Wednesday, 2 March 2022]

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OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

WEDNESDAY, 2 MARCH 2022

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ANNOUNCEMENTS

National Assembly and National Council of Provinces

The Speaker and the Chairperson

1. Classification of Bills by Joint Tagging Mechanism (JTM)

(1) The JTM in terms of Joint Rule 160(6) classified the following Bill as a section 76 Bill:

(a) **Climate Change Bill** [B9–2022] (National Assembly – sec 76).

National Assembly

The Speaker

1. Delayed Replies to parliamentary questions

(1) A communication was sent to the Leader of Government Business in accordance with Rule 136(2), informing him that a report will be provided to the Rules Committee on members of the Cabinet whose questions were unanswered and subsequently lapsed.

2. Appointment of members to Chair mini-plenary sessions for remainder of Sixth Parliament

(1) The following members are appointed in terms of Rule 54(b) to chair mini-plenary sessions for the remainder of the Sixth Parliament: Ms R M M Lesoma, Mr F D Xasa, Mr M G Mahlaule, and Mr Q R Dyantyi.

TABLINGS

National Assembly

1. The Speaker

(a) Reply by the Minister of Cooperative Governance and Traditional Affairs to Report of the Portfolio Committee on Cooperative Governance and Traditional Affairs on 2021-22 Annual Performance Plan and Budget Vote 3: Cooperative Governance, and Budget Vote 15: Traditional Affairs and entities, as adopted by the House on 1 June 2021.

Referred to the **Portfolio Committee on Cooperative Governance and Traditional Affairs.**

National Council of Provinces

1. The Chairperson

(a) 2021 WOMEN'S CHARTER FOR ACCELERATED DEVELOPMENT – A 25 YEAR VISION AND AGENDA TO ADVANCE WOMEN'S EQUALITY GROWTH AND DEVELOPMENT

The 2021 Women's Charter for Accelerated Development:

Setting a 25-Year Vision and Agenda to Advance Women's Equality, Growth and Development

THE WOMEN'S CHARTER FOR ACCELERATED DEVELOPMENT: SETTING A 25-YEAR VISION AND AGENDA TO ADVANCE WOMEN'S EQUALITY, GROWTH AND DEVELOPMENT

ACKNOWLEDGEMENTS

President of the Republic of South Africa:
HE CM Ramaphosa
Minister in the Presidency for Women, Youth and Persons with Disabilities:
Hon Ms. M Nkoana-Mashabane

LEGISLATIVE SECTOR

- Hon Ms. TR Modise, MP (Former Speaker) National Assembly,
  Minister of Defense and Military Veterans
- Hon Mr. AN Masondo, MP, Chairperson of the National Council of Provinces
- House Chairpersons: National Council of Provinces and National Assembly
- Hon Ms. NK Bilankulu, MP, Chairperson, Multi-Party Women's Caucus

CHIEF WHIPS and WHIPS

- Hon Ms. P Majodina, MP, Chief Whip, Majority Party
- Hon Mr. SJ Mohai, MP, Chief Whip, National Council of Provinces
- Chief Whips of All Political Parties Represented in Parliament
- Provincial Whips - National Council of Provinces
- Programming Whips, National Council of Provinces and National Assembly

SPEAKERS-PROVINCIAL LEGISLATURES

- Hon Ms. H Sauls-August, MPL, Speaker Eastern Cape Provincial Legislature
- Hon Ms. Z Sifuba, MPL, Speaker Free State Provincial Legislature
- Hon Ms. N Mekgwe, MPL, Speaker Gauteng Provincial Legislature
- Hon Ms. NN Boyce, MPL, Speaker KwaZulu Natal Provincial Legislature
- Hon Ms. S Molapo, MPL, Speaker Limpopo Provincial Legislature
- Hon Ms M Masilela, MPL, Speaker Mpumalanga Provincial Legislature
- Hon Ms. S Dantjie, MPL, North West Provincial Legislature
- Hon Ms. NC Klaaste, MPL, Speaker Northern Cape Provincial Legislature
- Hon Mr. M Mnqasela, MPL, Speaker Western Cape Provincial Parliament
- Deputy Speakers All Nine Provincial Legislatures

JUDICIARY

- Former Chief Justice Mogoeng Mogoeng, Constitutional Court of South Africa
- Justice S. Khampepe – Constitutional Court Judge (Content Contributor)

PREMIERS OF PROVINCES ALL NINE PROVINCES

- -Hon Mr. O Mabuyane, MPL, Eastern Cape Province
- Hon Ms S Ntombela, MPL, Free State Province
- Hon Mr D Makhura, MPL, Gauteng Province
- Hon Mr S Zikalala, MPL, KwaZulu Natal Province
- Hon Mr S Mathabatha, MPL Limpopo Province
- Hon Ms R Mtsweni-Tsipane, MPL Mpumalanga Province
- Hon Professor J Mokgoro, MPL, North West Province
- Hon Dr Z Saul MPL, Northern Cape Province
- Hon Mr A Winde, MPL, Western Cape Province

-Metro Mayors (All Nine Provinces)
-District Mayors (All Nine Provinces)

CHAPTER INSTITUTIONS:

- Ms. T Mathebula, Chairperson, Commission for Gender Equality (Content Contributor)
- Dr N Moleko - Deputy Chairperson, Commission for Gender Equality (Content Contributor)
- Commissioners All Nine Provinces - Commission for Gender Equality (Content Contributors)
- Professor D Plaatjies - The Financial and Fiscal Commission (Content Contributor)
- Commissioner E Rockman - Financial and Fiscal Commission (Content Contributor)
- Professor W Domingo – South African Law Reform Commission (Content Contributor)
- Mr. R Maluleke- Statistician General - Statistics South Africa (Content Contributor)

DEVELOPMENT ORGANIZATIONS AND CIVIL SOCIETY

- Dr A Odusola, Resident Representative, United Nations Development Programme (Content Contributor)
- Adv F Magano - Chairperson South African Women Lawyers Association (Content Contributor)
- Adv T Nichols – South African Women Lawyers Association (Content Contributor)
- Professor R Jewkes- Executive Scientist for Research Strategy, South Africa Medical Research Council (Content Contributor)
- Professor N Abrahams – Unit Director, South Africa Medical Research Council (Content Contributor)
- -Professor S Mathews- Children's Institute, University of Cape Town (Content Contributor)

- Jenna Bayer, Psychologist (Content Contributor)
- Professor H Mkhize – National Convener-The Progressive Women's Movement and All Affiliated Organizations and Formations - All Nine Provinces (Content Contributor)

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Foreword: Deputy Chairperson, National Council of Provinces

2019, marked 25 years since the adoption of the 1994 Women's Charter for Effective Equality. During the commemorative discussions, which took place during the 2019 Women's Parliament, South African women across all nine provinces and across the three spheres of government, unanimously requested Parliament to review the 1994 Women's Charter for Effective Equality. One of the key objectives of the review process, was to take stock of the achievements garnered since 1994 and to assess the systematic weaknesses that continue to impede the advancement and realisation of gender equality in South Africa. The review process was hence undertaken, in an effort to give expression to the August 28th, 2019, Women's Parliament Resolution, to review 1994 women's charter for effective equality.

Parliament has successfully completed its nation-wide 25-Year Review of the 1994 Women's Charter for Effective Equality. Throughout the country wide review sessions, Parliament was able to gather valuable information and findings, which have now become the basis upon which sustained engagements with Provinces, Metro's and Districts will be based. The historic review process commenced in November 2019, in Gugulethu (Cape Town), in the Western Cape Province and was concluded in Enkangala, Enhlanzeni and Gert Sibande District Municipalities in Mpumalanga Province in March 2021.

In an effort to afford women from every locality in South Africa, an opportunity to participate and make their voices heard, Every Province, every Metropolitan and District Municipality, participated in this widely consultative review process, which once again, united women around a common agenda, regardless of colour or creed, for the advancement of gender equality. The Women's Charter for Accelerated Development, hence echoes the hopes, aspirations gender transformation agenda of the women of South Africa. It is a construct of Women's Socio-Economic and Political Activism, in the current epoch of our developmental state.

25 years into South Africa's watershed democracy, the review process and findings seek to accelerate the country's transformation trajectory, by providing both qualitative and quantitative perspectives for the advancement of gender equality in South Africa. Bearing in mind the inherited imbalances of our painful past and lessons learned from the review process, only serve to enhance existing mechanisms, as we chart our way forward, to a better South Africa, where women can finally enjoy a better quality of life.

Sylvia Lucas, MP
Deputy Chairperson, National Council of Provinces

The Women's Charter (1954)

Johannesburg, 17 April 1954. The Charter expressed the philosophy and aims of the newly established Federation of South African Women (FSAW). It was adopted at the inaugural conference and included in the final report of the conference.

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 liberty. 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 divorcees 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:

- The right to vote and to be elected to all State bodies, without restriction or discrimination.
- The right to full opportunities for employment with equal pay and possibilities of promotion in all spheres of work.
- 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.
- 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.
- 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.
- 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.
- To cooperate with all other organisations that have similar aims in South Africa as well as throughout the world.
- To strive for permanent peace throughout the world.[1]

[1] The Women's Charter, 1954
The Wohttps://www.sahistory.org.za/article/womens-charter

The Women's Charter for Effective Equality (1994)

The Women's Charter for Effectively Equality was drafted by the National Women's Coalition structures, and approved at the National Conference on 27 February 1994

PREAMBLE:
As women, citizens of South Africa, we are here to claim our rights. We want recognition and respect for the work we do in the home, in the workplace and in the community. We claim full and equal participation in the creation of a non-sexist, non-racist democratic society.

We cannot march on one leg or clap with one hand. South Africa is poorer politically, economically, and socially for having prevented more than half of its people from fully contributing to its development.

Recognising our shared oppression, women are committed to seizing this historic moment to ensure effective equality in a new South Africa.

For decades, patriarchy, colonialism, racism and apartheid have subordinated and oppressed women within political, economic and social life.

At the heart of women's marginalisation is the patriarchal order that confines women to the domestic arena and reserves for men the arena where political power and authority reside. Conventionally, democracy and human rights have been defined and interpreted in terms of men s experiences. Society has been organised and its institutions structured for the primary benefit of men.

Women want to control their lives. We bear important responsibilities but lack the authority to make decisions in the home and in society.

We want shared responsibility and decision-making in the home and effective equality in politics, the law, and in the economy. For too long women have been marginalised, ignored, exploited and are the poorest and most disadvantaged of South Africans.

If democracy and human rights are to be meaningful for women, they must address our historic subordination and oppression. Women must participate in, and shape the nature and form of our democracy.

As women we have come together in a coalition of organisations and engaged in a campaign that has enabled women to draw on their experience and define what changes are needed within the new political, legal, economic and social system.

The development of the potential of all our people, women and men, will enrich and benefit the whole of society.

We set out here a programme for equality in all spheres of our lives, including the law, the economy, education, development and infrastructure, political and civic life, family life and partnerships, custom, culture and religion, health and the media.

ARTICLE 1: EQUALITY
Equality underlies all our claims in this Charter. We recognise that the achievement of social, economic, political and legal equality is indivisible. Our struggle for equality involves the recognition of the disadvantage that women suffer in all spheres of our lives. As a result similar treatment of women and men may not result in true equality. Therefore the promotion of true equality will sometimes require distinctions to be made. No distinction, however, should be made that will disadvantage women. Within this context programmes of affirmative action may be a means of achieving equality.

We demand that equality applies to every aspect of our lives, including the family, the workplace and the state. The right to equality shall not be limited to our relationship with the state.

- The principle of equality shall be embodied at all levels in legislation and government policy. Specific legislation shall be introduced to ensure the practical realisation of equality.

- The state shall establish appropriate institutions to ensure the effective protection and promotion of equality for women. These institutions shall be accessible to all women in south Africa.

ARTICLE 2: LAW AND THE ADMINISTRATION OF JUSTICE

Women demand equality in the development, application, adjudication, interpretation and enforcement of the law. This can only be achieved if the social, economic and political position of women is taken into account in deciding policy, determining legislative priorities, and in formulating, applying, interpreting, adjudicating and enforcing all laws.

- At all times the law, and its application, interpretation, adjudication and enforcement, shall promote and ensure the practical realisation of equality for women.
- There shall be equality in the treatment of women in all legal and quasi-legal proceedings.
- Women shall have equal legal status and capacity in civil law, including, amongst others, full contractual rights, the right to acquire and hold rights in property, the right to equal inheritance and the right to secure credit.
- All public and private institutions shall enable women to exercise their legal capacity.
- Positive and practical measures shall be taken to ensure equality for women complainants in the criminal justice system.
- There shall be equality for women offenders.
- There shall be equality for women in the legal profession
- Women shall be equally represented on, and participate in the selection of, the constitutional court, the judiciary, the magistracy, all tribunals and commissions, including the Human Rights Commission, and in the Department of Justice.
- There shall be educational programmes to address gender bias and stereotypes and to promote equality for women in the legal system.
- Women shall have equal representation on, and participation in all traditional courts, alternative dispute resolution mechanisms and local community courts.
- There shall be accessible and affordable legal services for women. In particular the position of paralegals in assisting women to claim their rights shall be recognised.

ARTICLE 3: ECONOMY

Conventional definitions of the economy do not include a major proportion of the work performed by women. The key sectors of the South African economy are occupied and dominated by men. Women face social, economic and ideological barriers to full and equal participation in the economy. Women are perceived in terms of their domestic and reproductive role. Women participate in large numbers in sectors of the economy which are characterised by low wages and poor working conditions. Low remuneration is worsened by discrimination against women in the receipt of social benefits. As a result, many women are forced to make a living outside the formal economy.

- Gender stereotyping and the categorisation of jobs on the basis of sex and gender, must be eliminated.
- Equal benefits must be provided including housing, pensions and medical aid, amongst others.
- There should be no discriminatory taxation. All dependents supported by women breadwinners should be recognised for tax deductions for women.
- Legal mechanisms are needed to protect women against unfair, monopolistic and other exploitative business practices that affect women's participation in the informal economy.
- Safe and healthy facilities must be provided for women in the informal sector.
- Women must be protected from sexual harassment and violence in all the places where women are working.
- Group benefits are needed for women outside formal employment, such as accident and disability insurance, group housing schemes, sick leave and maternity benefits.
- Women need access to credit which is not based on the need for collateral or linked to their marital status.
- Health and safety for commercial sex workers and their clients are needed. Prostitution should be decriminalised.
- Economic policy must secure a central place for women in the economy.
- The full participation of women in economic decision-making should be facilitated.
- The definition of what constitutes economic activity must include all women's work.
- Unpaid labour should be recognised as contributing to the creation of national wealth and should be included in the national accounts.
- Gender stereotyping of work in the home needs to be combatted

ARTICLE 4: EDUCATION AND TRAINING

Education and training in South Africa has historically focused on schooling, higher education and vocational training in the workplace. It has been male oriented, inaccessible, inappropriate and racially discriminatory. It has

ignored women's needs and experience. Education and training is a continuous lifelong process. Education includes educare, adult basic and continuing education, primary, secondary and tertiary education and vocational training for the formal and informal economy. Education and training must meet the economic, social, cultural and political needs of women in South Africa.

- Every woman shall have the right to education and training at any stage of her life in order to realise her full potential.
- Every person has the right to equality within education irrespective of sex, gender, pregnancy, race, sexual orientation, age, disability, urban or rural location, domestic and child care responsibilities and financial status.
- Accessible and appropriate institutions shall be established to provide education to enable active participation by women, particularly rural women, single mothers, and disabled women.
- There shall be no negative gender stereotyping in both curriculum development and educational practice.
- Women shall be represented at all levels of the policy-making, management and administration of education and training.
- Women shall have special access to funds for education and training.
- Childcare facilities shall be provided at all education and training institutions.
- Human rights education to develop awareness of women's status, to build women's self-confidence, and enable them to claim their constitutional and legal rights should be implemented.
- Girls and women in educational institutions must be protected against sexual harassment and abuse.
- Sex education shall be provided for boys and girls at all levels of schooling.

ARTICLE 5: DEVELOPMENT, INFRASTRUCTURE AND THE ENVIRONMENT

Women are primarily responsible for maintaining the household and the community. The majority of South Africans have been denied access to the full range of basic development resources and services necessary to sustain a healthy and productive life. Rural women and informal settlement residents in particular have been denied vital resources. The gradual destruction of the natural environment soil erosion, deforestation and air pollution increases women's household, agricultural and community work responsibilities.

Women should participate in designing and implementing development programmes to meet their needs.

- Employment generated from development and infrastructure programmes should benefit women.
- Adequate, accessible and safe water supplies and sanitation should be made available to all communities, including those in rural areas and informal settlements.
- Services such as communications and electricity or other appropriate sources of energy must be extended to all communities as a matter of priority.
- Women need safe transport networks.
- Women need affordable and secure housing with non-discriminatory subsidies and loans.
- Women must have equal access to land and security of tenure, including women living under customary law.
- Accessible health care, recreational, educational and social welfare facilities should be provided to women.
- There shall be protection of natural resources to benefit women

ARTICLE 6: SOCIAL SERVICES

- Social services should be a right and not a privilege. Inadequate social services place the burden for providing these on women, since women are primarily responsible for maintaining the household and the community.
- Social welfare services should be provided by both the state and the private sector in accordance with the principles of social justice, equality, appropriateness and accessibility.
- Social services should apply to all areas of women's lives, in particular in the home, the workplace, health and education.
- The system of social services should pay special attention to the needs of rural and disabled women.
- State pensions should be provided to all women on an equal basis.
- Accessible and affordable social services should be provided to women.

ARTICLE 7: POLITICAL AND CIVIC LIFE

Women have traditionally been excluded from participation and decision-making in political, civic and community life. Democracy requires that the political playing field between men and women be levelled by acknowledging women's right to participate equally in all political activities.

