national level were; National Task Team, the Technical Committee and National Co-ordinating Committee. At the provincial level the provincial Tasks Teams were established. Collectively they are considered to be part of the National Gender Management Team. To assist the reader with a more holistic understanding of these structures more information is provided below regarding the Terms of Reference, Membership, Time of Service and lines of accountability for these networks.

#### **3.5.1 National Technical Committee**

*Membership* – Membership of this committee is composed of professionals cutting across the spectrum of social sciences, for example, there are two gender specialists one whose speciality is gender mainstreaming and the other policy and strategic planning. There are two legal experts, social scientists, social workers and development specialists. These specialists are mainly from outside government to ensure the objective assessment of the strategies and processes.

*Terms of reference* – members of the committee serve on guided terms of reference, which stipulate four tasks. These are:

- ❑ Guide the integration of comparative models into OSW's programme work with particular reference to processes and implementation;
- ❑ Advise the development of indicators for the OSW's ongoing programme work;
- ❑ Provide quality control of all OSW programmes to ensure technical accuracy; and
- ❑ Oversee the synthesis and analysis of data.

*Time Frame* - Membership on this committee is for a period of three years.

*Accountability* – Committee reports to the OSW.

### 3.5.2 National Task Team

*Membership* – The National Task Team is composed of Gender Focal Points from the national ministries. It includes members from three provincial OSWs.

*Terms of reference* – The Task Team’s terms of reference are as follows:

- ❑ To review literature concerning the design of organisational surveys;
- ❑ To assist the National OSW develop a data base for the year;
- ❑ To design the instrument;
- ❑ To oversee the pre-testing of the instrument in a select number of departments and provinces;
- ❑ The Technical and Planning Committees will oversee data collection, analysis and synthesis of data;
- ❑ The Technical and Planning Committees will assist in the design of the report outline; and
- ❑ Evaluate existing questionnaires for applicability to the current audit process.

*Time frame* – Membership is for three years.

*Accountability* –For the execution of these tasks members are accountable to the Presidency through the OSW.

### 3.5.3 National Co-ordinating Committee

*Membership* – Members of this committee were drawn from the National Tasks Team. They included two provincial OSWs.

*Terms of reference:*

- ❑ Develop a co-ordination, evaluation and monitoring system for the National Gender Programme;
- ❑ Develop a National Gender Action Plan for both tiers of government (Provinces and National);
- ❑ Draft a national progress report on gender for the period of April 94-December 99;
- ❑ Develop reporting guidelines;
- ❑ Draft reports on progress made on South Africa's compliance with international instruments (Beijing +5 Commonwealth);
- ❑ Develop a National Gender Management Strategy (NGMS)
- ❑ Mentor designated National Ministries and Provinces for the National Gender Audit data collection phase (June – 30 October 1999);
- ❑ Participate in the development of a coding system for the analysis and synthesis of data; and
- ❑ Assist National and Provincial OSWs in tasks that will accelerate the auditing and reporting process.

*Time frame* – Seconded officials will serve on this working committee until December 30, 1999. After this period they revert back to their status of being members of the National Task Team.

*Accountability* – For this task committee members are accessible to the OSW.

#### 3.5.4 Planning Committee

*Membership* – Membership of this committee was drawn from national Gender Focal Points.

*Terms of reference* – The terms of reference for the planning committee were stipulated as follows:

- ❑ Monitor progress made in accomplishing the objectives of the audit;
- ❑ Facilitate internal and external co-ordination of the Gender audit;

- ❑ Recommend long-term gender mainstreaming strategies flowing from the findings of the audit;
- ❑ Identify obstacles and risks which will hinder implementation of the project;
- ❑ Devise strategies for overcoming defined risks and obstacles; and
- ❑ The Technical and Task Team Committees will propose the final report format.

*Time Frame* - Membership on this committee was for three years.

*Accountability*- Members of this committee are accountable to the Presidency through the OSW.

### 3.5.5 Provincial Task Team

*Membership* – Membership on this committee is of senior provincial government officials other than Gender Focal Points.

*Terms of reference:*

- ❑ Assist the provincial OSW develop a database;
- ❑ Review the instrument for application in the Province;
- ❑ Oversee data collection, analysis and synthesis of data;
- ❑ Design the provincial report;
- ❑ Monitor progress made in accomplishing the objective of the gender programme;
- ❑ Facilitate internal and external co-ordination of the provincial gender programme;
- ❑ Recommend long-term gender mainstreaming strategies;
- ❑ Identify obstacles and risks which will hinder the implementation of the gender programme;
- ❑ Devise strategies to overcome obstacles and minimise risk; and
- ❑ Craft the provincial action plan.