- Women shall have equal opportunity and access to leadership and decision-making positions at all levels of government.
- Rural women have the right to be part of decision-making structures in traditional communities.
- Women shall have equal access to, and representation on, public bodies.

- Traditional institutions shall be restructured in accordance with the principles of equality and democracy.
- There shall be adequate and appropriate support services to facilitate the full political participation of women.
- Women shall have the right to acquire, change or retain their nationality and to pass it on to their children.
- Women shall be free from political intimidation and threat to her person.

ARTICLE 8: FAMILY LIFE AND PARTNERSHIPS

There are many different types of families which have not enjoyed the same rights, duties and benefits. Women bear an unequal burden in maintaining the family and yet have little power to make decisions.

- All family types shall be recognised and treated equally.
- Women shall have equality within the family and within marriages and intimate relationships.
- Women shall have the right to choose the partner of their choice.
- Women shall have equal rights during, and at the dissolution of, a marriage.
- Women married under customary law shall have the right to inherit from their husbands.
- Women must have the right to decide on the nature and frequency of sexual contact within marriage and intimate relationships.
- Partners and all members of the household should endeavour to share domestic responsibilities.
- Women should have equal access to the financial resources of the household.
- Women should have equal decision-making powers and access to information with regard to the economic management of the household.
- The integrity of the partnership has to be maintained without external and familial interference, except where physical, sexual and emotional abuse occurs.
- Women shall have guardianship over their children.
- Women shall nave adequate, effective and enforceable maintenance and/or social welfare benefits for themselves and their children.

ARTICLE 9: CUSTOM, CULTURE AND RELIGION

Customary, cultural and religious practice frequently subordinates women. Roles that are defined for women are both stereotypical and restrictive Women are often excluded from full participation, leadership and decision-making in religious and cultural practice.

- Custom, culture and religion shall be subject to the equality clause in the Bill of Rights.
- All women shall have the freedom to practise their own religion, culture or beliefs without fear.

ARTICLE 10: VIOLENCE AGAINST WOMEN

Violence in all its forms is endemic to South African society. Both sexual and domestic violence are pervasive and all women live under the threat of or experience violence. Women experience secondary victimization at all stages of the criminal justice system.

- Women shall be entitled to security and integrity of the person which shall include the right to be free from all forms of violence in the home, in communities, in the workplace and in public spaces.
- The state should be responsible for public education about the dignity and integrity of the person.
- There shall be legal protection for all women against sexual and racial harassment, abuse and assault.
- Facilities staffed by trained personnel where women can report cases of rape, battery and sexual assault, undergo medical examination and receive appropriate treatment and counselling shall be provided.
- Appropriate education and training for police, prosecutors, magistrates, judges, district surgeons and other persons involved in dealing with cases of rape, battery, sexual assault and incest must be provided.
- There shall be accessible and affordable shelters and counselling services for survivors of rape, battery and sexual assault.

ARTICLE 11: HEALTH

Health services in South Africa have traditionally been unequal, inaccessible and inappropriate. Women in particular are unaware of their rights in relation to health services. Health Services have not been appropriately oriented to meet women's health needs and priorities. The lack of basic life sustaining services, such as water and sanitation, has denied the majority of South Africans access to the resources necessary to ensure good health.

- Equal, affordable and accessible health care services which meet women's specific health needs shall be provided.
- Women have the right to control over their bodies which includes the right to reproductive decisions.
- Access to Information and knowledge to enable women to make informed choices about their bodies and about health care should be provided.
- Education about family planning and family planning services should be provided free of charge to both men and women.

- Every person shall have access to adequate nutrition.
- Appropriate and accessible mental health care services must be provided to women.

ARTICLE 12: MEDIA

In South Africa women do not enjoy equal access to, or coverage in the film, print and electronic media. Very few women own or control media institutions or occupy executive or editorial decision-making positions. Women are marginalised and trivialised in the media. The principles of freedom of speech and the press should not justify the portrayal of women in a manner that is degrading and humiliating or promotes violence against them.

- Women must have equal access to all media and media institutions.
- The contribution of women in all areas of public and private life must be reflected in the media.
- The promotion of equality, including affirmative action, in employment must redress current imbalances in the status of women in the media.
- There is a need to monitor the representation of women in the media.
- Negative or injurious stereotypes of women must be eliminated.

This Charter gives expression to the common experiences, visions and aspirations of South African women. We are breaking our silence. We call for respect and recognition of our human dignity and for a genuine change in our status and material conditions in a future South Africa.

Women's Charter for Accelerated Development (2021)

The 1954 and the 1994 Women's Charters, respectively and **in league**, represent the culmination of women's active participation, towards the realization of freedom and democracy in South Africa. Both Charters represent critical building blocks in history, further signifying women's commitment to challenge an oppressive system. These manuscripts encapsulate, in league, a body of women's socio-economic, civic and political rights, rightfully asserting women's demands to realise gender equality. Drafted by the Federation of South African Women and the National Women's Coalition Structures respectively, these manuscripts have successively articulated South Africa's gender equality agenda and united women from diverse backgrounds around a common set of aspirations and goals.

It is also imperative to emphasize that the preceding strata of Charters, were developed outside the auspices of a functional democratic system. In addition, the preceding strata of Charters also represent measured points of contact, where women effectively positioned gender equality principles, within the context of a shifting political landscape. (the 1954 Charter is posited as a construct of socio-political activism, during a tumultuous political history, while the 1994 Charter is posited as a demand document, asserting the inclusion of gender equality imperatives, within South Africa's broader human rights agenda). The Women's Charter for Accelerated Development (2021), therefore, represents the third strata, in the development and reshaping of a gender equality manuscript, that is responsive and acutely in tune, with the challenges faced by women in South Africa in the current epoch of our democracy.

The Review of the 1994 Women's Charter for Effective Equality: A Resolution of the 2019 Women's Parliament

The review of the 1994 Women's Charter for Effective Equality, was undertaken, as a result of a resolution of the 2019 Women's Parliament, where women asserted the need for Parliament to undertake a 25 Year review of the Charter, as guided and underpinned by Parliament's constitutional mandate of Oversight, Public Participation and Law-Making. At its core, the review process sought to determine the progress made (across the development-policy and legislative framework spectrum), to give expression to the ideals and provisions encapsulated in the agenda that was set by the Women's Charter for Effective Equality. Importantly, the review process also sought to bring forth a new charter, based on recommendations received from women across all nine provinces, metros and districts in South Africa.

Given the fact that the review process was to be undertaken within the ambit of a functional democratic system, the review process intentionally leaned towards assessing the state's internal arrangements, institutional processes, development policy, statutory/legislative and intergovernmental fiscal arrangements, as well as its institutional and systemic arrangements, in order to assess whether the state machinery had been appropriately restructured/re-engineered, since the advent of democracy, to enable substantive progress in giving expression to the provisions of the 1994 Women's Charter for Effective Equality.

The Women's Charter for Accelerated Development, asserts the legitimacy and rights of women to enjoy an improved quality of life and its asserts that effective equality can only be realised if the state machinery, in all its facets, is functionally gender mainstreamed. It furthermore demands that a theory of change be embedded across all facets of the state machinery, in order to create an enabling environment for gender equality to be achieved.

As encapsulated in the Women's Charter for Accelerated Development (2021), some of the key issues for priority action hence include: effecting specific gender sensitive amendments to development policy design, budget policy and legislative framework design, including all government's strategic development programmes (which are key for anchoring mandatory, gender sensitive state actions and processes).

Furthermore, the Charter emphasizes the imperatives of mainstreaming gendered perspectives and priorities into government's planning and state machinery arrangements across the three spheres of government (so as to improve the state's capacity to implement gender sensitive policies and programmes). The Charter further stipulates, (as articulated through strategic objectives and priority actions), which are also (informed by the gendered and poverty impact of the COVID 19 Pandemic on the economy, as well as other pre-existing challenges

experienced by South African women), that Parliament must continue to play a strategic - outcomes based oversight role, to ensure a positive change in the material conditions of women.

The Women's Charter for Accelerated Development is therefore replete, in its embodiment of the perspectives and aspirations shared by women's formations, civil society organizations and interest groups across all the 9 Provinces, 8 Metropolitan Municipalities and 44 districts of South Africa, with the Progressive Women's Movement Playing an instrumental role.

The charter also includes the qualitative and analytically synthesized perspectives of chapter nine institutions and statutory bodies, including Statistics South Africa, the Commission for Gender Equality, the Financial and Fiscal Commission and the South African Law Reform Commission. The perspectives of the three Spheres of Government, the Legislative Sector (all nine provincial legislatures), the United Nations Development Programme, the South African Medical Research Council, the South African Women Lawyers Association, including various academics and economists. The thematic areas arrived at and stipulated below, are put forth for the accelerated and overall development of women.

The 18-month public participation and consultation process, was led by the Deputy Chairperson of the National Council of Provinces, the Hon SE Lucas, MP and the Deputy Speaker of the National Assembly, the Hon SL Tsenoli, MP. The commitment of all strategic partners and stakeholders, demonstrates noteworthy successes in formulating a social compact with strategic partners and key stakeholders, enjoined by a unity of purpose and commitment, to address the persistent challenges faced by South African women.

Women's Charter for Accelerated Development (2021)
Thematic Areas of Concern:

1. Gender Equality
2. Inclusive Economic Growth
3. Gender Sensitive Workers Rights
4. Equitable Access to Justice
5. Education and Training for Women and Girls
6. Infrastructure and Environment
7. Social Protection
8. Political and Civic Life
9. Family and Partnership
10. Custom, Culture and Tradition
11. Access to Land
12. Violence Against Women
13. Human Settlements
14. Healthcare
15. Media

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Parliament's Constitutional Mandate

Since the advent of democracy in South Africa, Parliament has played a fundamental role as one of the three arms of state, to build a new democratic social order that is premised on freedom and equality. The Constitution has set in place, a single, sovereign democratic state, where governance is effected through Parliament, the Executive and the Judiciary.

As enshrined in the Constitution of the Republic of South Africa, Parliament's role is to represent the people and to ensure government by the people under the Constitution, as well as representing provinces in the national sphere of government. This mandate is achieved through passing legislation, overseeing government action, and the facilitation of public involvement, co-operative government and international participation[2].

The Constitution further asserts that the role of Parliament includes the promotion of the values of human dignity, equality, non-racialism, non-sexism, the supremacy of the Constitution, universal adult suffrage and a multi-party system of democratic government. It upholds our citizens' political rights, the basic values and principles governing public administration, and oversees the implementation of constitutional imperatives.

In its resolve to advance the ideals of an equal society, South Africa's unitary state has committed itself to building a democratic developmental social order that is able to lead efforts to overcome unemployment and poverty and reduce inequality. These efforts are given effect and are sustained by the imperative that the developmental state, as the enabling nucleus of transformation in South Africa, must continue to play a strategic guiding role in social, political and economic life, thereby decisively intervening to advance the interests of the people, particularly the workers and the poor.

The progress made to eradicate the legacy of more than 340 years of colonialism and apartheid in South Africa, gives a clear indication of the complexity and extent of underdevelopment in the country and emphasizes the efforts that will be required, to push back the frontiers of inherited inequality. Furthermore, the historical impact of oppression, particularly on the lives of previously marginalized and subjugated communities, particularly women, has left deeply embedded socio-economic disparities, deeply entrenched patriarchal doctrines of oppression, which still undermine efforts of realizing gender equality in our life time.

Parliament Functioning in the Context of Developmental State-To Accelerate Gender Equality

Given the inherited inequalities and the broader transformation agenda before the state, Parliament finds itself striving forward and advancing the country's transformation agenda, as guided by the precepts of a developmental state. A developmental state is defined as a state that brings about rapid and sustainable transformation in a country's economic and/or social conditions through active, intensive and effective intervention in the structural causes of economic or social underdevelopment. Developmental states are active. They do not simply produce regulations and legislation. They constantly strive to improve the quality of what they do by building their own capacity and learning from experiences. They also recognize the importance of building constructive relations with all sectors of society, while insulating themselves from capture by sectional interests.[3]

During the Sixth Dispensation, and as further necessitated as a result of the far reaching impact COVID 19 pandemic, Parliament continues to give expression to its constitutional mandate, taking cognizance of the impeding challenges of resource constraints, amidst widening gendered socio-economic disparities, as it seeks to actively advance the country's developmental agenda. Parliament is also continuing to execute its constitutional mandate, being cognizant of the prevailing fluidity of perceived social and economic degeneracy and slow progress, particularly given the global impact of the pandemic.

Parliament has therefore positioned itself to function more effectively as a Parliament operating in the context of a developmental state, to effectively respond to global exogenous and regional, as well as the internal shocks, of the COVID 19 pandemic. As one of the of the three arms of state, it therefore actively strives to operate under the auspices of the mandatory norms and character traits of a developmental state, by contribute towards the:

- (i) Formulation of a cohesive and focused set of goals and objectives for national growth and development, and delineate a clear set of policies to achieve these goals (In line with the electoral mandate, as guided by the National Development Plan and accompanying International and Regional Development Policy Perspectives)

[2] https://www.parliament.gov.za/storage/app/media/StratPlan/3/II-Core.pdf
[3] National Development Plan, 2012

- (ii) Co-ordinate and allocate (financial and human) resources for investment in line with the policies identified (Through the division of revenue processes, strive to effectively oversee and ensure the necessary financial prudence and accountability in the usage of state resources)
- (iii) Monitor and evaluate progress towards the implementation of shared objectives as a result of implemented Policies (Effective oversight and accountability Mechanisms, advancing outcome based oversight)
- (iv) Oversee the adjustment, mobilization and allocation of resources in response to progress made towards existing objectives, while observing changes in objectives and exogenous pressures and shocks (is striving towards Effective and Necessary Budget Adjustment and effective budget realignment in line with standing priorities, particularly to address gender inequality and the various other social economic ills)[4]

The developmental state must also play a much stronger role in establishing clear, measurable and time-bound targets for common programmes, and for monitoring their implementation.[5]

Given the necessity for Parliament to embody the characteristics that underpin the paradigm of a developmental state, it continues to do so in a manner that seeks to accelerate economic recovery and growth, while responding decisively to challenges currently facing the country. In order to function more effectively within the broader framework of South Africa's constitutional unitary state, Parliament will hence continue to strengthen its oversight mechanisms, so as to ensure it operates more effectively, as part and parcel of a vibrant and efficient developmental state.

Completing the 25-Year Review of the 1994 Women's Charter for Effective Equality

Despite the plethora of policy and legislative instruments enacted since the advent of democracy in 1994, women in South Africa still continue to bear the brunt of high levels of inequality, economic exclusion, unemployment, gender based violence and femicide. The Women's Charter Review Process was therefore initiated and implemented, as an important marker in the life of South Africa's democracy, so as assess the extent of poverty and inequality, particularly as faced by women. The 25-Year review was also positioned as the litmus test of the functionality and effectiveness of South Africa's 25-Year democratic project, which subsequently exposed both successes and failings of South Africa's democratic dispensation, to advance effective gender equality.

Therefore, in an effort to enable the institutionalization of gender sensitive-good governance norms and practices, Parliament has successfully completed its nation-wide, 25-Year Review of the 1994 Women's Charter for Effective Equality. The review process was undertaken in collaboration with strategic partners and stakeholders across the three spheres of government, chapter nine institutions, academics, civil society organizations, women's formations, as well as ordinary South African Women across the country. Initiated by a resolution of the inaugural Women's Parliament of the Sixth dispensation on August 28th 2019, a process to review the entire women's rights regime was undertaken, in order to assess the efficacy of existing systemic and institutional mechanisms across the three spheres of government, to advance the realization of gender equality.

Review engagements have explicitly exposed the glaring gap between policy and practice and the disjuncture between public endorsement of gender equality and actual institutional practice, which also characterizes the state's inadequate response to give effect to the women's rights regime, in the first 25 years of its democracy. The disproportionate share of poverty, inequality and unemployment held by South African women, is further exacerbated by unabating levels of Gender Based Violence and Femicide. These further served as additional markers, of gender equality policy implementation failures. Various indicators also linked to the persistence of the multiple vulnerabilities of South African women, importantly underscored that black female headed households, continue to be the poorest of the poor, with unemployment and NEET (not in Education or Training) rates being particularly high amongst female youth.

[4] Developmental State: the nature of statal policy and institutional reform
https://www.slideshare.net/Costantinos/the-developmental-state-the-nature-of-statal-policy-and-institutional-reform
[5] What is a developmental State?
https://www.etu.org.za/toolbox/docs/govern/state.html

The 2019 Women's Parliament also forewarned the inadequacy of existing frameworks to address the social, political and economic needs of women in South Africa, further indicating that institutional arrangements often fail to create the platform for women to grow and develop. Developmental policies and legislative frameworks have also not made the necessary impact that was hoped for in terms of changing the status of women in society, as the gender discourse has remained primarily events driven, with no strategic and performance plans to bring about real transformation. The challenges in the governance system has hence led to unintended consequences for women, where the lack of adequate planning, budgeting and unsatisfactory efforts towards supporting strategic projects and interventions, has done very little to positively impact the material conditions of women.