*Time frame* – Members of the task team will serve for a three-year term effective immediately.

*Accountability* – Members of the task team report directly to the Director General Office through the Provincial OSW.

### **3.6 Gender Audit and Capacity Building**

Because the South African gender programme is in its infancy by virtue of the fact that there was no gender programme prior to April 1994, the gender audit was conceived not only as a research project but also as a mechanism for gender sensitisation within and outside the programme. The educational process is ongoing and is aimed at assisting government officials to gain a better understanding of gender, the National gender Programme and its relationship to the national transformation process. Not only was this process directed at senior government official, it was also aimed at National Gender Focal Points and Provincial OSWs to ensure that programme staff are able to articulate and defend the programme to their senior managers. For senior managers, the objective was to ensure that they understand the centrality of gender transformation to overall transformation. More importantly, the aim was to effect better communication between Gender Focal Points and their senior managers.

### **3.7 Outputs of the Gender Audit**

Although the gender audit has not been finalised there are some distinct outputs that can be gleaned from this process. These are:

- ❑ Clear enabling indicators pertaining to government and community support have been established
- ❑ Active discussion around the gender programme is now underway;
- ❑ General awareness that the gender audit is mandatory and thus the gender program is part of government's core functions,
- ❑ Findings affirmed that funding to gender programming is inconsistent. This has led to the establishment of a joint working committee between the OSW and Finance that will look at government spending and provide guidelines on how to integrate gender into government budgeting process.
- ❑ Resulted in a dynamic discourse around the scope of work contained under the national gender program
- ❑ A general awareness on the need for a National Gender Action Plan

- The importance of using clearly defined indicators has now been adopted.
- Training of gender Focal Points

### **3.8 Challenges and Constraints**

Some critical lessons can be learnt from the processes of establishing a national machinery thus far. These are:

- The need to have structures of the National Machinery replicated at all levels of government, that is at the national, provincial and local levels.
- The challenges of mainstreaming gender interests in the core business of the line departments. Whilst the structures of the National Gender Machinery are new and evolving, the various departments are quite established. Thus their core functions have been defined without incorporating gender issues. The gender focal points are charged with the responsibility of ensuring that the departments where they are located incorporate gender in their programmes. However a key constraint is the lack of gender based analysis.
- A third constraint regards sufficient financial and human resources for the Gender Machinery. Both the OSW located in the executive, and the Commission on Gender Equality have cited this as a key constraint to mainstreaming gender.

Nonetheless, different departments have been innovative in establishing their arms of the machinery. The Department of Justice has taken the idea of gender units further and has started a process of establishing gender desks in all magistrates' courts. The Department of Land Affairs has a multi-level strategy for gender transformation including a Gender Forum which deals with gender practices within the department as well as a Land Reform Project which assesses the needs of land reform beneficiaries. An essential innovation by this department is the clear distinction made between external and internal transformation. That is, there is a structure responsible for engendering the internal processes of the department while there are officials entrusted with the task of ensuring that departmental resources are distributed equitably to both women and men.



## CHAPTER 4

### 4. PROGRAMMES, POLICIES AND BEST PRACTICES

The purpose of this chapter is to provide an overview of South Africa's performance under the twelve critical areas of the Beijing Platform of Action. In so doing the focus will be to highlight policies adopted, legislation passed and evolving best practices.

- Women and Poverty
- Women and Education
- Women and Health
- Violence against Women
- Women and Peace
- Women and the Economy
- Women and Decision –Making
- Institutional Mechanisms
- Women's Human Rights
- Women and the Media
- Women and the Environment
- The Girl Child

#### 4.1 Women and Poverty

The South African government has placed a high priority on poverty eradication, to this end its anti poverty strategy includes two components:

- meeting basic needs
- developing human resources

**Consequently, the approach of most government departments to poverty eradication has shifted from a welfare approach to a development welfare approach. Examples of some government programs that address poverty are illustrated in table two.**

**Table 2: Women and Poverty**

<b>Critical Area</b>	<b>Successful Programmes and Projects</b>	<b>Strategies and Accomplishments</b>	<b>(#) Challenges (+) Lessons learnt</b>	<b>Commitment to Further action</b>	
Women and Poverty	i. Extensive study on poverty	<ul style="list-style-type: none"> <li>- consultations with stake holders</li> <li>- partnerships between Civil Society and government</li> <li>- development of poverty fund</li> </ul>	<ul style="list-style-type: none"> <li># engendering poverty programs</li> <li># engendering national indicators</li> <li># rooting the integrated approach to gender programs</li> </ul>	<ul style="list-style-type: none"> <li>- devise gender sensitive indicators or the national poverty programme</li> <li>- engender the national programme to mainstream gender into existing national poverty programs</li> </ul>	
	ii. Batho Pele (Service Delivery)	<ul style="list-style-type: none"> <li>- road shows to promote Batho Pele</li> <li>- marketing of the initiative in the media</li> <li>- consultations with stake holders</li> <li>- standards set at all levels for implementing services</li> </ul>	<ul style="list-style-type: none"> <li># provision of adequate infrastructures especially in rural areas</li> <li># provision of financial and human resources</li> <li># to recruit skills to guide and implement strategies</li> <li>+ service standards set and implemented inconsistently across government</li> <li>+ the need for alternate forms of service providers which include women as service providers</li> <li># management of the programme needs improvement</li> <li>+ improved school attendance</li> </ul>	<ul style="list-style-type: none"> <li>- to assist on request with options and strategies for improved service delivery</li> <li>- to encourage engendering of programs at all government levels</li> <li>- National Service Delivery Campaign</li> </ul>	
	iii. Adult Basic Education Training (ABET)				
	iv. primary schools nutrition programme				
	v. the Child Support Grant		<ul style="list-style-type: none"> <li>- aims to reach children (under) living in poverty, particularly in rural areas</li> </ul>		<ul style="list-style-type: none"> <li>- provide income generating activities and training</li> </ul>

## 4.2 Women and Education

The South Africa Schools Act (SASA) of 1996 provides for equal education for boys and girls. Additionally, it facilitates for the access to schooling for young mothers and pregnant young women.

The department of Education has also established gender equity structures. These include:

- A gender sub-directorate established in 1996 to address gender equity functions.
- The Gender Co-ordinating Committee made up of Gender Focal Points (GFP) from 10 Departments of Education was set up in 1998
- In April 1999 the Gender Equity Directorate was set up in the National Department of Education.

**Table 3: Women and Education**

<b>Critical Area</b>	<b>Successful Programmes and Projects</b>	<b>(#) Challenges (+) Lessons learnt</b>	<b>Commitment to further action</b>
Education and training of women	i. Curriculum 2005 ii. Culture of Learning, Teaching and Service (COLTS) (more than 50% are women) iii. Students and Youth Programmes (targeting 60% enrolment of women)	# lack of capacity affects delivery  + members of structures require training on gender sensitisation and mainstreaming	- reduction of high rate of illiteracy - "Tirisano" – Minister of Education's Call to action to build a South African Education System for the 21 <sup>st</sup> century. - Equity in the Classroom Project
Human Rights of Women	i. Constitutional and Human Rights education are incorporated into curriculum 2005		- increase capacity

### 4.3 Women and Health

Health has emerged as a National Priority Area of Concern for South Africa. The South African Government Programmes to address the concern are illustrated in the following table.

**Table 4: Women and Health**

<b>Critical Area</b>	<b>Successful Programmes and Projects</b>	<b>Strategies and Accomplishments</b>	<b>(#) Challenges (+) Lessons learnt</b>	<b>Commitment to further action</b>
Women and Health	<p>i. school health promotion programme - policy on HIV/AIDS</p> <p>ii. the Clinic Upgrading and Building Programme (CUBP)</p> <p>iii. free health care policy</p> <p>iv. AIDS training and Information Centre (ATIC)</p>	<p>- addressing the poverty and inequality through the construction of new clinics in previously underserved areas - clinics built in the poorest magisterial districts</p> <p>- provision of free health care for pregnant women and children under six - provision of free primary health care for all patients</p> <p>- provide training for AIDS counsellors - provide counselling and support services for infected persons</p>	<p># lack of resources + need to bring school governing bodies on board</p> <p># lengthy delays in the tendering process # achieving community consensus on sites for clinics # delays in resource allocation</p> <p>- insufficient consultation with health personnel - increased pressure on health care givers</p> <p># no ATIC in rural areas # nebulous response to a growing pandemic</p>	<p>- strengthen awareness programmes</p> <p>- clean out administrative bottle necks to increase output - increase delivery</p> <p>- advocacy for acceleration of clinic building programmes - allocate more health care staff in rural/outlying areas in the public sector - address behaviour of health personnel and launch of Patient's Chatter - establish ATIC in rural areas - review impact</p>

#### 4.4 Violence Against Women

Violence against women has been identified as one of the five National Priority areas of concern of the South African government.