Through the country wide, provincial, metro and district level review engagements, Parliament was able to gather valuable information and findings, which have become the basis upon which, sustained engagement with, provinces, metro's and districts will now continue to be based on, particularly for the advancement of gender equality, through the various oversight mechanisms necessary. The newly developed Women's Charter for Accelerated Development, which encompasses 15 strategic objectives and a set of broad priority actions, appropriately encompasses the invaluable inputs received from all sectors of society, for accelerated implementation by all sectors of society. Adherence to the precepts, strategic objectives and priority actions of the Charter, will require a social compact and a resolute commitment to re-engineer systemic and institutional arrangements across the three spheres of government, to enable gender sensitive good-governance policy re-design, planning, budgeting and implementation practices. The women's Charter for Accelerated Development, is being adopted nine years before the 2030 target of the National Development Plan, effectively sets a 25-Year Vision and Agenda for the accelerated realization of gender equality and transformation in South Africa, by advancing the appropriate policy, legislative, systemic and institutional machinery interventions, so as to bring about measured change and positive impact in the material conditions of women. The review process successfully accumulated important findings under the below categories, for further processing and implementation by The Three Arms of State, The Three Spheres of Government and All Sectors of Society:

With the 1994 Women's Charter for Effective Equality as the backdrop to commence the review process, the charter provided both scope and context to assess the efficacy of key development policies, legislative instruments and frameworks, planning, programmatic and institutional arrangements currently in place, aimed at advancing the gender equality agenda.

Women's Charter Review Pillars

The review process was underpinned by the following key pillars:

- **Gender Analysis Local Government** (Planning – Integrated Development Plans (IDP), Gender Responsive Planning and Gender Responsive Budgeting, as well as the gendered provision of services at local government level);
- **Gender Analysis Provincial Government** (Provincial Planning Processes – PGDS, Gender Responsive Planning, Gender Responsive Budgeting across All Provincial Departments)
- An in-depth review of the systemic weaknesses in the **National Gender Machinery** (National, Provincial and Districts Level);
- An in-depth review of the systemic and institutional arrangements, particularly at provincial and local government level, which weaken or create exclusionary systemic processes, thereby undermining the gender transformation agenda;
- Review systemic weaknesses that impede **Gender Responsive Budgeting across the three spheres,** in order to ensure that women (and children) benefit fairly from financial and other resources; and
- **Law Reform:** Review existing legislation through a gender lens, in order to identify gaps in our laws and policies, so as to prevailing structural constraints, which perpetuate poverty and inequality;

- **Public Participation:** The review process was also underpinned by a strong public participation component, enabling women across every district, in all nine provinces in South Africa to make their voices heard.

- **Towards the Women's Charter for Accelerated Development:** To develop a charter that is responsive to the challenges that women are facing in the current epoch, taking cognizance of the poverty and economic impact of the COVID 19 pandemic on women's quality of life. Emanating from the countless review deliberations, the Women's Charter for Accelerated Development is a strategic and live document that is supported by clearly articulated strategic objectives and priority actions, for immediate implementation, which must remain on governments developmental agenda. The **Women's Charter for Accelerated Development serves as the Demand Document for the Women of South Africa,** articulating matters for urgent prioritization: by the Three Arms of State, the Three Spheres of Government, including all Sectors of Society. The revised charter will also serve as a road map for effective policy re-design going forward, legislative instrument efficacy assessments, three sphere coordination of gender responsive plans and budgets, Implementation Review processes, as well as monitoring and evaluation processes.

Preamble:

We the Women of South Africa, recognise the far reaching impact South Africa's oppressive, colonial past, which continues to disproportionately affect the lives of women, enabling varied forms of state facilitated patriarchy, sexism and gender inequality, to remain deeply embedded within our societal norms, practices, traditions, cultural and religious practices.

We further recognise that South Africa's democratic dispensation, as guided by the constitution of the republic, has enacted various policies, legislative instruments and strategic programmes, which have thus far, not been adequately implemented, since the inception of our watershed democracy. To date, the vast majority of South African women, are still languish in extreme poverty, which is exacerbated by persistent economic exclusion, Gender Based Violence and Femicide.

We hereby re-affirm and reclaim our inalienable rights as equal citizens of the Republic of South Africa and proclaim that our indivisible constitutional rights, including our civil and political rights, our social and economic and cultural rights, as equal citizens of the republic, must find accelerated and urgent expression across all sectors of society, including all governance structures, all social and political structures, all economic structures, all cultural, traditional and religious structures, as well as in the rural and urban communities where we reside, across very province, every metro, every district and every locality in South Africa.

We the Women of South Africa emphatically declare, that the **Women's Charter for Accelerated Development**, its accompanying strategic objectives and broad set of priority actions, constitutes our collective demand document, to guide and accelerate the Total Emancipation of Women, from All Forms of Oppression, Discrimination, Socio-Political and Economic Exclusion. It constitutes the Roadmap setting all structures of our society on a clear trajectory, articulating the priorities, instruments and strategic programmes required for accelerated and priority implementation. These actions shall be actualised through equitable access to state resources, and supported and underpinned by effective gender responsive policy design, gender responsive planning, budgeting and implementation, monitoring and evaluation, across the three spheres of government, including all institutions that form part of South Africa's National Gender Machinery.

We also recognise the adoption of the first Women's Charter on 17 April 1954, during the founding conference of the Federation of South African Women (FEDSAW), which laid a solid foundation for the development of a broad and overarching regime of emancipative rights for all women, regardless of colour or creed. We also affirm our Resolute Recognition of the 1994 Women's Charter for Effective Equality, as a key pillar of our gender struggle trajectory, which remains the bedrock from which we now advance to build gender sensitive institutional norms and practices and as well as gender equal good governance practices. As we continue the trajectory of the important gender struggle, we collectively affirm that this struggle trajectory can only be traversed and effectively advanced, through sustained contestation and confrontation, so as to realise effective gender equality. Progress shall be confirmed by measurable economic freedom, socio-political and cultural freedom and freedom from all forms of discriminatory practices, and end to gender based violence and femicide.

1. (STRATEGIC OBJECTIVE 1): Accelerate the Realization of Gender Equality in South Africa

"The eradication of patriarchy needs all forces of society, more so because it coexists and survives under the most progressive political systems; because it is articulated in many diverse subtle and hidden or open and crude forms; because it is explained away in many logical sounding ways ranging from the natural, biological to religious and cultural arguments; because one of its strongest bases is the family, the home and among loved ones, it is the most complex and entrenched system, embedded in and permeating through all spheres of life, it needs all forms of struggle, persuasion, contestation, compromise, pressure and confrontation"[6]

Gender Equality Context: The Status of Women in South Africa

The South African Constitution (Act 108 0f 1996) lays the foundation for the protection of women's rights. Chapter 2, the equality clause, provides the legal framework within which gender equality is protected and forbids discrimination against anyone on the grounds of race, gender, sex, pregnancy, marital status, sexual orientation and ethnic or social origin. It laid the basis for the introduction of progressive, equal rights-based legislative instruments, that are mindful of South Africa's gender realities. Furthermore, sections 59 and 72 make provision for public access and involvement in the law-making processes of Parliament. Despite South Africa's transformation trajectory and the legislative gains emanating from its watershed democratic project, South Africa still remains one of the most unequal societies in the world, with women counted amongst the poorest in the country. The triple challenges of poverty, inequality and unemployment, including the pervasive levels of gender based violence and femicide, represent the most persistent social burdens faced by women. The feminisation of poverty is particularly endemic, because poverty is experienced differently by women, as compared to men. This is exacerbated by persistent economic, political, and social dynamics in the South Africa, which hinder the advancement of the gender transformation agenda. Findings of a study by the World Bank and Statistics SA, has found that "South Africa is the most unequal country in the world and incomes are highly polarized. The country is characterized by high wealth inequality and low intergenerational mobility, which arise from high income inequality and inequality of opportunity for children. These inequalities appear to be passed down from generation to generation, implying little change in inequality over time and perhaps even the worsening of an already dire situation."[7] Overcoming this deeply entrenched and cyclical nature of generational poverty, unemployment and inequality, particularly as disproportionately experienced by women, will require concerted and sustained efforts from all sectors of society.

It is also important to emphasize that the status of women is not merely a statistical matter, as poverty for women is often more severe and poses greater development challenges for women. When women are poor, their rights are not protected and they face double discrimination, on account of their gender and economic situation. Women, their families, communities and economies also suffer as a result.[8] If the state machinery fails to effectively respond to the cyclical and generational nature of the prevailing challenges faced by women, the disproportionate impact of multi-dimensional poverty, economic exclusion, gender based violence and femicide, will continue to impede tangible advancements to realise substantive equality.

Positioning the Equality Precept

The imperative to institutionalise the precept of equality across all sectors of society is therefore positioned, as a key tenet of the social, political and economic fabric of our society. It is also positioned as a critical component in the state's planning, budgeting, implementation and overall operational machinery, to enable the substantive advancement of gender equality. The state at large, remains society's leading implementing agent alongside various other important partners, who must collectively ensure that all key policies, legislative instruments and accompanying strategic programmes across the three spheres of government, are strategically framed, taking cognizance of the pertinent gender nuances and the legal obligations in place, to achieve the intended development goals. The precept of substantive equality therefore remains as the overarching nexus and an apex priority for the women of South Africa, in the advancement of gender equality and tangible access to social and economic opportunities across South Africa.

Despite the existence of the draft Gender Policy Framework on local government (2007), provincial review sessions have highlighted systemic weaknesses in gender mainstreaming at local level. These weaknesses point to:

(i) A lack of resources
(ii) A lack of gender mainstreaming in IDP processes,
(iii) A gender discourse that is events driven,

[6] Now is the Time, our age of hope: Paying Tribute to the Heroic Women of 1956, Ms. T Mtintso
[7] overcoming poverty and inequality in South Africa: an assessment of drivers, constraints and opportunities, 2018
[8] The Beijing 12 Critical Areas, unwomen.org

(iv) Uncoordinated Provincial Gender Machinery (PGM),
(v) The lack of expertise and know how in implementing gender mainstreaming processes and
(vi) A general lack of support, amongst others.

Furthermore, the Gender Policy Framework for Local Government was launched in September 2007, and emphasized the role that IDPs can play in mainstreaming gender in policies and implementation plans, as well as the importance of key stakeholders such as gender focal points and structures, such as gender forums and M&E mechanisms, to institutionalize government's commitment to achieving gender equality. Yet to be finalized, the framework remains in draft form and has not been broadly adopted by municipalities, which is indicative of the failure to institutionalize gender mainstreaming at local level.

Taking into consideration that black female headed households remain the most vulnerable group in society, this finding must find expression in the planning processes of government, the annual and vertical division of government revenue as well as within the horizontal budget allocations of the 3 spheres of government. Gender responsive budgeting in particular, remains an urgent vehicle for contributing to gender equality at local government level. An intergovernmental fiscal mechanism must further be an inherent key element in this process, to ensure women's equitable access to the resources of the state.

At a provincial level, the Commission for Gender Equality found that no provincial executive was found to have a clearly articulated Theory of Change embedded on women's empowerment principles and gender equality prescripts. Furthermore, most Provincial Gender Machinery programs are campaigns and celebrations of commemorative dates and events and these programs have no impact or monitoring and evaluation frameworks attached to them, hence the difficulty in pronouncing on substantive improvements in the quality of life of women. Most provinces have special programmes that are directed at youth, women, children, people with disabilities and elderly persons and these are often not gender responsive in their approach nor do they take into consideration the status of women. Some of these challenges can be associated with the lack of mechanisms to institutionalise gender through the Provincial Growth and Development Strategies (PGDS) of the provinces. Out of all 09 (nine) sampled Provinces none had a PGDS underpinned by gender responsive planning, budgeting, monitoring and evaluation and gender auditing (GRPBM&E & A). [9]

During the provincial and District level review sessions of the 1994 women's charter for effective equality, the Financial and Fiscal Commission (FFC) placed emphasis on the importance of an intergovernmental Fiscal Relations System (IGFR) as an avenue to institutionalize gender responsive budgeting. It was further expanded that a successful IGFR system would be sensitive to the needs of women and contribute to moving women out of poverty. In this sense, innovations in policy design and implementation are required to further ensure gender sensitive resource allocation.

Priority Actions (1): Re-Engineering Government's Planning Machinery, by Institutionalizing Gender Mainstreaming in Planning Processes, Across the Three Spheres of Government

In order to advance effective equality, women's rights and gender equality shall be institutionalised and actualised through the Development Planning Prescripts, Planning Instruments across the three spheres of government. These plans shall be accordingly implemented through the Effective Management of the functions assigned to the three spheres of government. Gender equality shall further be implemented through development policy integration, budgeting, M&E and Structured Implementation processes and further emboldened, through Targeted Oversight and Feedback to women across all Provinces, Metro's, Districts and Local Municipalities. This entrenches the imperative that all implementing agencies must deliberately outline plans in line with the principles of gender equality, and that they must attach resources to these plans, in a manner that demonstrates a firm commitment to accelerate the realization of gender equality. Radical systemic, bureaucratic and institutional shifts must be therefore be effected, as guided by the necessary integration of the appropriate gender prescripts within all development planning frameworks. This includes the National Development Plan (NDP), the Medium Term Strategic Framework (MTSF), National Spatial Development Framework (NSDF), Provincial Growth and Development Strategies (PGDS), Provincial Development Plans (PDP), Integrated Development Plans (IDP), including the District Development Model (DDM), Departmental Strategic and Annual Performance Plans, as well as other functional planning and strategy execution mechanisms.

[9] Ms T Mathebula, National Gender Machinery Summit, Parliament, 6 March 2020

Priority Actions (2): Advancing Gender Equality, through Effectively Mainstreamed Development Policies and Government Planning Instruments, across the Three Spheres of Government:

- The Precept of Equality Shall be effectively Mainstreamed into the **National Development Plan (NDP), cutting across all strategic policy proposals of the NDP as well as the National Spatial Development Framework (NSDF). (The NDP and NSDF Shall be Reviewed for mainstreaming, together with the National Executive (Presidency), the National Planning Commission (NPC), Parliament and the (Commission for Gender Equality)**

- The Precept of Equality Shall be effectively Mainstreamed into the **Medium Term Strategic Framework (MTSF) and shall be cascaded cross its seven priorities and related interventions, as well as all priorities and outcomes, which are all intrinsically linked to women's overall development and the advancement of gender equality.**

  The MTSF Shall also be reviewed annually from a gender perspective, in order to develop effectively mainstreamed priorities to guide planning, particularly across the cascaded, implementing spheres.

- The Principle of Equality shall tangibly find expression in the **Strategic and Annual Performance Plans of National and Provincial Departments as well as Sector Plans.** These plans must tangibly reflect gender targets and agendas, before approval by Parliament and the legislative sector broadly. Such planning shall reflect gender equity as well as equality within all government departments **(internal equity/numbers),** which must also tangibly translate into equality in terms of delivery and impact on women's lives across communities **(community focussed, tangible and impact driven plans)**

  The responsibilities for **gender mainstreaming for the advancement of equality shall be placed firmly with accounting officers across the three spheres of government**. Furthermore, gender mainstreaming shall become an integral part of the process to interrogate all strategic plans

  Government officials in line departments Shall further also account for how their policies, programmes and related budgets advanced gender equality.

- The Principle of Equality shall be Embedded in and Mainstreamed into the **Provincial Growth and Development Strategies (PGDS) and Provincial Spatial Development Frameworks (PSDF)** of All Provinces

- The Principle of Equality Shall be Embedded in and Mainstreamed into the **Provincial Development Plans (PDP)**

- Given the constitutional role of Provinces of institutional development and capacity building, Provincial executives shall ensure that they build Municipal Capacity, to ensure the integration of Gender Equality Precepts and Perspectives into the Integrated Development Plans.

  The Principles of Equality Shall be Embedded and Mainstreamed into the **Integrated Development Plans (IDP) and District Development Model processes across Districts, Metros and Local Municipalities,** in order to ensure **that Local Government** effectively institutionalises Gender Responsive Planning, based on gender desegregated data and gendered poverty mapping data, in each spatial dimension and locality, as informed and guided by gender sensitive PGDSs and PSDFs

- **This shall be achieved by ensuring that municipal integrated development plans:**
  - institutionalise gender planning by sector (e.g. water and sanitation, local economic development etc.) and include gender disaggregated performance indicators and targets

- Develop and utilize gender budgeting good practice guides and toolkits
- Develop Guidelines for collecting sex- disaggregated data for budgeting processes
- Ensure that municipalities have the capacity to analyse budgets from a gender perspective
- Ensure gender-responsive appropriations and budget allocations and
- Ensure gender-sensitive public participation and consultations at local level

- **The Department of Cooperative Governance and Traditional Affairs, the Department of Women, Youth and Persons with Disabilities and Treasury shall provide the necessary support for skills development and capacity building, to enable gender responsive planning. Regular Progress updates shall be provided, quantifying progress made and impact assessed, in skills development and capacity building**

- The Principle of Effective Equality Shall be Embedded in the **State of the Nation address, State of the Province Addresses** as well as **State of the Municipality Addresses (All Metro's, Districts and Local Municipalities)**

- Gender Responsive Planning and Budgeting shall be embedded and institutionalized across multiple institutions and sectors of society. This includes the public administration, parliamentary committees, and all other state institutions, political parties and civil society.

Problem Statement: Government's Existing Gender Responsive Budgeting Mechanisms, are often Fragmented and Lack Coherence and Broad-Based Political Support.

Gender Budgeting: Advancing Gender Equality through Effective Budget and Fiscal Measures - Towards Institutionalizing Gender Sensitive – Inter-governmental Fiscal Relations Systems

A key measure for ensuring gender transformation and equal participation between women and men is the allocation of budgets to effect policy and legislative changes. Government budgets and fiscal measures can play an important role in promoting women's development and gender equality. The link between economic and political empowerment is key to enhancing the equal participation of men and women in decision-making – economic and political resources must be accessible to both men and women in order to address inequalities between them. In order to achieve the empowerment of women, various measures can be employed to ensure that states do indeed meet their developmental goals. One such measure is gender budgeting.[10] Gender-responsive budgeting is not about creating separate budgets for women, or solely increasing spending on women's programmes. Instead, gender-responsive budgeting seeks to ensure that the collection and allocation of public resources is carried out in ways that are effective and contribute towards advancing gender equality and women's empowerment. It should be based on in-depth analysis that identifies effective interventions for implementing policies and laws that advance women's rights. It provides tools to assess the different needs and contributions of men and women, and boys and girls within the existing revenues, expenditures and allocations and calls for adjusting budget policies to benefit all groups. Gender-responsive budget analysis, along with legislation, and other practical policy measures can address gender bias and discrimination. It is a step not only towards accountability towards the achievement of women's rights, but also towards greater public transparency, which can shift economic policies leading to gains across societies.[11]

[10] Cáceres, R. M. (n/a) Overview of Gender-responsive Budget Initiatives
[11] Wehner, J. & Byanyima, W. (2004) Parliament, the Budget and Gender

While various gender responsive budgeting mechanisms exist across the three spheres of government, the Majority of them are often fragmented and lack coherence and broad- based political support. There are no binding mechanisms for the implementation of the Gender Responsive Planning, Budgeting, Monitoring, Evaluation and Auditing Framework. There are structural and institutional weaknesses that impede gender responsive budgeting, which must be urgently addressed across the three spheres of government. There is a lack of coherent policies, programmes, systems and procedures to promote gender-responsive policy, research, planning, budgeting, monitoring, evaluation and auditing.[12] Tangible plans developed for the advancement and realization of gender equality, must be backed by the necessary budget allocation, so as to ensure implementation.

Priority Actions (3):Tangible plans developed for the advancement and realization of gender equality, must be backed by the necessary budget allocation, so as to ensure implementation.

- **The Principle of Equality Shall be embedded as an Apex Priority and a Cross Cutting Imperative in the Budget Process including:** The Mandate Paper, Division of Revenue Bill, the Fiscal Framework, the Appropriations Bill and the Medium Term Budget Policy Statement. Inculcated gendered perspectives shall take into consideration gendered-poverty mapping perspectives across provinces, districts and localities, so as to effectively consider the spatial, socio-economic challenges faced by women across the country.

- **Budget Vote Process:** Budgets Shall be approved based on clearly articulated and tangible gender responsive strategic plans and annual performance plans, as a commitment of intent to follow through with the implementation of all mainstreaming and gender equality priorities.

- Budgets Shall be clearly linked to gender equality outcomes (SDGs, Agenda 2063, SADC Gender and Dev Protocol, NDP (gendered NDP perspectives), including priority actions articulated in the Women's Charter for Accelerated Development). Gender Equality Outcomes Shall be articulated by every department and entity across the three spheres of government

- **Gender Responsive Budget Principles**: **Shall be consistently applied, clearly demonstrating a theory of change paradigm**: Across the three spheres of government (National, Provincial and Local), through tangible, impact driven developmental plans, which recognise the urgency of gender equality in South Africa

- Government Shall incorporate tangible gender perspectives into the design, development, adoption and execution of all budgetary processes, as appropriate, in order to promote equitable, effective and appropriate resource allocation; Shall further establish adequate budgetary allocations to support gender equality and development programmes that enhance women's empowerment; and develop the necessary analytical and methodological tools and mechanisms for monitoring and evaluation;

- The responsibilities for gender mainstreaming for the advancement of equality shall be placed firmly with accounting officers across the three spheres of government and gender mainstreaming shall become an integral part of interrogating all costing and budgets of strategic plans

- Legislation targeting women shall be properly costed, ensuring that appropriate resources, financial and otherwise, are dedicated towards successful implementation thereof

- Based on evidence-based research, where there are budget deficits, allocation shifts shall be recommended in education, health,

[12] Ms T Mathebula, National Chairperson of the Commission for Gender Equality, National Gender Machinery Summit, 6 March 2020, Parliament of RSA

including all economic (Economic Development Cluster) participation projects and as an integrated approach to women's development and wellbeing;

- Ensure the revenue measures including fuel levies and sales taxes do not adversely affect women;

- For each sector, resource allocations to particular sectors should be monitored to ensure that they benefit women.

- Standardized requirements and guidelines for the collection of gender disaggregated data shall be instituted to serve as the basis for targeted, evidence-based policy and legislative formulation

- All spheres of government will be required to mainstream gender by way of gender responsive planning, budgetary processes, Monitoring and Evaluation (M&E) mechanisms and auditing practices.

- The Auditor General: Shall include Gender Performance Indicators in the assessment of Financial Management Processes

- All Departments across the three spheres of government Shall be subject to an Annual Gender Audit to assist in the institutionalization of Gender Mainstreaming;

- Poverty Mapping Perspectives in Gender Responsive Planning and Budgeting, Shall be institutionalised as an imperative for planning, in order to ensure that the needs of women across varied incomes are effectively considered.

Spatially specific (Provincial, District and Ward Specific) disaggregated data, with wealth differentials Shall be used for planning and budgeting and delivered through the district based development model. This process will ensure that no one is left behind.

Mandatory Skills Development and Capacity building on Gender Responsive Planning and Budgeting

- In order to ensure continuity and implementation, the department of Women, Youth and Persons with Disabilities and Treasury shall ensure it builds capacity on the integration of socio-economic policy issues, with public spending, through ongoing training and capacity building across the state machinery.

  Such mandatory capacity building/training initiatives, shall also focus on the gender responsive planning, budgeting, monitoring, evaluation, and auditing framework and the country gender indicator framework.

  Ongoing capacity building shall be institutionalised, in order to ensure that government officials across the three spheres of government have the capacity to implement planning and budgeting from a gender perspective.

- Capacity building initiatives shall be initiated to strengthen knowledge on gender issues, for the development of substantive gender responsive plans and budgets

During the Provincial and District Level Women's Charter Review sessions, the Financial and Fiscal Commission (FFC) placed emphasis on the importance of a gender sensitive Intergovernmental Fiscal Relations System (IGFR), as an important avenue to institutionalize gender responsive budgeting. It was further expanded that a successful gender sensitive IGFR system, would be sensitive to the needs of women and contribute to moving women out of poverty. In this sense, innovations in policy design and implementation are required, so as to further ensure gender sensitive resource allocation, that is mandatory and stipulated by the necessary statutory instrument obligations.

Furthermore, given the non-binding nature of the Gender Responsive Budgeting, Planning, Monitoring and Evaluation (GRBPMEA) framework, it is imperative that mandatory statutory instruments are developed, which must become an obligatory feature of mainstreaming across the three spheres of government.

It is imperative that the below pieces of legislation are amended to mainstream gender responsive budgeting. Amendments will ensure an inclusion of the gendered implications through the necessary Budget and Fiscal measures:

Specific and Relevant Pieces of Legislation in Need of Revision and Amendment in this Regard Include:

- The Municipal Fiscal Powers and Functions Act, 2007;
- The Municipal Finance Management Act, 2003;
- The Appropriations Act, 2020 and the Division of Revenue Act, 2013; and
- The Public Finance Management Act, 1999

STRATEGIC OBJECTIVE (2): Advancing the Inclusive Economic Growth Paradigm-Inculcating a Gendered Imperative into all Economic Growth Policy Frameworks and Strategic Interventions

"A growing body of evidence shows that economic growth is a gendered process and that gender inequalities can pose barriers to shared prosperity. Growth patterns that exploit women's position as a source of flexible labour, may result in jobs that do little to transform their bargaining power within the economy or lessen the burden of their unpaid care work. And growth that generates forms of employment that favour male workers, can also buttress existing ideologies of the male breadwinner, leaving pre-existing gender inequalities largely intact. Such evidence makes it clear that unless the gender dimensions of inclusive growth are made explicit, and unless policies for inclusive growth aim to improve women's well-being and address gender gaps, it is unlikely that growth will benefit women and men equally."[13]

Policy frameworks on inclusive growth, have rarely called into question current models of production or proposed macro-level policies and structural reforms necessary to correct the distributional bias of growth. Rather, policy attention has focused on measures to promote equality of opportunity. For instance, the Organisation for Economic Co-operation and Development (OECD) framework for policy action on inclusive growth emphasizes policies that can improve the prospects of households in the bottom 40 per cent of income distribution. It identifies actions needed in three areas: (1) investing in people and places that have been left behind through targeted quality childcare, early education and lifelong acquisition of skills, and effective access to quality health care, justice, housing and infrastructure; (2) supporting business dynamism and inclusive labour markets through broad-based innovation and technology diffusion, strong competition and vibrant entrepreneurship, and access to good quality jobs, especially for women and underrepresented groups; and (3) building efficient and responsive governments through integrating distributional aspects upfront in the design of policy, and assessing policies for their impact on inclusiveness and growth.[14] The World Bank, regional development banks such as the Asian Development Bank (ADB), and bilateral development agencies (such as the United Kingdom's Department for International Development), among others, have also recommended that equality of opportunity should be at the core of inclusive growth policies. For instance, the World Bank's approach to shared prosperity or inclusive economic growth seeks to foster income growth among a nation's bottom 40 per cent of households. It focuses on economic growth as "growth generates jobs and economic opportunities for all segments of the population". It advocates for a social contract in every country that commits to investments in safety nets that protect the poor and vulnerable against deprivation and shocks, and that improve and equalize opportunities for all citizens. [15]

Problem Statement: The Gendered Implications of High Unemployment Rates, High Inequality and Low Growth, Continues to Characterize the Development Landscape in South Africa.

The roots of South Africa's high rates of unemployment, poverty and inequality can be traced back to more than a century of colonial exploitation and apartheid – denying African people access to land, and the right to run businesses, to own certain assets, to access quality education and to live in well-located, economically productive areas. Decades of racial discrimination in the workplace, also led to social stratification based on skin colour, with social and economic institutions largely reinforcing these inequities, including deeply entrenched gendered-economic inequalities.

Despite the fact that South Africa has since the inception of its democracy, passed some of the most progressive laws and other legislative instruments, women still continue to face social, economic and ideological barriers to full and equal participation in the economy. Reports by Statistics South Africa, continue to demonstrate that the face of poverty is African-female.

One of the key challenges in bringing about development and economic transformation in South Africa is the fact that the structure of the economy has not changed and continues to reflect distorted patterns of ownership and exclusion, which has very specific race and gendered dimensions. South Africa remains an unequal society and this is reflected in gross disparities in income and wealth. Survey data shows that an estimated 10% of South Africans own 90 – 95 % of all assets. Women participate in large

[13] D Elson and A Seth, "Gender equality and inclusive growth: economic policies to achieve sustainable development"
https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2019/gender-equality-and-inclusive-growth-en.pdf?la=en&vs=3753

[14] Ibid

[15] Ibid

numbers in sectors of the economy which are characterised by low wages and poor working conditions. The gender pay gap persists, confining women to low remuneration and is worsened by discrimination against women in the receipt of social benefits.

In general, women remain in a disadvantaged position in terms of access to productive employment in the formal sector, with the vast majority of South African women working in vulnerable employment. In addition, due to the gendered division of labour, the burden of care work almost always falls on women and girls to fulfil the family's needs for food, water, clothing, shelter and care for children, the elderly and sick. This, in turn, limits women's opportunities for paid work and other activities. Factors such as women's lack of access to social protection, limited education and training and lack of control of and equal access to economic and financial resources, combine to reinforce inequalities and further impoverish women and girls. key problems prohibiting economic development in South Africa, noting the two aspects of economic development that act as important constraints to wellbeing. First and foremost is the ability of the economy to achieve sustainable economic growth, then the necessity of human development alongside economic development and the need for industrial structural transformation. These aspects of economic development are interrelated because human and industrial development impact on one another through conditions of employment and income. Overall, the Office analysis noted the existence of large constraints on the path to economic development and growth due to the inadequacy of human development, economic and industrial transformation, food and energy security, and infrastructure.[16]

Inclusive economic growth demands that effort to advance a country's growth and development should be produced with the participation of all citizens. The country's economic policies, legislative instruments and strategic economic programmes, must be underpinned by equity principles. Furthermore, given the disproportionate impact of poverty, unemployment and economic exclusion, endeavours to build an inclusive economy must centrally take cognizance of the equality precept, which inadvertently demands that entry barriers must be identified and accordingly eradicated across all sectors of society and economic platforms. it is then pertinent to focus on the gender factors that trigger an increase in and stimulate economic growth in both low and high income countries, and result in inclusive economic growth. Women are able make a large contribution to productivity and the economic prospects of a society.

Furthermore, as estimated by The World Economic Forum when observing the current rate of progress, it will take 170 years to close the overall global gender gap in economic participation and opportunity. This places greater urgency on prioritizing and accelerating the economic inclusion and participation of women in South Africa. Given the bleak outlook based on current progress, engaging in targeted and strategic efforts to close the gender gap in economic participation of women and tangible opportunity, is now most imperative.

Priority Actions: Entrenching a Gender Sensitive – Inclusive Economic Growth Policy Paradigm

- South Africa's Economic Development Policies, must secure a central place for women in the economy

- Priority focus Shall be given to the policy imperatives of the NDP (towards a revised gender sensitive NDP), as South Africa's overarching development nexus, (with a particular focus on the inclusive growth priorities of the NDP and its gendered implications). This underpinning policy focus will further be supported by the Key Inclusive Growth Policy Drivers articulated in the (Functional Electoral Mandate) and further supported by a (gender sensitive) Economic Reconstruction and Recovery Plan interventions.

- **Women's economic empowerment Shall therefore be clearly articulated in public policy documents:** Including but not limited to the Department of Trade and Industry (DTI) and the Department of Small Business Development (DSBD), including all Economic Cluster Departments.

- **Economic Reconstruction and Recovery Plan (ERRP)**

  Government Shall inculcate a Gender Focus in the interpretation, implementation, monitoring and evaluation of ERRP Objectives, focusing on the following:

  - To create jobs, primarily through aggressive infrastructure investment and mass employment

[16] Dr D Jantjies, Budget Office Policy Brief-Parliamentary Budget Office, July 2021

programmes (equitable access for women in procurement and labour opportunities)
- To re-industrialize the economy, focusing on growing small businesses (aggressively build a new cohort of Black African women industrialists, based on emerging and untapped industrialization opportunities across provinces, metros, districts)
- Accelerate economic reforms to unlock investment and growth (Reforms shall be gender focused, in order to accelerate women's participation)
- To fight crime and corruption (to decisively address crime and corruption, particularly as it impacts on women's quality of life)
- To improve the capability of the state (State capability shall be strengthened, taking into consideration the imperatives of constructing a gendered/gender sensitive state machinery, for the accelerated realization of inclusive growth and economic gender equality)

- **Sector Master Plans:** Shall be developed in a gendered/gender sensitive manner, so as to give women equitable access to existing and emerging economic recovery and reconstruction projects, across provinces, metros, districts and localities

- **ERRP and Support for women in the informal sector:** In order to reach women (*who make up the highest proportion of those employed in the informal sector*), the economic recovery plan needs to incorporate support for the informal sector.

- Given the disproportionate impact of poverty on women's quality of life, **government shall undertake and implement policies that both accelerate gendered inclusive economic growth and reduce poverty. Meaning that there Shall be an equitable and targeted focus on accelerating the realization of women's social, economic, civil, political and cultural rights, particularly because women continue to face oppression, discrimination and exclusion on all these platforms** (with tangible inclusivity, access and equitable benefit fostered focussing on women's multifaceted, integrated and indivisible needs, in the spatial- geographical localities where they reside)

- **Assessing the Gendered Implications of All Government Infrastructure Projects, costing and facilitating women's access to an equitable share)** Enable a Strategic Focus on Inclusive Growth Catalysing Policy Priorities, while ensuring their translation into well aligned and costed programmatic outputs across all Provinces, Metros, Districts and Localities in the country, with women gaining equitable access and benefitting from such government infrastructure projects.

  Women Shall have equitable access, with access to 50% of Infrastructure Projects awarded to female owned companies in every financial year

- **Gender Responsive procurement: A Gender equity policy Shall be included in public procurement processes,** so as to ensure that women benefit equitably, with penalties imposed on non-compliant departments and entities. An annual gender audit on procurement, shall be undertaken, in order to ensure compliance

- The National Development Plan (NDP) which emphasizes South Africa's strategic priorities and objectives until 2030 envisages that **municipalities, particularly those covering urban regions, will play a key role in ensuring that the impact of measures aimed at generating inclusive economic growth to reduce high levels of poverty and unemployment,** are felt in localities as well as nationally.

  Government shall undertake a targeted focus on urban Municipalities, as catalysts

to accelerate the inclusive economic growth paradigm and the gender agenda, so as to ensure that those most disproportionately affected by poverty, inequality and the COVID 19 pandemic (Black African Females), benefit equitably from inclusive economic growth measures and interventions, aimed at poverty reduction and the reduction of unemployment

- The Financial and Fiscal Commission (FFC), emphasises the importance of making use of the potential of accelerated urbanisation, **making use of intergovernmental fiscal relations instruments, to drive the positive transformation of the economy towards the attainment of rapid economic growth that reduces poverty and inequality**

  The necessary gendered analysis shall be undertaken to **harness the potential of accelerated urbanization, making use of intergovernmental fiscal relations instruments, to drive an integrated and gendered inclusive growth trajectory**. Special focus Shall be placed on such municipalities, in order to maximize their inclusive growth potential

- Government Shall Regularly assess Interventions to accelerate recovery, reconstruction and transformation, for women's equitable benefit and participation in the economy

- **Targeted Spatial Growth:** Sources / place of growth matters – growth Shall take place where the women to whom growth is directed, live and breathe, through targeted interventions to facilitate equitable and measurable access, otherwise the growth will not be inclusive.