Towards this end the South African government has committed itself to a strong proactive and intergrated programme aimed at the elimination of violence against women.

The South African government initiated the development of the SADC Declaration on the Prevention of Violence Against Women and Children. SADC Heads of States have adopted this declaration as an addendum to the SADC Declaration on Gender Development.

Programmes undertaken by the South African Government in respect of its commitment to this national priority area are illustrated in table five.

**Table 5: Violence Against Women**

<b>Critical Area</b>	<b>Successful Programmes and Projects</b>	<b>Strategies and accomplishments</b>	<b>(#) Challenges (+) Lessons learnt</b>	<b>Commitment to further action</b>
Violence against women	i. Development and implementation of SADC Addendum on violence against women and children	- involvement of SADC ministers of Justice and Women Affairs - development of accountability framework for monitoring implementation - integrating South Africa's national conference of commitments to kick start the implementation of the Addendum in the national campaign on 16 Days of Activism on Violence Against Women	- getting a buy-in from all key role players particularly ministries - ensuring accountability of process to implement the addendum - ensuring awareness of the addendum and fostering a sense of commitment to its implementation at all levels - the need for synergy and synchronicity of strategies by the various role players	- assist the SADC Gender Unit to ensure successful implementation of the addendum - utilise the SADC addendum to accelerate the emergence of an intergrated response to violence against women - use the accountability framework and annual review meetings to facilitate sustainable intergrated strategies aimed at ending gender violence

<b>Critical Areas</b>	<b>Successful Programmes and Projects</b>	<b>Strategies and accomplishments</b>	<b>Challenges</b>	<b>Commitment to further action</b>
violence against women	<p>ii. improvement of service benefits to women in the Public Service</p> <p>iii. Victim empowerment</p>	<ul style="list-style-type: none"> <li>- clustering of departments into sectors to facilitate the emergence of an intergrated response to violence against women</li> <li>- forging a strong partnership with Civil Society</li> <li>- capacity building</li> <li>- intersectoral guidelines on handling victims of sexual offences</li> <li>- changing the profile of service providers</li> <li>- education and training of service providers e.g. police and social workers</li> <li>- awareness raising through outreach initiatives including campaigns</li> <li>- improve user friendliness of courts through infrastructure such as separate waiting rooms</li> <li>- specialist service providers such as sexual offences court</li> <li>- draft victim charter and policy guidelines on victim empowerment</li> </ul>	<ul style="list-style-type: none"> <li>- getting a buy-in from service providers</li> <li>- construction of lasting partnerships between organs of civil society and government</li> <li>- insufficient human resources and other resources including infrastructure</li> <li>- creating an intersectoral intergrated approach to victim empowerment</li> <li>- distributing resources equally</li> <li>- the need for effective and efficient enforcement of the rights of victims</li> </ul>	<ul style="list-style-type: none"> <li>- implementing a 5 year national plan of action on the gradation of gender violence</li> <li>- develop and implement national policy on gender violence</li> </ul>

violence against women	iii. Law Reform	<ul style="list-style-type: none"> <li>- various amendments to the criminal procedure act covering simplification of procedures</li> <li>- minimum sentences for serious crimes including sexual abuse</li> <li>- the Domestic Violence Act 1998 which improves on the Family Violence Act 1993</li> <li>- the Recognising Customary Marriage Act, 1998</li> <li>- the Employment Equity Act which also covers sexual harassment</li> <li>- proposed sexual offences legislation</li> <li>- the Draft Juvenile Justice Act</li> <li>- the Maintenance Act , 1998</li> <li>- the Promotion of Equity and Prevention of Discrimination Bill which states that gender violence constitutes gender discrimination</li> </ul>	<ul style="list-style-type: none"> <li>- translating legislation into implementable programmes</li> <li>- buy-in by service providers and committed implementation</li> <li>- the need to transform cultural perspective on violence against women</li> <li>- competing claims to state resources</li> </ul>	<ul style="list-style-type: none"> <li>- legislation on victim empowerment including restorative justice to be developed and implemented</li> <li>- capacity building for successful implementation of the Domestic Violence and Maintenance Acts</li> <li>- enact and implement new sexual offences legislation to deal effectively with rape and related offences</li> <li>- enact and implement Juvenile Justice legislation also covering violation of the girl child by the boy child</li> <li>- implementing the Promotion of equity legislation and use this law to transform gender relations in society</li> </ul>