- **Structure of growth matters** – where is the growth coming from, big, SME's, micro businesses. Most poverty alleviation will emanate from SME's and micro businesses. A focus on women owned SMME's is therefore imperative for the advancement of inclusivity in the structure of growth

- **Increasing the number of women who manage, own and control enterprises and productive assets** through interventions by the DTI, DSBD, PIC, DSD and other departments and other departments in the economic development cluster, Shall be prioritised

- **Accelerating access to finances:** Policy mechanisms shall be developed to ensure financial inclusion as well as access to working capital for small, micro and medium enterprises. Quarterly Gender Audits shall be undertaken, in order to follow expenditure and disbursement patterns and processes of fiancés to emerging and developing women owned enterprises

- **Engage the Financial Sector:** to strengthen efforts to make financial services accessible and affordable to South African women

  Women need access to credit, which is not based on the need for collateral or linked to their marital status.

- **Provide support for infrastructure and capital to SMMEs,** mainly in the informal sectors – microfinance.

- **Structural Constraints:** Structural economic constraints, which disproportionately impact women's ability to access tangible economic opportunities, shall be identified for urgent redress

  Government Shall ensure processes to remove structural constraints and barriers to Inclusive Economic Growth (as it pertains to advancing gendered inclusive growth) and device innovative mechanisms for the effective removal of such constraints. Interventions shall be time bound and assessed on a quarterly basis, so as to ensure transformation, progress and impact

- Ongoing, consistent, sustained, and effective support Shall be provided to women who have benefited from loans and skills development programmes, so as to

ensure the success of new and growing enterprises

- **Increased monitoring of programmes and initiatives Shall be provided, to ensure that women owned businesses are recorded and are consistently growing and developing.** The promotion of gender equality and women's economic empowerment requires regular and careful planning and monitoring, as well as gender budgeting to ensure sustained growth

- **Formulate legal instruments to address matters relating to the overconcentration of Big companies (Monopolies and Oligopolies):** overconcentration of business in big companies, which inhibits the growth of small and medium enterprises. SME's are the real engine of growth and job creation in an economy, but are weakened by big companies. Gender dynamics which feed into discriminatory practices, make women vulnerable, as they are subjected to exclusionary practices

- **De-regulation is required** – overregulation often inhibits SME's from being the engine of growth such as is taking place in the banking and telecoms sectors to name a few. Legislation for de-regulation shall be identified and reviewed to effect the necessary de-regulation. ***There is a (Need for liberalization of overregulated sectors (including banking and telecoms)***

- **The Gender Pay Gap:** financial penalties shall be applicable to companies that perpetuate the gender wage gap

- **A fund for the economic assistance of victims of Gender Based Violence Shall be put in place.** This funding Shall be used to train victims and employ women into formal and informal markets, in order to reduce dependence. Innovative employment strategies shall be put in place for victims of Gender Based Violence

- **Poverty reduction strategies must include long-term structural change** – macro-economic structural change with women at the centre of such strategies

- **Industrialisation as a key gender sensitive inclusive growth driver** – institutions and macro-policy instruments must be well aligned, so as to give women equitable access to owning the means of production, which must further translate into women's equitable access to employment opportunities

- **District Development Model as a game changer (with women at the centre of district development), bringing development to the people.**
  - Growth and Development Projects Shall be localised at community level, giving an equitable number of women access to owning production process through business transacting mechanisms
  - One community one factory (community factories shall be owned by communities, giving women shared ownership)
  - Value chain and circular economy approach
  - Connecting the rural economy to the national economic ecosystem

Economic Development Cluster: Three Spheres of Government

- **Preferential procurement is not a choice, it remains an act through BBBEE to ensure that redress for women and black people occurs.** Public procurement targets are however in vain unless there is monitoring of whether government meets its targets, whether treasury actually records the businesses and whether the uptake of loans and benefits are recorded.

  Without proper monitoring and evaluation mechanisms, new announcements for procurement targets will continue to be made without ascertaining whether these targets have been met or not. These shall be monitored and audited annually to ensure adherence and implementation

- **Effective public information dissemination** on programmes and

initiatives targeting women shall be implemented

- **Provincial Growth and Development Strategies (PGDS)** shall be reviewed to enable Women's Equitable access to Overall Economic Activity in each province, which Shall be planned and implemented in a gender sensitive manner

- Sections 152(1) and 153(a) of the Constitution requires that beyond acting as administrative units tasked with the provision of public services, authorities within South Africa's local government sphere must fulfil a developmental mandate. This developmental mandate requires that municipalities promote social and economic development

    - Local government must also in cooperation with the Provincial and National Spheres of government, implement policies to improve the extent and quality of economic development, thereby improving the material conditions of the communities located within their jurisdiction

    - Through the Integrated Development Plan (IDP) and Local Economic Development Plans (LED), municipalities are expected to develop broad development priorities in order to give impetus to the catalysing economic development priorities expounded in the NDP.

    - The Poverty Mapping Perspectives, including effectively analysed and synthesised gender disaggregated data, Shall be effectively engaged and utilised, in order to develop the appropriate economic programmes, initiatives and interventions, which respond to the social and economic status of a particularly province, metro, district and locality (considering education levels, population skills level, in order to design the appropriate local economic programmes and interventions for a spatial environment)

- **The District Development Model (DDM), Integrated Development Plans (IDPs) Local Economic Development Strategies (LEDs)** across Districts, Metros Shall facilitate Women's Equitable Access to economic activities and projects, which Shall be planned and implemented in a gender sensitive manner. These shall be Time Bound and Measurable, for Impact assessment and for recording tangible progress towards the attainment of gender equality through inclusive economic growth priorities

- BBBEE - Economic growth with redistribution – ensure equity in workforce & supply chain, to ensure women's participation. Enforce equity in the workforce through sanctions

- PFMA recapitalization of NEF/SEFA – targeting women, youth, black Africans Entrepreneurial revolution (finance)

- **Identify entry points into the African Continent for ACFTA:** Support women owned enterprises to develop products for the Africa Free Trade Market.

- **Key Policy instruments that will continue to drive government's development agenda to give clear expression to a gendered Inclusive Growth Agenda include:**

    - **National Development Plan (Gender Reviewed)**
    - **Economic Reconstruction and Recovery Plan (Gender Inculcated)**
    - **Sector Master Plans**
    - **The New Growth Path (gender Reviewed)**
    - **The National Infrastructure Plan (Gender Reviewed)**
    - **Industrial Policy Action Plan (Gender Reviewed)**

These policy instruments, which also form part and parcel of the commitments emanating from the electoral mandate,

must anchor the gendered inclusive growth trajectory, in order to ensure that women's economic inclusion is approached from within the country's key developmental and growth catalysing policies

STRATEGIC OBJECTIVE 3: Advance Gender Sensitive Workers Rights - Addressing the Gendered and Poverty Impact of the Covid-19 Pandemic on Working Class and Poor Women

*"**Even as globalization has brought millions of women into paid labour, the number of women in the workforce is far behind that of men. Gender inequalities have also concentrated women at the bottom of the global value chain — in the lowest paid jobs, in piece-rate, subcontracted work, and insecure forms of self-employment, with little or no access to decent work and social protection. Women are half the world's potential and unleashing it requires access to decent, good-quality paid work as well as gender-sensitive policies and regulations, such as adequate parental leave and flexible working hours. The economics make sense, too: If women played an identical role in labour markets to that of men, as much as US$28 trillion, or 26 per cent, could be added to the global annual Gross Domestic Product by 2025."**[17]*

Problem Statement: Inclusive Economic Growth, must be Prioritized, so as to Materialize Decent, Sustainable and Gender Inclusive Employment Opportunities for Women

Over a year and a half into the COVID-19 pandemic, gender equality in the world of work has worsened. Women have suffered disproportionate job and income losses, including because of their over representation in the hardest-hit sectors, and many continue to work on the front line, sustaining care systems, economies and societies, while often also doing the majority of unpaid care work. All these factors underscore the need for a gender-responsive recovery to respond to the commitment of "building forward fairer". It confirms that women's employment has been negatively impacted in terms of both quantity and quality, although with substantial regional variations. [18] This is largely due to the impact of lockdowns that affected sectors, including manufacturing and services where women are overrepresented and where they are often working with informal working arrangements. Enduring gender gaps in time spent in unpaid care work, limited access to social protection and an upsurge in violence and harassment have also made it difficult for women to keep their jobs, compared to men.[19] The COVID-19 pandemic has shed light on the large gender gaps in the quality of employment, especially for the many women working in feminized sectors and occupations, and in the informal economy. Even before the pandemic, jobs with a high concentration of women were characterized by low wages, long working hours, limited opportunities for career advancement and exposure to occupational health and safety risks as well as violence and harassment. When the pandemic hit, these trends put women workers at greater risk of being laid off, seeing a significant contraction of their working hours and/or experiencing a further deterioration in their working conditions. Migrant workers, ethnic and racial minorities, older persons and those with disabilities and living with HIV and AIDS have also seen the quality of their jobs dampened.[20]

Compared to men, women and especially black African women, also continue to have low access to paid employment. When they do find paid work, black women typically have lower incomes and less security than men. Most women are found in poorly paid domestic labour and micro enterprises, where they do not enjoy job security and benefits.[21]

Economic stagnation is currently the biggest threat facing the South African society, which further hampers women's ability to access decent employment opportunities. We cannot meaningfully address gender based unemployment, which is a by-product of gendered poverty, inequality, which is further exacerbated by a stagnating economy. The country's economic growth and development plans must necessarily be gender sensitive by design, in order to meaningfully address the impact of poverty and unemployment and mitigate the COVID 19 Aftershocks, which continues to disproportionally affect women in South Africa. The economy must be transformed and government must address all the structural constraints in the economy that make it difficult for women to access the mainstream economy and secure decent employment opportunities. improved policy coordination and effective implementation, is critically important to address the country's development and labour market challenges.

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[17] World Employment Social Outlook, Trends 2016, International Labour Organization; The Power of Parity, September 2015, McKinsey Global Institute, Mckinsey & Company
https://interactive.unwomen.org/multimedia/infographic/changingworldofwork/en/index.html

[18] Building Forward Fairer: Women's rights to work and at work at the core of the COVID-19 recovery,
https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_814499.pdf

[19] ILO. 2020. 'The COVID-19 Response: Getting Gender Equality Right for a Better Future for Women at Work' (Geneva); ILO. 2018. 'Care work and care jobs for the future of decent work' (Geneva)

[20] ILO. 2020. 'The COVID-19 Response: Getting Gender Equality Right for a Better Future for Women at Work' (Geneva); ILO. 2020. 'COVID-19 and the World of Work: A Focus on Indigenous and Tribal Peoples' (Geneva); ILO. 2020. 'A Policy Framework for Responding to the COVID-19 Crisis' (Geneva); ILO. 2020. 'COVID-19 and the World of Work: Ensuring the Inclusion of Persons with Disabilities at All Stages of the Response' (Geneva); ILO. 2020. 'COVID-19 and the World of Work: A Focus on People Living with HIV' (Geneva).

[21] Gender Inequalities in South Africa Society-African Portal

A failure to grasp the importance of inclusive economic growth and its implications for decent employment and a gender sensitive labour market, means that we have been unable to create jobs, invest in infrastructure and skills, raise wages and productivity, and embark on ambitious social welfare projects that are fundamentally linked to economic development projects, at a pace fast enough to meet the needs of a growing population.

In addition, it is imperative to underscore emerging and historical labour market dynamics, taking cognizance of the COVID 19 pandemic, which has also exacerbated pre-existing development challenges, with a particularly profound impact on the labour market, leaving millions unemployed, particularly women. By the end of the first quarter in 2020, the country's increasing rate of unemployment had reached a staggering 30%. Throughout the first three months of 2020, 350,000 joined the ranks of the unemployed, taking the total number up to 7 million jobless people in the country. Furthermore, most industries and sectors had also witnessed unprecedented job losses, including the banking sector, agriculture and community services. Job security, unemployment and precarious jobs are hence some of the major threats in the context of a shifting labour market, that may require skills that are more commensurate to the fourth IR landscape.

The South African labour market is characterised by a structural gender division of labour, despite legislation making unfair discrimination illegal, such as the payment of different wages for the same work, based on racial, gender or other discrimination. Women are disproportionately represented in the most insecure forms of work in the agricultural sector, such as seasonal work; in domestic work; in care work; in major sectors of the informal economy such as informal trade, including informal cross-border trade and home-based work, including unpaid work which still goes largely unrecognised in labour market analyses.[22]

Priority Actions (1): Ensure Labour Market Policies and Interventions that Effectively Facilitate Women's Adequate Participation and Equitable Benefit

- Ensure that labour market policies effectively facilitate the participation and protection of women in the informal market and economy, particularly in a fluid and unfolding COVID 19 context
- Government Shall effectively use fiscal policy to promote female labour force participation, as well as the protection of and prevention of job losses
- Gender sensitive strategies must be devised and adopted to mitigate and target the widening female casual / contract / temporary employment dilemma.
- Government Shall Adopt gendered labour absorbing strategies – prioritise sectors that are supported by existing state procurement.
- Government support women's livelihoods throughout and beyond the pandemic, particularly in the informal economy, given their difficulties in gaining access to employment
- A gender-responsive, inclusive, and job-rich recovery, needs to explicitly counterbalance the gender-specific effects of the COVID-19 crisis and create conditions that support the creation of decent work for women. Unprecedented gendered macroeconomic policies, both fiscal and monetary must be put in place to cushion the impacts of the pandemic and ensure a speedy recovery, particularly as it impacts women
- Developing human resources and skills in women, for women owned enterprises
- Achieving equitable representation in all occupational categories / levels in the workforce.
- Both at the macro and sectoral levels, prioritizing expenditures that support gender-egalitarian outcomes and avoiding premature fiscal consolidation, triggered by either mounting debt burdens or the fear of inflationary pressures, are preconditions to sustain recovery and avoid inflicting further

[22] "Social emancipation of SA women not possible under capitalism", 09 August 2021 https://www.politicsweb.co.za/politics/social-emancipation-of-sa-women-not-possible-under

damage on women's employment prospects.

- **Promoting equal pay for work of equal value.** The COVID 19 crisis has brought to the fore the undervaluation of work performed by women, in particular in the care economy, and the need to address it. Addressing this issue through a combination of measures, such as inclusive legislation with wage transparency and close interactions with social partners would help improve the quality of work performed by women. With women representing 40 per cent of total wage employment globally but 47 per cent of those earning at or below the minimum wage level, adequate minimum wages would also have a huge impact on women's economic autonomy. Considering the "lighthouse" effect that minimum wages have on wage formation in the informal economy, informal women workers would also benefit from it. Joining the Equal Pay International Coalition (EPIC) would be a concrete step forward in this area.[23]

- **Group Benefits:** Shall be made available for women outside formal employment, such as accident and disability insurance, group housing schemes, sick leave and maternity benefits, including for women in the informal economy

- Government Shall take action to increase women's participation in science, technology, engineering and mathematics (STEM), which offer better paid employment opportunities, while others are working towards implementing pay transparency policies and wage reporting[24]

- Government Shall put measures in place to provide unconditional cash transfers, more inclusive legislation, and support for women. Such measures need to have a long-term vision to facilitate the transition of workers from the informal to the formal economy. and recovery COVID-19 policies.[25]

- Trade Unions are to advance gender sensitive worker's rights, by ensuring that the labour market is both accessible to and conducive for women to thrive in

- The proportion of women employed in the unprotected informal sector of the economy is 75% higher than men. Government is to device the appropriate mechanisms to protect female workers residing in the unprotected informal sector of the economy

- Government shall device gender sensitive strategies, to mitigate the widening female casual / contract / temporary employment dilemma.

- Gender Sensitive Vulnerability in the Labour Market: Taking cognizance of Livelihood Strategies and the gendered impact of Poverty, which Characterizes South Africa's Labour Market Vulnerability particularly for women, government Shall devise mitigation strategies and develop alternative livelihood strategies for the reduction of women's unemployment and poverty

- Government Shall address the Risk Factor of Precarious and Vulnerability in the Labour Market, particularly as experienced by Women, by devise the appropriate mitigating strategies

- Assessing the impact of Low Pay and Informality-Outlining the Multi-Dimensional Needs of Women in a post COVID 19 Labour Market Context and devising mitigating strategies to address the multi-dimensional needs of women

- Safe and health certified facilities be Shall be provided for women in the informal sector.

- Government Shall device the appropriate support mechanisms, to create a safety net for female headed households

[23] Ibid.

[24] ILO. 2021. 'Global Wage Report 2020–21: Wages and Minimum Wages in the Time of COVID-19' (Geneva).

[25] ILO. 2021. 'ILC.109/Record of proceedings No. 7A'; ILO 2021. 'ILC.109/Record of proceedings No. 5A'

- Equal benefits shall generally be provided including housing, pensions and medical aid, amongst others.

- Government shall subsidize benefits for female headed households, including for housing, pensions and medical aid, amongst others.

- Develop a social compact between government, business and civil society as a basis for long-term economic development, in order to bring unemployed women into the labour market

- Develop targeted policy/legislative and legal instruments, which are supported by targeted oversight mechanisms, to advance the protection of female workers rights, particularly in the context of the COVID 19 pandemic and its gendered poverty impact on the economy

- Develop the appropriate policy/legislative/Legal Instruments, to protect women against unfair, monopolistic and other exploitative business practices that affect women's participation in the informal economy

- End all forms of Gender Stereotyping and the categorisation of jobs on the basis of sex and gender

- Sexual Harassment Policies: Women shall be protected from sexual harassment and violence in all the places where women are working.

- The definition of what constitutes economic activity must include all women's work.

- Unpaid labour shall be recognised as contributing to the creation of national wealth and should be included in the national accounts.