<b>Critical Areas</b>	<b>Successful Programmes and Projects</b>	<b>Strategies and Accomplishments</b>	<b>Challenges</b>	<b>Commitment to Further action</b>
violence against women	iv. Institutional transformation	<ul style="list-style-type: none"> <li>- development of National Action Plan on human rights and integrating the eradication of gender violence</li> <li>- establishment of a National Co-ordinating Committee on gender violence</li> <li>- involving women in decision making</li> <li>- integration of gender issues including the challenge of gender violence in mainstream government services</li> <li>- establishment of Joint Management Centres on crime</li> <li>- development and implementation of specific gender policies which deal with violence against women</li> <li>- mobilising all government levels including parastatals and Civil Society in the pursuit of gender equality</li> </ul>	<ul style="list-style-type: none"> <li>- effective implementation of sustained human rights strategies that integrate gender equality and the eradication of gender violence</li> <li>- capacity building to ensure understanding of gender analysis</li> <li>- capacity building for women including leader development</li> <li>- integrating gender policies in mainstream planning , policy development and implementation</li> </ul>	<ul style="list-style-type: none"> <li>- establishing and maintaining intersectoral partnerships that integrate gender transformation in mainstream transformation</li> <li>- full integration of gender violence content in NCPS programmes</li> <li>- education and training for all critical role players</li> <li>- empowerment of women to enter and participate meaningfully in decision making</li> <li>- highlight gender issues in the NCPS agenda</li> </ul>



## 4.5 Women and the Economy

The Women's Budget Initiative (WBI) in South Africa was introduced in March 1996. It is proving to be one of the best practices in engendering women's participation in economic structures and decision making.

The WBI is not about a separate budget for women. Rather, it argues that every item in the government budget must be examined for the differential impact it might have on women and men. The initiative starts from the assumption that differential impact is likely because men and women occupy different places in society and perform different roles. This however does not mean that the initiative assumes that women are a homogenous group.

Initially rooted in civil society but with strong links in Parliament, this initiative has been taken up by the Budget section of the Department of Finance as part of a broader Commonwealth initiative to support the engendering of macro-economic policy. By March 1998 the initiative had completed analysis of all budget votes as well as cross cutting themes.

The WBI has been successful in bringing gender issues to the attention of policy makers. The success of the project has depended largely on the linkages it has managed to build with critical players in the legislative, civil society and amongst statutory bodies.

In terms of the Department of Finance's input to this process, some of the success factors have been its 1996 commitments to:

- developing a statistical data base on impact by gender
- targets and indicators of gender equality
- performance review mechanisms
- unpaid labour and GDP, time use study

**Table 6: Women and the Economy**

Critical Area	Successful Programmes and Projects	Strategies and accomplishments	Challenges	Commitment to further action
Women and the economy	<p>i. improvement of service benefits to women</p> <p>ii. development of selective learning areas (agriculture, tourism and agro-technology) and ABET (Adult Based Education and Training)</p> <p>iii. the municipal infrastructure programme</p> <p>iv. the integrated National Disability Strategy (INDS)</p>	<ul style="list-style-type: none"> <li>- collective bargaining with trade unions</li> <li>- consultations with stake holders</li> <li>- increasing the budget allocation to equalise service benefits to women</li> <li>- involving adults in training and skilling programmes which are linked to skills development and income generation</li> <li>- involves unemployed women and people with disability in the economy</li> <li>- seeks to ensure that disabled people have more choices to develop optimally</li> <li>- the INDS places special emphasis on women and the elderly</li> <li>- the INDS advocates for economic empowerment for disabled persons</li> </ul>	<ul style="list-style-type: none"> <li>- to unsure that women gain equal access to benefits</li> <li>- to all ensure that all benefits are engendered</li> <li>- access to jobs</li> <li>- lack of capacity to enable implementation</li> <li>- reaching the target groups</li> <li>- ensuring that acquired skill allows entry into mainstreaming the economy</li> <li>- strong advocacy body still has no strategies in place to meet the socio-economic needs of the disabled</li> </ul>	<ul style="list-style-type: none"> <li>- desegregate benefits according to race and gender for annual reporting</li> <li>- development of unit standards for accreditation</li> <li>- Recognition of Prior Learning (RPL)</li> <li>- accreditation of courses</li> <li>- investigate social security requirements for people with disabilities</li> <li>- reviewing of government criteria and assessment of training and income generation</li> </ul>

## 4.6 The Women in decision making in South Africa

A stark lesson which emerges out of the South African experience is that the system of Proportional Representation in Parliament has been an enabling factor for increasing the number of women in government. Women have more space within their parties to push for more proportional representation in party lists. The high proportion of women MPs in South Africa is largely as the result of the African National Congress (ANC) policy of adopting one-third quota for its election lists. Other parties felt bound to include women. Consequently South Africa ranks amongst countries that have the largest compliment of women parliamentarians in the world with a total of 30%. There has been a steady increase in the number of women Ministers and Deputy Ministers in the South African Cabinet since the first democratic elections. Post the 1999 elections, Cabinet consists of 8 women Ministers out of a total of 27 Ministers, and 8 Deputy Ministers out of a total of 13 Deputy Ministers.

### 4.6.1 Women in the Legislature

The national assembly has 400 members of which 120 are women The party breakdown is as follows

**Table 7 Women in the National Assembly.**

<b>PARTY</b>	<b>WOMEN</b>	<b>TOTAL</b>	<b>PERCENTAGE</b>
ANC	97	266	36, 4%
DP	7	38	18, 4%
IFP	7	34	20, 5%
NNP	3	28	10, 7%
UDM	2	14	14, 2%
ACDP	2	6	33, 3%
PAC	1	3	33, 3 %
MF	1	1	100 %

Source, Lila Komnick SA Parliament

The remaining parties have no women MP's namely the Freedom Front, UCDP, Federal Alliance, Afrikaner Eenheidsbeweging and AZAPO. Interestingly, the above table illustrates that of 266 members representing the majority party (ANC) in the national assembly 97, that is 36.4% are women. The official opposition party, the Democratic Party has only 18.4% women representation in

the national assembly whilst the MF is represented by only one member in parliament who is a woman, it thus has 199% women representation in parliament. Only 4 out of the 13 parties in the national assembly meet the 30 % quota. 5 parties have no women representing them.

The second house of parliament, the National Council of Provinces, has 54 members of which 17, that is 31.4% are women. The party breakdown is as follows.

**Table 8: National Council of Provinces**

<b>PARTY</b>	<b>WOMEN</b>	<b>TOTAL</b>	<b>PERCENTAGE</b>
ANC	12	34	35, 2%
DP	3	7	42, 8%
IFP	1	2	50 %
NNP	1	7	14, 2%

Source, Lila Komnick SA Parliament

The remaining parties in the NCOP have no women MP's. These are the UDM, ACDP and the UCDP

#### 4.6.2 Key and Strategic Ministries headed by women

Women head the following ministries in the current government:

- ❑ Foreign Affairs
- ❑ Minerals and Energy
- ❑ Agriculture and Land Affairs
- ❑ Communication and Broadcasting
- ❑ Public Service and Administration
- ❑ Public Work
- ❑ Housing
- ❑ Health

#### 4.6.3 Deputy Ministries

In addition there are women Deputy Ministers in the following Ministries:

- ❑ Trade and Industry
- ❑ Mineral and Energy Affairs
- ❑ Home Affairs
- ❑ Arts, Culture , Science and Technology

- ❑ Justice
- ❑ Public Works
- ❑ Environmental Affairs and Tourism
- ❑ Defence

#### 4.6.4 Office-bearers in Parliament

Women are also senior office bearers in Parliament – The Speaker, Deputy Speaker and Chairperson of the National Council of Provinces and Chairs of Parliamentary Committees in the National Assembly and National Council of Provinces are women.

However, the picture at the provincial and local government levels is not so good. Only two provinces, Gauteng and Northern Cape, have at least three Members of the Executive Council (MECs), the rest have less. There are only two women who are mayors of big metro cities. They presided in Pretoria and Cape Town.