- Put the appropriate systems in place to address matters relating to the Gender Pay Gap, particularly in the Private Sector. The appropriate regulatory systems shall be put in place, for adherence by the private sector, with financial penalties imposed for non-compliance

  The Private Sector shall be subjected to Annual Gender Audits and Gender Pay Gap Audits to ensure compliance

- **Women in sports shall be Prioritised:** Sports must be used to help with social cohesion. Women in sports must be developed and development of sporting codes must find expression in the municipal IDPs.

STRATEGIC OBJECTIVE 4: Advancing Effective Equality in the Development, Application, Adjudication, Interpretation and Enforcement of the Law for Women

"When we are looking at the law as an instrument of gender equity and gender justice, this means a process of developing and sustaining an accountable mechanism for inequalities, it means investing in institutions to dispense justice in a gender sensitive manner. It implies access to and control over resources, combined with the ability of women to make free and voluntary choices, which includes access to justice."- Prof. W. Domingo, Commissioner, South African Law Reform Commission

Poverty in South has a gender dimension that challenges the equal status of women in the law and the administration of justice and poses a threat to their full and equal human rights. The Constitution aims to 'dismantle systemic forms of disadvantage and subordination in our post-apartheid society.' Law and justice institutions play a key role in the distribution of rights and resources in South Africa. The mainstreaming and institutionalisation of a gender perspective in the justice system is an essential step toward recovering a feeling of trust and security and combating its impunity. This mainstreaming entails an understanding of women's experiences within the justice system. There are still significant challenges, in ensuring that women's rights are promoted and protected.

The courts, together with Parliament, have a joint duty to ensure that the laws provide effective and sufficient protection of women. This may mean that various elements of the common law need to be further developed, to be in line with the demands of the Constitution. Parliament should be vigilant in developing laws that do not perpetuate sexist and outdated norms, particularly in cases of sexual offences. Some of these laws include the marital rape case exclusions, which have since been abolished; and the burden of proof, which entails survivors having to testify in open court rooms.

There are certain statutory provisions that should be considered unconstitutional, and these should be brought back to Parliament for reconsideration. For example, the procedural processes that need to be followed for rape cases. There is a need to relook the burden of proof that rape survivors have to provide to investigators. The apex court has emphasised the right of the state to protect victims against domestic violence and have strengthened common law to ensure that police officers safeguard and protect the rights of those who have been assaulted, raped and victimised.

Problem Statement: Women Face Structural Barriers that impede the Realization of their Human Rights, due to an Inadequate Access to Justice

"In the words of retired Justice Edward Cameron, whose view is that we should recognise that the sole inhibiting institutional response to criminal conduct is the certainty of detection, the certainty of follow up, the certainty of arraignment, the certainty of prosecution and the certainty of punishment. The problem with our legal system and framework at the moment is our lack of certainty"- Adv Trudie Nichols, Femicide Legislation Summit, Parliament, July, 2020.

Women face a number of structural barriers that impede the realisation of their human rights, which are either overlooked or not adequately addressed in national laws, policies and budgets. In addition to often experiencing secondary victimisation when taking up issues such as gender-based violence within the criminal justice system, women face a myriad of other developmental challenges, which are meted out under patriarchal, systemically discriminatory socio-economic norms and traditions, which hamper the realization of women's broader inalienable rights, as enshrined in the Bill of Rights.

The challenge of transformation permeates all areas of life in SA, and the legal profession and the judiciary, are no exceptions. These realities have defined the law and the composition of the legal profession and ultimately the judiciary. Transformation of these institutions will enable equitable enjoyment of a whole range of rights and resources for women.

Priority Actions (1): Advancing Effective Equality in the Development, Application, Adjudication, Interpretation and Enforcement of the Law for Women

- There shall be accessible and affordable legal services for women, particularly women who require support for family law and criminal law related matters (gender based violence and related matters). The position of paralegals in assisting women to claim their rights shall be recognised.
- Courts to break down patriarchy by implementing measures within the court rooms that are victim- and gender-

sensitive, and prevent secondary trauma and humiliation of survivors by protecting their rights.

- Urgently formalise norms, that give the necessary protection, respect and dignity to women during the hearing of these cases.

- There Shall be a standardisation of procedures that give effect to these norms across all courts.

- ensure provisions for survivors (of sexual assault or rape) to testify in camera or through intermediaries; and through anonymization. This is to inhibit cross examinations of rape survivors by the defence team and to prevent secondary victimisation or trauma.

- The Judiciary MUST strive for better court procedures, in order to make the process of seeking justice accessible and trauma-free for women and children.

  For example, the United Nations office on drugs and crimes compiled a handbook in 2019 for the Judiciary, on effective criminal justice responses to GBV for the benefit of women and girls.

  This outlines (amongst other things) the conduct of judges when interacting with the survivors. Further, it provides good practices for judicial training and development, and recommends taking a gendered lens when approaching these type of cases.

Priority Actions (2): The Approach (to be) taken by Judges and Practitioners

- Judges Shall respect and interact with rape survivors in a manner that promotes their dignity. The wording in the judgements should embrace the lived realities of the survivors and the norms of the community in which they live. Furthermore, it should consider how they may face intersecting power dynamics and inequality; whether it is on their basis of gender, class, race and sexuality.

- Terminology used in the judgements and in court rooms is very important. Judges and practitioners should acknowledge the vulnerability of women. However, this does not imply that women are lesser or weaker than men. Vulnerability in the South African context may be embedded in structural patriarchal norms, individual inequality, discrimination, and gender stereotypes. Thus awareness and understanding of the gender intersectionality; and how gender, race, class, and sexuality (among other things) may exacerbate the vulnerability of other groups is crucial. It is most often the powerless that are affected by crimes such as rape and murder, and are characterised by power or desire of power. As such it must not be seen amiss that continuous training of judges and practitioners must be accelerated. Each member of the legal profession and Judiciary should be cognisant of the words they use – how their argument may affect the victims who only seek justice. A humane and just approach may retain hope to the survivors.

- Trial courts shall attempt to finalise these cases as soon as possible and without any unnecessary delay, so as to encourage other rape survivors to report their cases - justice delayed is justice denied.

- Members of society must commit to report violent crimes perpetrated against women to the police. There is a need for collaboration by all law enforcement agencies involved. Police must properly investigate these crimes; the police should ensure that the rights of survivors are protected, the prosecutors must effectively present the findings against the perpetrators, Investigators should ensure that they investigate these cases properly, to minimise the risks of cases drawn out of court due to lack of evidence.[26]

- All spheres of government, civil society and all South Africans must come together, to bring an end to the scourge of GBVF.

[26] Justice S Khampepe, Women's Parliament 2020, Parliament of the Republic of South Africa

- Women shall have equal legal status and capacity in civil law, including, amongst others, full contractual rights, the right to acquire and hold rights in property including land, the right to equal inheritance and the right to secure credit, (even those married in community of property).

- All public and private institutions shall enable women to exercise their legal capacity.

- There shall be equality for women offenders.

- Women shall have equal representation on, and participation in all traditional courts, alternative dispute resolution mechanisms and local community courts.

- A centralized digital tracking system linking health, police and court services shall be available for victims to track their cases through a central tracking number, in order to ensure that women victims of violence are kept informed on the progression of their cases

- Education programmes shall be provided on relevant legislation to women living under customary law

- The hosting of legal clinics and the provision of *pro bono* legal representation to divorced and widowed women burdened by issues of tax and debt (Free State provincial session)

Priority Actions (3): Legislative Sector Responsibilities

- Women demand equality in the development, application, adjudication, interpretation and enforcement of the law. This can only be achieved if the social, economic and political position of women is taken into account in deciding policy, determining legislative priorities, and in formulating, applying, interpreting, adjudicating and enforcing all laws

- At all times the law, and its application, interpretation, adjudication and enforcement, shall promote and ensure the practical realisation of equality for women.

- Parliament shall oversee and undertake, the effective gender responsive amendments of all key legislation, in order to ensure that it integrates into the design, implementation and review of all legislative instruments, to enable the requisite benefits and access to justice for Girls and Women

- Through effective Oversight and Accountability processes, Parliament is to oversee the implementation of all key legislative instruments, ensuring that Girls and Women's benefit from the implementation of enacted laws, through a sustained focus on monitoring gender mainstreaming, gender equity as well as the equality precepts, as enabled by the three spheres of government and through the justice system

Priority Actions (4): Equality in the Judiciary

- There shall be equality for women in the legal profession

- Parliament shall ensure transformation in the justice system, by observing gender equity precepts, in order to ensure that women are equally represented in the constitutional court, the judiciary, the magistracy, all tribunals and commissions

- To address Patriarchy in the legal landscape, Parliament Shall enact legislation for mandatory Gender Sensitivity Programmes in the justice system, in order to address gender bias, stereotypes and to promote equality for women in the legal system, as well as ensuring that victims of gender based violence do not experience secondary victimization in the justice system.

- There shall be equality in the treatment of women in all legal and quasi-legal proceedings.

- Positive and practical measures shall be taken to ensure equality for women complainants in the criminal justice system.

STRATEGIC OBJECTIVE 5: Expand Access to Quality Education and Training for Women and Girls

"Education is the great engine of personal development. It is through education that the daughter of a peasant can become a doctor, that the son of a mine worker can become the head of the mine, that a child of farm workers can become the president of a great nation. It is what we make out of what we have, not what we are given, that separates one person from another."[27]

Problem Statement: Biased Teaching and Educational Materials Limit Fields of Study, Marginalizing Women from Fields of Study, such as Science and Technology

women account for an increasing proportion of student enrolment at higher levels of education. As a result, at post-secondary education level, women outnumber men by a ratio of around 3 to 2. Despite this favourable position, women remain less likely than men to enrol in higher degrees. In addition, regardless of access to education, women remain more likely to be employed in lower skilled occupations.

Biased teaching and educational materials limit fields of study, marginalising women in various fields of study, such as science and technology, for example. Only 30% of the world's researchers in science are women.

Education includes early childhood development, adult basic and continuing education, primary, secondary and tertiary education and vocational training for the formal and informal economy. Measures must be put in place to ensure that Education and Training must meet the economic, social, cultural and political needs of women in South Africa.

Priority Actions: Accessible and Appropriate Institutions shall be Established to enable Accessible, Quality Education, thereby enabling the Active Participation of Women on all Platforms and Sectors of Society. (Rural Women, Single Mothers, and Disabled Women Shall Also be Prioritized)

- Women Shall enjoy their right to equality within education, irrespective of pregnancy, race, sexual orientation, age, disability, urban or rural location, domestic and child care responsibilities and financial status.
- Every woman shall have the right to education and training at any stage of her life, in order to realise her full potential.
- The Department of Basic Education and the Department of Health Shall develop programmes aimed at curbing pregnancy amongst girls of school going age.
- Department of Basic Education developed the National Policy for the Prevention and Management of Learner Pregnancy. Interventions shall be put in place to effectively prevent learner/teenage pregnancy

  The DBE has also put in place the provisions on the readmission of the teenage mothers into the schooling system and retaining them. However, this provision is contravened by some SGB, hence there is a need to ensure enforcement/adherence as education is a basic human right for all.
- Government Shall ensure adequate Promotion of Women Academics and Lecturers in Institutions of Higher Learning into Executive Management, rather than the concentration at lower levels

[27] Former President of the Nelson Mandela
https://borgenproject.org/nelson-mandela-quotes-about-education/

- Outcomes of proportion and outcomes of school and TVET college outcomes – improve ANA outcomes and the like

- Accessible and appropriate institutions shall be established to provide education, thereby enabling the active participation by women, particularly rural women, single mothers, and disabled women.

- There shall be no negative gender stereotyping in both curriculum development and educational practice.

- Women shall have special access to funds for education and training.

- Childcare facilities shall be provided at all education and training institutions.

- Gender Equality Education, Human Rights Education Shall be compulsory, in order to inculcate a better awareness amongst girls and boys about women's rights, so as to build women's self-confidence, and enable them to claim their constitutional and legal rights in an evolving South Africa society.

- Gender awareness and training Shall be a Compulsory Part of the Education and Training Curriculum.

- The Department of Basic and Higher Education, shall develop empowerment programmes for girls, which foster greater cohesion and prevent bullying and violence amongst girls in schools and institutions of higher learning.

- The Department of Basic and Higher Education shall conscientise Girls and Women about varied career options, in order to address gendered career decisions, which often keep women in lower paying jobs.

- The Department of Social Development and the Department of Basic and Higher Education, are to create awareness about gender roles in the home, such as holding girls responsible for domestic chores, treating them as if they have less rights than boys and limiting their life opportunities.

- Girls and women in education institutions must be protected against sexual harassment and abuse (mandatory sexual harassment policies must be developed and adhered to)

- The Department of Basic and Higher Education Shall develop the appropriate response plans, to curb violence against Girls and Women in schools and institutions of higher learning, which includes sexual harassment, bullying (including bullying amongst girls), verbal attacks, verbal abuse, body shaming and the objectification of women and girl children. Addressing these issues will aid in creating a safe environment for girls and women to learn.

- The Department of Basic and Higher Education shall provide sex education for boys and girls, at an appropriately determined level of schooling, particularly to address issues relating to rape and other forms of sexual violence against women and girls, through the appropriate and effective preventative educational programmes

- **Women and Girls Access to Menstrual Health Facilities (Sanitary Dignity):** Provincial Government as well as the Department of Higher Education shall provide Sanitary Towels for identified improvised schools as well as for students in every institution of higher learning, in every province, Metro, District and Local Municipality. Government is to budget for the provision of Sanitary Towels, in order to prevent girls and young women from dropping out of school and higher education institutions

- There is a need to continually monitor spending in the education and training of women and girls, both in the public and private sector.

- Interventions that should be considered in relation to education and gender equality include removing financial barriers to education, increasing the number of women in decision-making in all areas; expanding life-skills based adult literacy programmes (given the link between education of mothers and health and education outcomes for their families)

- Women shall be represented at all levels of the policy-making, management and administration of education and training

- The Department is currently not meeting its requisite employment equity targets, including disability and gender, which has highlighted a need for more advocacy work. The issues of disability and gender equity are more prevalent at senior management

level with lack of visibility of females and people living with disabilities. Women, particularly black women, are not well represented in senior academic, professional and leadership positions in public universities.

- Despite 45 % of academic staff being women in 2011, there were four times as many men as women in the senior ranks of the academy.

- Women and Girls will benefit from improved coordination between departments dealing with the well-being and development of women and girls, such as the departments of Education, Health, Social Development and Economic Development

- There remain disparities of wealth, educational access and attainment, health status and access to opportunities, which are still largely based on race and gender. Patriarchy, which still exists and is a legacy of the past, ensures that women and girls continue to experience a subordinate position in many areas of life, including in much of the education and training system.

- The Not in Education, Employment of Training (NEET) rate is gender-skewed, being 29.7 % among men and 36.1 % among women, thus emphasising the need to focus on the expansion of opportunities for women

- Create better opportunities for further education for adults (mainly women) who attend the DBE's KhaRiGude mass adult literacy initiative and some of those who attend Public Adult Learning Centres (PALCs

STRATEGIC OBJECTIVE 6: Accelerating Women's Development: Infrastructure and the Environment

"It was to address the fundamental challenges that we adopted the National Development Plan in 2012, in order to guide our national effort to defeat poverty, unemployment and inequality. However, with 10 years to go before we reach the year 2030, we have not made nearly enough progress in meeting the NDP targets. Unless we take extraordinary measures, we will not realize Vision 2030. This means that we need to prioritize. We need to focus on those actions that will have the greatest impact. Actions that will catalyze faster movement forward, both in the immediate term and over the next 10 years"[28]

Community Development (Infrastructure)

Problem Statement: The Medium Term Prioritizes the development of human settlements, water and electrification programmes, public transport and municipal infrastructure. However, this allocation has not been allocated in a gender disaggregated manner

Community development, represents the spatial arena, where government, including all sectors of society, are able to pour development resources into. This is the arena (Localised Community Level) where policy implementation, as juxtaposed against the stark realities of gendered poverty and underdevelopment find expression. Medium term community development programmes, are often not allocated in a gender disaggregated manner, so as to bolster the implementation of targeted plans, to address the deeply entrenched levels of gendered poverty, gendered economic exclusion, as well as a myriad of other social ills, which can be effectively addressed through a gender disaggregated Medium Term budget. The Medium Term budget should be provided in a gender disaggregated manner, so as to ensure that women benefit equitably, thereby advancing women's adequate development and participation in productive sectors of society.

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Environment and Climate Change

Problem Statement: Women are disproportionately affected by environmental and climate change.

Women are disproportionately affected by environmental and climate change. Women's human rights are undermined by the impacts of, and responses to, climate change. It is recognised that women are exposed to increased risks because of their primary role in care work and agricultural production, as well as their role in water and food collection. Rural women, in particular, are more likely to suffer higher disaster-related mortality and carry the burden of the long-term impacts of loss of land, livelihood and security because of climate change. Rural women and informal settlement residents in particular have been denied vital resources. The gradual destruction of the natural environment soil erosion, deforestation and air pollution increases women's household, agricultural and community work responsibilities

Priority Actions: Development Projects such as Human Settlements, Water and Electrification Programmes, Shall be structured taking cognizance of gender disaggregated Data and Women's Socio-Economic Needs

[28] President CM Ramphosa, State of the Nation Address, 2019

- The budget supporting the implementation of the Medium Term Strategic Framework, Shall be structured in a gender disaggregated manner, in order to ensure that development projects such as human settlements, water and electrification programmes, the provision of public transport and municipal infrastructure, are approached and delivered taking cognizance of the gendered needs impacting the lives of women at community level.

- Employment generated from development and infrastructure programmes Shall benefit women, across provinces, metros, districts and local municipalities

- Government, including all socio-economic and political partners, Shall mitigate the impact of climate change on women and girls and such mitigation strategies Shall be developed, for the adoption of gender responsive strategies to climate change and by giving women a greater voice in discussions about climate change mitigation.

- Government, including all socio-economic and political partners, Shall effectively mitigate the impact of human-caused changes in the climate, by ensuring economic stability, addressing deepening inequalities as well as mitigating declining food and water security and increased threats to health and livelihoods, bearing in mind that women and girls are disproportionately affected by climate change and disasters, with many women and girls experiencing greater risks, burdens and impacts.

- Adequate, accessible and safe water supplies and sanitation Shall be made available to all communities, including those in rural areas and informal settlements.
- Services such as communications and electricity or other appropriate sources of energy must be extended to all communities as a matter of priority.

- Women need safe transport networks.

- Women Shall have affordable and secure housing with non-discriminatory subsidies and loans.

- Accessible health care, recreational, educational and social welfare facilities should be provided to women and these needs Shall be given adequate consideration in human settlements projects

- There shall be protection of natural resources to benefit women

- South Africa's Climate Change and South Africa's carbon footprint Shall be addressed, with a particular focus on how it impacts Women, Girl children and Women in rural areas

- Government shall urgently address issues relating to access to safe and clean drinking water, sanitation facilities and waste management, particularly in rural areas and informal areas, particularly as it impacts on the health and safety of women in informal settlements

- Ensure that infrastructure projects equitably include gender awareness as part of their investment decisions.

STRATEGIC OBJECTIVE 7: Promote Equitable Access to Comprehensive, Adequate and Sustainable Social Protection Systems for Women

"Social protection coverage for women of working age, and for children and adolescents – especially in Africa, Asia and the Pacific – has improved over the past two decades but nevertheless remains limited. • A gendered political economy analysis approach can help to understand why and how progress has (or has not) been made in promoting gender equality objectives in social protection design, implementation and outcomes, and to identify entry points for priority action."[29]

A substantial body of evidence exists on the positive impact of social transfers, family allowances, subsidised food and services, and graduation interventions on consumption, human development, economic opportunities, and reduction of monetary poverty. Evidence on gender-related outcomes is uneven but convincing. Cash transfers reduce demand-side barriers and lead to increases in school enrolment, particularly for girls, and use of preventative health, and health monitoring for children and pregnant women in many countries. A well-designed gender-responsive social protection programme considers the dynamics of gender-based differences and their intended and unintended consequences to inform objectives, target group, eligibility, benefits, geographical coverage, scale, and delivery systems.[30]

Problem Statement: Social Protection has been a Key Policy Response to the COVID 19 Pandemic, but the extent to which these measures have recognized and addressed the gendered impacts of the crisis, remains far from adequate.

The impact of the Covid-19 crisis has exacerbated gender inequalities. The crisis has increased women's care responsibilities, disproportionately affected women's jobs and livelihoods, and increased the risk of violence against women and girls. Social protection has been a key policy response to the crisis, but the extent to which these measures have recognised and addressed the gendered impacts of the crisis remains far from adequate. Without an explicit gender-informed approach, programme choices may further exacerbate gender inequalities, including risking women's own entitlement to social protection through restrictive eligibility criteria, and exploiting and exacerbating women's unpaid work. Gender inequality and dependency is inherently linked to a lack of access to opportunities and power. When women are limited in their ability to participate in the mainstream economy, they are more likely to be dependent on state interventions to bring about the much needed relief, particularly in the unfolding context and impact of the COVID 19 pandemic.[31]

Priority Actions: Social Protection as a Mechanism to Advance Gender Equality:[32]

- Providing regular adequate transfers and services to households with young children and adolescents to tackle the intergenerational transmission of poverty.
- Providing access to adequate protections for girls and women of reproductive age, including pregnant women and girls and new mothers.
- Providing paid parental leave and promoting shared responsibility for care.

[29] N Jones and P Domingo, 2019, The politics of gender-responsive social protection, Rebecca Holmes https://cdn.odi.org/media/documents/politics_of_gender-responsive_social_protection_final_digital.pdf
[30] M Siraj, 2020, Setting a clear ambition: a first step towards gender-responsive social protection https://www.unicef-irc.org/article/1957-setting-a-clear-ambition-a-first-step-towards-gender-responsive-social-protection.html
[31] R Holmes and A Hunt, Have social protection responses to Covid-19 undermined or supported gender equality? Emerging lessons from a gender perspective https://cdn.odi.org/media/documents/ODI_Gender_final.pdf
[32] Social Protection to Promote Gender Equality and Women's and Girls' Empowerment: a joint statement to the 63rd session of the commission on the status of women https://www.ilo.org/wcmsp5/groups/public/@dgreports/@nylo/documents/genericdocument/wcms_674612.pdf

- Extending coverage of social protection benefits and quality public services over women's working lives and into old age, including for those in informal, low-paid and precarious work.

- Build the capacity of governments and partners to design and deliver gender-responsive social protection systems, and provide linkages to complementary services and programmes.

- Invest in (i) gendered poverty and vulnerability assessments; (ii) improved data disaggregation, collection, quality and analysis; and (iii) research and evidence on policy design features to improve social protection effectiveness.

- Support local, national and international women's rights organisations and movements to articulate demand for improved design and delivery of social protection for all women and girls, and to strengthen accountability.

- The Social Protection/ Social Grants programme, as targeted at Women and Children, shall be linked to the available economic development opportunities for beneficiaries of Social Grants, so as to ensure that women and their children are safely navigated out of the social grant/social protection system, so as to ensure that they do not fall through the cracks, as and when they no longer qualify for grants.

- To this end, the department of social development and the departments of trade industry and competition, together with department of small business, including all economic development cluster departments and entities, Shall target social grant beneficiaries, for skills development and small business opportunities. This affirms the indivisible linkages between those identified for social protection, whose dependency and vulnerability is often re-established, as soon as child beneficiaries reach the age of 18.

- An integrated development approach will ensure that vulnerable families (particularly female headed houses holds) receive skills development and business development opportunities, ensuring that social protection programmes are effectively linked to economic development programmes for vulnerable women of productive age

- The state is to introduce a social welfare tax system for big business, which will be utilised towards the overall development of women. This is premised the principle that Social welfare services should be provided by both the state and the private sector, in accordance with the principles of social justice, equality and accessibility.

- Social services Shall apply to all areas of women's lives, in particular in the home, the workplace, health and education.

- The system of social services Shall pay special attention to the needs of rural and disabled women

- Women's Charter Review submissions alluded to a lack of accountability and responsibility for effectively addressing GBV. Social welfare spending points to low spending on GBV, which has shifted the burden towards NGOs for service delivery. A submission to the summit detailed the findings of the DPME Diagnostic Review (2016), which estimated that 60% of social services for women and children were provided by civil society, which are well placed to respond to their needs, given their location within communities. NGOs struggle with funding and are providing services despite being inadequately remunerated.

- Government Shall therefore employ reasonable efforts to fund NGO's and increase the budget expenditure on social services for women

STRATEGIC OBJECTIVE 8: Deconstructing Patriarchy and Inequality in Political and Civic Life: Advancing Women's Adequate Representation Across the Three Spheres of Government, Particularly at Local Government Level

From the local to the global level, women's leadership and political participation are restricted. Women are underrepresented as voters, as well as in leading positions, whether in elected office, the civil service, the private sector or academia. This occurs despite their proven abilities as leaders and agents of change, and their right to participate equally in democratic governance. Women face several obstacles to participating in political life. Structural barriers through discriminatory laws and institutions still limit women's options to run for office. Capacity gaps mean women are less likely than men to have the education, contacts and resources needed to become effective leaders. [33]

Problem Statement: It is Imperative that Women's Representation at Local Government Receives the Necessary Focus, in order to ensure Adequate Representation at Local Government Level

Since 1994, the representation of women and participation of women in the public sphere has greatly improved, resulting in a greater number of women being represented at the national sphere. It is imperative that all political parties advance gender equality, by ensuring that more women are represented across the three spheres of government. It is imperative that women's representation at local government receives the necessary focus, in order to ensure adequate representation at local government level

Priority Actions: Eliminating Structural Barriers that Prevent Women from Adequately Participating in Political and Civic Life

- Women shall have equal opportunity and access to leadership and decision-making positions at all levels of government, the private sector and civil society organizations
- The IEC shall run awareness campaigns to advance women's involvement in political and civic life matters
- All political parties shall adhere to a 50/50 representation
- Rural women shall be part of decision-making structures in traditional communities.
- Traditional institutions shall be restructured in accordance with the principles of equality and democracy.
- Women shall have equal access to, and representation on, public bodies
- There shall be adequate and appropriate support services to facilitate the full political participation of women
- Women shall have the right to acquire, change or retain their nationality and to pass it on to their children.
- Women shall be free from political intimidation and threat to her person.
- Women shall put systems in place to navigate the politics and advantages of access and inclusion, to ensure that those women who have been included in leadership structures, advance gender transformation

[33] United Nations Women, "Women's leadership and political participation" https://www.unwomen.org/en/what-we-do/leadership-and-political-participation

STRATEGIC OBJECTIVE 9: Deconstructing Patriarchy in Family Life and Partnerships

There are many different types of families which have not enjoyed the same rights, duties and benefits. Women bear an unequal burden in maintaining the family and yet have little power to make decisions. The White Paper on Families states that along with the economy, polity and education, the family is universally viewed as one of the essential sectors without which no society can function. It also acknowledges that there is a strong link and interplay between the family and other institutions in society. For example, the structure of a country's economy will not only influence the extent to which members of a family are able to enter and participate in the labour market but it will also determine, to a large extent, whether family members are able to derive livelihoods from decent work opportunities, earn a living wage and have benefits which enable them to have acceptable standards of living. The way an economy is structured will also have a bearing on the ability of family members to access quality health care and education.

Problem Statement: Eradicating Patriarchy and Advancing Gender Equality and Respect for Women's Rights starts at home, where often, Power and Financial Resources are still in the Hands of men.

Traditional societal expectations of women, i.e. predetermined social roles as child-bearers and carers - Prescribed gender roles, lead to women assuming larger responsibility for childcare and domestic work. Such values lead to people believing women are not able to make decisions and take responsibility outside of these roles.

Priority Actions: Gender Stereotyping of Work in the Home, Shall be Combatted through the Appropriate Awareness Campaigns, offered by the Department of Social Development and other Social Partners

- All family types shall be recognised and treated equally.
- Women shall have equality within the family and within marriages and intimate relationships.
- Women shall have the right to choose the partner of their choice.
- Women shall have equal rights during, and at the dissolution of, a marriage.
- Women married under customary law shall have the right to inherit from their husbands.
- Women must have the right to decide on the nature and frequency of sexual contact within marriage and intimate relationships.
- Partners and all members of the household should endeavour to share domestic responsibilities.
- Women should have equal access to the financial resources of the household.
- Women should have equal decision-making powers and access to information with regard to the economic management of the household.
- The integrity of the partnership has to be maintained without external and familial interference, except where physical, sexual and emotional abuse occurs.
- Women shall have guardianship over their children.
- Women shall have adequate, effective and enforceable maintenance and/or social welfare benefits for themselves and their children.

STRATEGIC OBJECTIVE 10: Deconstructing Patriarchal Hegemony in Custom, Culture and Religion

"The fact that patriarchy is a term so many shy away from using is one of the things that enables it to survive. Patriarchy is everyday sexism, but it is more than everyday sexism. Patriarchy embraces misogyny, but relies on more than misogyny. Patriarchy produces gender inequality, but its consequences run deeper than gender inequality. Patriarchy is a system – a dynamic web – of particular ideas and relationships. Patriarchy can be updated and modernized. It is stunningly adaptable. 'Sustainable patriarchy' simply describes how a system of ideas and relationships that so many women have risked their reputations and lives to challenge has, nonetheless, managed to survive. Exposing how patriarchal systems are being perpetuated today will enable us to more effectively challenge and dismantle them. The ideas and relationships that comprise any patriarchal system are multiple, but knowable. They are not mysterious. They are not abstracted from daily life. Patriarchy is what we live. Patriarchal ideas include both beliefs (how we explain how the world works) and values (what we deem is worthy, good, attractive, as well as what we find unworthy, bad, distasteful). Both can be appealing – and in fact are appealing – not only to most men, but to a lot of women. That appeal is one of the things that sustains them. patriarchy's essential core remains, which perpetuates the privileging of particular forms of masculinity over despised masculinities and over all forms of femininity. A few select women can be let into the boardroom – or onto the television sportscast or into the law school – but on (usually unwritten and denied) conditions: that those few women do not insist that many more women of diverse races join them; that those allowed inside internalize masculinized ways of thinking (about profits, war, sexuality, inequality); or, by contrast, that those few selected women act out a form of patriarchal femininity that complements but does not supplant masculinized privilege."[34]

Problem Statement: Culture and Religion have played a significant role in impeding Women from Accessing their Human Rights.

Many cultures, throughout the course of history, have traditionally exercised strict control over women and girls, which is also reflected in a wide range of customs and practices. Domestic violence and the exclusion of women from inheriting land are examples of cultural practices that have harmed women's human rights. It is important to promote an understanding that while culture is a significant component informing identity, it is not sacrosanct. It does not stay static over time and is able to adapt to new ideas and thinking as people change over time, allowing societies to grow and adjust to different ways of thinking. In addition, it is important to note that both culture and religion are permeated by power relations, where power is skewed so that women are at a disadvantage.

Priority Actions: Custom, Culture and Religion Shall be Subject to the Equality Clause in the Bill of Rights

- Custom, culture and religion shall be subject to the equality clause in the Bill of Rights, in order to Establish alignment with the constitutional values of Gender Equality
- Protecting the rights of women and girls, particularly those living in rural areas, shall be prioritised by the Department of Cooperative Governance and Traditional Affairs, including All Traditional structures and Monarchs across South Africa
- Through engagement with Traditional and Religious structures, identify all cultural, religious and customary practices, which are used as mechanisms to exercise strict control over women and girls, particularly women and girls in rural areas.
- Through engagement with traditional structures and monarchs across South Africa, develop programmes and legal instruments, to bring an end to All harmful cultural practices such as ukuthwala, female genital mutilation and All other gender discriminatory practices, as identified through public engagement processes
- There shall open engagement on prevailing social norms that reinforce gender stereotypes and creating an enabling environment within which gender-based violence can occur.
- All women shall have the freedom to practise their own religion, culture or beliefs without fear.
- Notwithstanding legislative reform, women and girls are often evicted from their homes when their

[34] *C Enloe, 2017,* The Big Push: Exposing and Challenging the Persistence of Patriarchy https://newint.org/columns/essays/2017/10/01/patriarchy-persistence

husbands/ fathers pass on. Inheritance practices that favour men at the expense of women who should rightfully inherit property, are placing many women in precarious positions where they have to live at the mercy of others. The appropriate mechanisms to address these discriminatory practices shall be developed

- The appropriate systems and mechanisms shall be developed, to increase the numbers of women in positions of traditional leadership

STRATEGIC OBJECTIVE 11: Accelerating Women's Equitable Access to Land

"Women are responsible for between 60 and 80 percent of food production in developing countries.[35] Yet they rarely own the land they are working on, have tenure security or control over the land. They often have limited decision making power and control over how to use the land or its outputs. Women's access to land and property is central to women's economic empowerment, as land can serve as a base for food production and income generation, as collateral for credit and as a means of holding savings for the future. Land is also a social asset that is crucial for cultural identity, political power and participation in decision making. Women's equal access to land is a human rights issue. It also has other benefits. Evidence shows that women's land rights reduce domestic violence4, that women who own land are more capable of exiting violent relationships and negotiating safe sex.[36] Agricultural production and food security also increase when women are granted tenure security."[37]

Problem Statement: Throughout the world, Gender Inequality, when it comes to Land and other Productive Resources is Intimately related to Women's Poverty and Exclusion.

Women's access to, use of and control over land and other productive resources are therefore essential to ensuring their right to equality and to an adequate standard of living. Throughout the world, gender inequality when it comes to land and other productive resources is intimately related to women's poverty and exclusion. Women's access to productive resources in general, and land in particular, cannot be divorced from the broader context of macroeconomic policy and the global economic system.

The exclusion of women from owning land and property are some of the practical ways in which control over women has been exerted. Access to land is a key challenge for many women living under customary law and in rural communities. With secure land rights, rural women usually have a greater say in their household investments and in community matters.

Inclusive growth requires equal access to opportunities and resources for all segments of society, including for both women and men. The High Level Panel Advisory on Land Reform revealed in its report that women in South Africa still carry the cost of oppression, marginalised by the land reform programme with women constituting less than a quarter of land beneficiaries nationally.

The South African Human Rights Commission recently in its Investigative Report into the Impact of Rural Land Use and Ownership Patters on Human Rights in South Africa stated that "Women make up the majority of the rural population and labour force on commercial farms, yet they are deprived of land ownership. Women who benefit from land reform projects are in most cases excluded from decision-making processes on issues regarding land use. Women constitute only 23% of land beneficiaries in South Africa, despite progressive laws and policies in place.

The country's National Development Plan (NDP) recognises the need for an inclusive and integrated rural economy, with the aim of implementing effective land reform, ensuring food security, and developing the potential of industries such as agro-processing, fisheries and tourism.

Women's Access to Land: The Legislative and Policy Paradigm

Various human rights instruments guarantee women's equal rights related to access, use and control over land.

- The Universal Declaration of Human Rights, establishes the principle of non-discriminative practices including discrimination based on sex. Among many rights the declaration recognises women's rights to property, food, housing and education.