#### 4.6.5 Multi-Party Women's Caucus

The women's caucus comprises women from various political parties in parliament. It deals with general legislative issues as these impact on gender equality. The caucus serves as the broader forum from which policy legislation are reviewed, prioritised and promoted to ensure that gender equality is advanced.

Additionally, the caucus networks with women parliamentarians in all provinces, in the sub-region, the continent and internationally on matters of common concern to women.

#### 4.6.6 Foreign Representation

This is another area where women are beginning to play a significant role. Women head more than 10% of South Africa's diplomatic missions. They are accredited missions in Venezuela, Switzerland, Malaysia, Austria, New York, USA, UK, France, India, Botswana, and Mozambique. These are some of the senior and most strategic missions.

#### 4.6.7 Chairs of Parliamentary Committees

The following are Portfolio Committees headed by women in Parliament:

- ❑ Defence
- ❑ Home Affairs
- ❑ Environmental Affairs and Tourism
- ❑ Sport and Recreation
- ❑ Housing

- ❑ Water Affairs and Forestry
- ❑ Joint Standing Committee (JSC) on Finance
- ❑ JSC on Improvement of Quality of Life of Women
- ❑ JSC Disability , Youth and Children
- ❑ JSC Intelligence

#### 4.6.8 National Commissions

Women chair the three national commissions, these are:

- ❑ The Independent Electoral Commissions
- ❑ The Commissions for Gender Equality
- ❑ The National Youth Commission

Additionally, women serve as commissioners on the following national commissions:

- ❑ Human Rights Commission
- ❑ Public Service Commission
- ❑ Judicial Service Commission

#### 4.6.9 The Judiciary

Two women judges serve on the Constitutional Court, which is the highest court in the country. Women judges also serve in various provincial levels of the judiciary and more are being appointed by the Judicial Serving Commission.

Altogether we have 182 judges in South Africa, of which 37 are black and 12 are women. Prior to 1994 we had no female judges and only one black judge who was a man.

#### 4.6.10 The Reserve Bank of South Africa

A year ago the first black governor of the Reserve Bank of South Africa was appointed. Early this year the appointment of a woman Deputy Governor was made.

#### 4.6.11 Achievements of Parliament in relation to women

With the active input of women, the first democratically elected government in South Africa has passed a significant number of laws that touch on central gender issues:

- Re-writing of the Tax Tables in 1995
- The liberalisation of abortion in 1996
- The sexual harassment code Labour Relations Act of 1996
- The maternity provisions and breastfeeding code in the Labour Relations Act of 1996
- The Customary Marriage and Domestic Violence Acts of 1998
- Support on finance for Women's Budget initiative
- Recognition of 8 August as National Women's day
- Introduction of separate taxation for married men and women
- Provisions for ownership by women in land and housing legislation
- The women's lobby in parliament influenced the passing of the Termination of Pregnancy Act as well as the inclusion of gender consideration in the criteria in the Films and Publications Act , the Maintenance and the Domestic Violence Acts of 1998.

#### 4.6.12 Transformation within Parliament for women

After women entered parliament in critical numbers for the first time in 1994, it became apparent that changes had to be made in the very structures of parliament to enable them to operate effectively. Some of these changes are that:

- Recess has been aligned with school holidays
- There has been an increase in the basic infrastructural facilities for women including those with disabilities.
- A crèche for children of women parliamentarians has been established
- A more relaxed dress code has been introduced
- Gender sensitive language has been used in the drafting of legislation
- Parliamentary sessions now commence earlier and close earlier than before 1994, to allow more quality time for members of parliament and their children.

#### 4.6.13 The South African Government's International Commitments :

Amongst the South African Government international agreement which impact directly on women are the following:

- South Africa signed and ratified CEDAW, (15 December 1995) and
- Convention on the Rights of the Child (16 June 1995)
- South Africa adopted the Beijing Platform of Action
- South Africa is now a party to 26 human rights conventions, four of which were ratified last year on the 10 December 1998, International Human rights Day.

In addition, South Africa has developed the National Plan of Action in the protection and promotion of Human Rights, in compliance with the Vienna

Declaration (1993). This plan was lodged with the UN in December 1998. In January 1996, South Africa acceded to Conventions on the Status of Refugees of 1951, the Protocol Relating to the Status of Refugees of 1967 and the Organisation of African Unity Convention governing specific aspects of the refugee issue in Africa of 1969. This protection extends to women who flee countries due to war or famine.

**Table 9: Women and Decision Making**

<b>Critical Area</b>	<b>Successful Programmes and Projects</b>	<b>Strategies and Accomplishments</b>	<b>Challenges</b>	<b>Commitment to further action</b>
Women in decision making	i. Portfolio Committee on the Quality of Life and Status of Women	- monitoring progress in the improvement of the quality of life and status of women	- to secure sufficient resources - to create mechanisms to improve the status of women	
	ii. Affirmative Action Programme	- recruitment from outside the public service - secondments - training and development promotion through recruitment - fast-tracking	- lack of immediate capacity/skills - lack of appropriately trained human resources - lack of vacancies - lack of women applicants - male bias, domination and insensitivity	- to reach government target of 30% of women in all areas of education
	iii. Establishment of the Gender Equity Task Team (GETT)	# lack of gender awareness + more gender training required		

#### **4.7 Women and Human Rights**

Women and men have equal rights with regard to acquisition, change and retention of nationality. Additionally, marriage to a non- citizen or change of nationality by a husband does not affect a woman's nationality. Importantly, birth determines citizenship, not marriage. Additionally, the following clauses and laws guarantee women's rights as human rights:

- ❑ The Equality Clause in the Bill of Rights
- ❑ Provisions for affirmative action, including legislative and other arrangements to protect or advance those who have been disadvantaged



- The clause on freedom and security of the person which provides for the right to make decisions concerning reproduction and control over one's body
- Clause guaranteeing legal and other measures to promote land reform and equitable access to natural resources to redress past effects of racial discrimination
- The Statement that in conflicts between the Constitution and the Customary Law, the Constitution will take precedence
- Constitutional provision for socio-economic rights to housing, health care, food, water and social security.
- Bill of Rights provision to basic and further education.

#### 4.8 Women and the media

Practices have been adopted to address the number of women in the media and to engage with negative stereotypes of women. The range of programmes available to women in this sector remains very narrow, as women are not afforded access to a broad range of technologies in this sector.

**Table 10: Women and the Media**

Critical Areas	Successful Programmes and Projects	Strategies and Accomplishments	Challenges	Commitment to further action
Women and the media	i. school of broadcasting  ii. documentaries on women achievers  iii. training materials	- training in the media - training , education and awareness raising of gender  - documentary used as a tool to show portrayal of women in media  - gender training package for trainers		

#### 4.9 The Girl Child

South Africa has participated in major international conferences, and has instituted a battery of laws and policies aimed at addressing the needs of the girl child. However, there is still insufficient research documenting the situation and needs of the girl child.

The South African government has an interdisciplinary task team to develop a plan of action against sexual exploitations of children. This will include a register of sexual offenders. The Child Care Amendment Bill (1999) provides for the prohibition of commercial exploitation of children.

South Africa ratified the Convention on Rights of the Child.

## CHAPTER 5

### **Conclusion**

This report, together with the initial outcomes of the Gender Audit point to major achievements of the South African government in meeting its obligation to the BPA. One of these is the establishment of cohesive machinery to improve the status of women in South Africa and to engender governance. An important case study in this regard has been the Women's Budget Initiative that seeks to engender national budgets.

Whilst the establishment of the gender machinery has opened opportunities for women in South Africa, there is a need to strengthen this machinery both at national and provincial level by providing resources, both financial and human, which will enable the different components of the machinery to be functional. In addition it is critical that the structures of the OSW be represented at local government level. At present the OSW works on an adhoc basis with SALGA.

The structure of the machinery is still new, therefore it is difficult to assess their impact at this point. However, it is important that the OSW has devised a mechanism for monitoring the impact of the National Gender Machinery from the onset.

Since the process of establishing a gender management system started in 1996, various lessons have been learnt, and gains made, indeed the lessons learnt point to ways of enhancing the strengths of the various components of the gender machinery and to areas where gaps pertain. We have learnt that progressive legislation is important in creating an enabling environment for engendering national programmes. We have also learnt that specific policies may also accelerate the rate of change, e.g. proportional representation in parliament has clearly advanced the rate of transformation with regard to women and decision-making in South Africa. Meaningful change however, will result from sustained programmes and progressive implementation of the gender programme.