[35] Action Aid "Securing women's rights to land and livelihoods: a key to ending hunger and fighting AIDS" Action Aid briefing paper, p.7

[36] COHRE, (2006) 'A Survey of Law and Practice related to women's inheritance rights in the MENA Region'

[37] Action Aid p.7-8

- The International Covenant on Civil and Political Rights, in article 3, guarantees equality between women and men, and it prohibits discrimination based on sex.
- On its Platform for Action, the Fourth World Conference on Women called on Government's to enable women to obtain affordable housing and access to land and to undertake legislative and administrative reforms to give women equal access to economic resources, including the right to inheritance and ownership of land and other properties.
- The Habitat Agenda, which was adopted at the Second United Nations Conference, on Human Settlements, committed governments to providing legal security of tenure and equal access to land to all people, including women and those living in poverty, as well as undertaking legislative and administrative reforms to give women full and equal access to economic resources, including the right to inheritance and to ownership of land and other properties.
- The Reconstruction and Development Programme (RDP), recognised women's land rights. The RDP also stated that the national land reform programme should address inequities and that support services and government assistance for agricultural production should benefit women.
- The 1997 White Paper on South African Land Policy, places considerable emphasise on gender equity in land access and the effective participation of women in decision-making procedures. The white paper concedes that "A key contributing factor to women's inability to overcome poverty is lack of access to and rights to land"

The above Protocols, Declarations and Legislative Frameworks laid the foundation for the development of and the progressive realisation of women's access to, use of and control over land. However, the disjuncture between public endorsement of land ownership by women and actual institutional practice or implementation is vast, hence only 23% of land reform beneficiaries are women.

Priority Actions (1): The Role of the State

- The state Shall develop adequate capacity to embark upon gender responsive planning and budgeting in order to accelerate women's land ownership, in both urban and rural areas.
- Gender Budgeting must be aligned to International, Regional and National development goals on gender equality and women development.
- Ensure that the land reform process favours all historically disadvantaged people, including women, to get land
- Government Shall incorporate a gender perspective into the design, development, adoption and execution of all budgetary processes, as appropriated in order to promote equitable, effective and appropriate resource allocation to advance land ownership by women in each province, metro, district and locality.
- Concerted efforts Shall be undertaken, to activate the meaningful participation of communities and civil societies in the effort to ensure land ownership by women.
- Cultural traditions that disempower women's access to and security of tenure on land must be urgently addressed.
- Government Shall ensure that women subsistence and small scale farmers receive adequate support
- Women Shall be enabled to play a greater and a co-operative role in food security, both in rural and urban agriculture.
- Vacant Land owned by Municipalities, shall be released and made available to women who require land for subsistence farming and small commercial projects
- Government Shall embark on a multi-sectoral approach which harnesses the roles, responsibilities, resources and commitment across government departments and spheres to accelerate women's land acquisition.
- The District Development Model must be instrumental in advancing a gendered Land

Reform approach, more so because the District Development Model enables all three spheres of government to coordinate and integrate development plans and budgets, while mobilising the capacity and resources of government and civil society, including business, labour and community, in pursuit of inclusive growth and job creation.

- Government Shall support the development of co-operatives in the land and agricultural sector, which must be embedded in the integrated District Development Model

- Government Shall avail the necessary infrastructure to meet the needs of existing and new entries of women farmers.

- Government Shall show its commitment by engaging in the transformation of our grossly inequitable corporate dominated food and agriculture regime. Monopolies, Oligopolies in these sectors shall be deconstructed, in order to disable old patters of ownership

- Government Shall put in place effective systems and Mechanisms, to roll back the increasing corporate power, including control of seeds and other inputs as well as corporate domination in retailing.

- Government Shall provide support to beneficiaries of land redistribution through financing, training, market access, irrigation and the provision of seeds, fertiliser and equipment, all of which contribute to the sustainability of emerging agricultural enterprises.

- When government embarks on land redistribution, the government Shall not treat "women" as a monolithic category, women differ in terms of tenure preference, background, land needs, social standing, class access to wages, location interests and capabilities. These matters shall be adequately deliberated upon, in order to ensure that women receive targeted support.

- All staff from national and provincial offices of the department of Land Affairs and Agriculture Shall participate in gender-sensitisation programmes/workshops.

- Proactive steps Shall be taken to ensure that women participate in land reform projects, pre-and post-settlement.

- Government Introduce strong monitoring and evaluation component and enforce compliance of Legislation.

- All land reform and or rural development programmes should have a set quota, which must be annually allocated and the set up date must be 2030.

- Land acquired through any of the land reform programmes in South Africa, should be registered jointly in the name of the wife and husband/ life partners, particularly those married in community of property and customary marriages

- Women cannot be productive citizens until they are safe. It is necessary to establish places of safety for women and children in rural areas. This should be coupled to accessible legal aid and a gender-sensitive and effective police presence in rural areas.

- Offer white commercial farmers and organised industry bodies the opportunity to significantly contribute to the success of black farmers in general and black female farmers in particular through mentorship, chain integration, preferential procurement and meaningful skill development.

- Encourage and support women farm cooperatives through incubators, mentoring and accelerating training in agricultural science.

- Strengthen Chapter Nine Institutions so that their recommendations must be binding.

Priority Actions (2): Translating Commitments into Tangible Outcome

- Parliament must take a three sphere sector oversight schedule underpinned by quarterly engagements, activities in order to ensure three sphere synergy and implementation of gender biased land reform.

- Policies to support smallholder and small-scale farming households (the majority of which are female-headed) include essential extension services. Access to plant material and breeding stock, and access to markets. Famers must be given access to better shearing infrastructure and training and be guaranteed market for their produce.

- The state to develop proper enforcement mechanisms in order to keep stakeholders accountable for women land ownership. The Commission for Gender Equality and Human Rights Commission must be instrumental in developing these mechanisms.
- Gender mainstreaming Annual Performance Plans must be integrated into existing government –wide Monitoring and Evaluation system.

- The Land Bank which is key for the advancement of transformation of the agriculture sector in the country, is facing serious challenges. The bank cannot access new funding until its defaults status is addressed, the bank liquidity constraints the agricultural sector and transformation and development is compromised by bank inability to support it. A concerted Oversight and Accountability strategy is needed to save the bank. Capacity training of officials linked with gender training is needed

- Government shall rectify the restitution programme, more so because it was never developed with sufficient emphasis on, or an understanding of gender, hence women did not benefit significantly nor equitably from restitution programmes.

- Recommendations made by the High Level Panel, must be scrutinised and be implemented. They propose new framework legislation which would clearly spell out the priority categories of beneficiaries effectively handled with clear strategic priorities. A land redistribution programme, coupled with a range of micro-economic intervention must be prioritised, while further focussing on food security as a priority.

STRATEGIC OBJECTIVE 12: End All Forms of Violence Against Women and Femicide

"Domestic violence in South Africa is a consequence of the complex interplay of patriarchy, culture, and the negative masculine construct. The patriarchal cultural beliefs and traditions that emphasise on male assertiveness and domination of women influence the constructions of masculinity and reinforce domestic violence. Domestic violence is a persistent worldwide problem that affects many women regardless of their demographic characteristics Research shows that the problem of domestic violence in South Africa persists despite the current strategies aimed at addressing it. South Africa is ranked as one of the countries with high rates of domestic violence in the world. According to the report by South Africa Demographic and Health Survey (2016), over a quarter of women in South Africa reported experiencing domestic violence from their intimate partners. This report also suggests that the rate of domestic violence in South Africa may be higher than the recorded figures, given that many cases go unreported. Research shows that many survivors tend not to report abuse from their partners due to factors like, fear that the abuser will retaliate, desire to protect the family, financial dependence on the perpetrator, and fear of ending the marriage. Feminist research reiterates that domestic violence is a consequence of patriarchy, a system that promotes male dominance by giving men powers to dominate and control women. Some researchers have attributed domestic violence to a set of interlocking factors, such as patriarchy, cultural beliefs, community norms, unemployment and low levels of education. Also, domestic violence is associated with the masculinity ideology, an endorsement of patriarchy related attitudes, beliefs, and behaviours assigned to men during the socialisation."[38]

Problem Statement: Violence in all its Forms, is Endemic to the South African Society. Both Sexual and Domestic Violence Are Pervasive and all Women Live Under the Threat of, or Experience Violence.

South African women continue to face pervasive structural violence, which is deeply embedded in societal structures. This pervasive structural violence manifests as the economic exclusion and depravity of women. It manifests as women's endemic poverty and unemployment. It manifests in the silencing of women through cultural norms and practices, which morphs into harassment, intimidation, assault and killing of women.

It is also worth noting that not all incidents of sexual offences are reported. The World Health Organisation highlights that many women do not report sexual violence to police because they are ashamed, or fear being blamed, not believed or otherwise mistreated.

Violence in South Africa is common despite the proliferation of legislation and state measures to prevent the crime before it happens, and protect victims after the fact. For this reason, innovative measures to combat the problem are critical. Over the past decade, more than a million women in the country have been the victim of gender-based violence. The cost of this violence is not only to the victim, but to her family, the economy, and to the state. In addition, it hinders women's ability to exercise their constitutional rights to live and move freely within South Africa's borders.

Violence in all its forms is endemic to South African society. Both sexual and domestic violence are pervasive and all women live under the threat of or experience violence. Women experience secondary victimization at all stages of the criminal justice system.

Research has shown that it is possible to prevent violence against women in the short to medium term with the right interventions. There is a very important legislative role that encompasses measures in the criminal justice system, but has a far wider reach with measures across a number of areas of the social cluster. It was reiterated that there is a solid basis of knowledge from research conducted over three decades, into measures needed for GBV prevention.

Widespread exposure of children to violence promotes anti-social behaviour. Widespread abuse of alcohol and drugs. This both increases the likelihood of violence and renders victims vulnerable. Guns: legal and illegal guns are still widely used to threaten and kill. Social norms that support and legitimise the use of violence are prevalent, and in particular, acts such as sexual harassment and sexual violence are perceived as normal by many South Africans. Law enforcement is generally very weak; legislation does not form a deterrent. The response from Government to violence prevention has been very weak, and does not include social reforms.

[38] L Mshweshwe, 2020, Understanding domestic violence: masculinity, culture, traditions https://www.sciencedirect.com/science/article/pii/S2405844020321770

Priority Actions: Government Shall Consistently Implement Measures to Promote Gender Equality and Targeted Actions Against GBV and Femicide

- The extent of GBV shall be accurately captured through a dedicated platform, by including violence against women as a specific incidence/recording category for GBV, in order to address the fact that there doesn't exist a specific crime called "GBV". When referring to GBV, what is generally meant is sexual offences and cases arising from domestic violence. The establishment of a system to accurately record GBV cases in a detailed manner, will increase the accuracy of GBV statistics and data.

- Government Shall activate Sustained measures and interventions, to reduce poverty and enhance school completion for both boys and girls

- Housing strategies and Economic opportunities shall be provided for GBV victims to rebuild their lives

- Government shall Consistently Implement Measures to promote gender equity and actions against GBVF

- Government Shall Consistently implement interventions and actions to reduce all forms of violence in our society

- Government Shall Consistently implement interventions and programmes to reduce alcohol and drug abuse

- Government Shall Increase funding for mental health and support for counselling programmes

- Government Shall Increase parenting programmes to support vulnerable parents, young mothers, poor mothers

- Government Shall introduce Measures to bring fathers into the full role of parenting, both emotionally and economically

- Programmes to build gender equity and counter GBV Shall be mandatory in the work place, in both public and private sectors, including the education system.

- Cash transfers to women (social grant programmes). Social grant beneficiaries shall be transitioned into skills development and economic opportunity programmes, as a mechanism to foster independence

  Such measures Shall Effectively Combine economic and social empowerment programmes targeting vulnerable women

- Parenting programmes to prevent IPV and child maltreatment Shall be implemented in GBVF hotspots

- Government, Civil Society and community structures, Shall activate Community activism to shift harmful gender attitudes, roles and social norms;

- Social Structures Shall implement Interventions that work with individuals and or couples to reduce their alcohol consumption and or substance abuse (with or without other prevention elements);

  Such Couples Interventions Shall (focus on transforming gender relations within the couple, or addressing alcohol and violence in relationships);

- Interventions with female sex workers to reduce violence by clients, police or strangers (i.e. non-intimate partners) through empowerment collectivisation or alcohol and substance use reduction;

- Valuable school-based interventions to prevent dating or sexual violence and school-based interventions for peer violence Shall be Implemented

- Child Maintenance Programmes Shall be effectively implemented

- Legislators Shall improve oversight mechanisms in reducing all drivers of violence through the strengthening of laws, promoting a focus on key policies for advanced implementation. The security and social cluster shall be monitored by the legislative sector, so as to ensure proper coordination of interventions across various

departments, to address these drivers, which are not only limited to the Criminal Justice System (CJS).

- The NSP GBV-F is driven by the Presidency and needs to lay the foundation for policy reform and periodical review to assess impact

- The implementation of Serious Case Reviews should be employed to strengthen our ability to monitor why our current system is failing women and their families.

- Legislatures Shall Exercise Effective Oversight of the work of the National Council on GBVF (NCGBVF), and its associated structures, in implementing the NSP on GBVF and its budget.

- **Sufficient Resources** Shall be allocated from National Treasury for measures required for GBV and femicide prevention

- **Gun, alcohol and drug control:** Vigilant enforcement of existing measures, action on illegal guns, measures to reduce harmful alcohol use and drugs

  The use of guns and alcohol require a policy response by the government

- **Government Shall Provide Resources for evidence-based prevention programmes** to change harmful masculinities e.g. Stepping Stones and Creating Futures

- **Government Shall Provide Resources for mental health programmes**, in the health sector and through community-level interventions including psychotherapy from lay counsellors;

- **Government Shall Provide Funding for shelters including making provision for the LGBTQI+ community, parenting programmes** for vulnerable parents, more efficient maintenance, protection orders etc

- **There Shall be Stronger enforcement of Existing legislation**, and judicial review of sentencing

- **Government Shall Ensure a Solid Research Foundation** to guide the GBV prevention strategy and monitor and evaluate its impact.

- Women shall be entitled to security and integrity of the person, which shall include the right to be free from all forms of violence in the home, in communities, in the workplace and in public spaces.

- The State Shall be responsible for public education about the dignity and integrity of the person.

- There shall be legal protection for all women against sexual and racial harassment, abuse and assault.

- Government Shall Provide Facilities staffed by trained personnel, where women can report cases of rape, battery and sexual assault, undergo medical examination and receive appropriate treatment and counselling shall be provided.

- Appropriate education and training for police, prosecutors, magistrates, judges, district surgeons and other persons involved in dealing with cases of rape, battery, sexual assault and incest must be provided.

- There shall be accessible and affordable shelters and counselling services for survivors of rape, battery and sexual assault.

- **Dominant ideas of manhood and Toxic Masculinity:** There is an emphasised gender hierarchy and competition between men. Ideas of manhood are founded on the domination of women, and carrying weapons and the abuse of alcohol are part of these ideas. These toxic ideas shall be deconstructed and replaced with ideas that build cohesion in communities

- Gender based violence (GBV) and in particular, domestic violence, is usually the precursor to femicide. Curbing and eradicating GBV will in turn reduce the incidents of femicide. Government shall deepen and accelerate efforts to end GBV

- Human rights to be taught as a subject in schools and continue to educate the youth from a young age on human rights. In a democracy, this is imperative.

- The journey to gender-based violence often begins with derogatory name-calling and a condescending tone towards girls. Hate-Speech Policies in schools must be addressed

- The relationship between gender-based violence and the LGBTQI+ community for children and teenagers

- Corrective rape, which is the raping of lesbians with the intention of trying to "make them" straight or "correct" them, is still highly prevalent.

  Government shall develop the appropriate interventions to ensure the protection, safety and human rights of the LGBTQI+ community

The following interventions Shall be undertaken:

- Education and training for children and teenagers on the psychological impact of homophobia and transphobia as well as corrective rape.
- Assess if schools are cultivating environments where it is safe for children to come out.

The role of SAPS in the investigation of GBV and protection orders requires clarity and strengthening to prevent femicide. Measures shall put in place by the state to ensure the necessary improvements

- Consideration Shall be given to the relationship between gender-based violence and human rights for children and teenagers

Respond effectively to findings of the Police Investigative Directorate's (IPID) oversight mechanism. These include failures to:

- Inform victims on where and how to access counselling services;
- Inform victims on where and how to obtain a protection order;
- Keep a copy of the protection order after it had been obtained from court;
- Locate victims and establish whether they were safe;
- Note reason why no charge or arrest was made;
- Note the incidents in the domestic violence register;
- Open a docket and refer the matter to the National Prosecuting Authority (NPA) for decision to prosecute;
- Search and seize firearms and ammunition;
- Take a witness statement;
- Inform the victim on where and how to access medical assistance;
- Issue a notice against the alleged transgressor to appear in court; and
- Complete the J88 (medical report) and other relevant information.

STRATEGIC OBJECTIVE 13: Human Settlements - Accelerating Women's Equitable Access to Housing (Particularly the Poor and Vulnerable)

During the COVID-19 lockdowns imposed by Southern African countries, some homes across the region became enclaves of cruelty, rape and violence for women and girls trapped with abusive family members and nowhere to report or escape the danger. The COVID-19 pandemic has prompted an escalation in gender-based violence against women and girls in Southern Africa. It has also magnified existing structural problems such as poverty, inequality, crime, high unemployment and systematic criminal justice failures.[39] Furthermore, the termination of a relationship can create considerable housing problems for a woman. "Given low earnings and a lack of housing options, some women have to choose between continuing difficult domestic relationships in good housing, or better relationships in poorer housing". Changing accommodation may well involve moving downward in housing quality rms.[40]

Problem Statement: The Inadequate Provision of Housing and Infrastructure Contributes to the Poor Conditions in Which the Majority of South Africa's Communities Live

However, female-headed households constitute a disproportionate number of the poor and they experience greater extremes of poverty than male-headed households. Although women are generally targeted in urban policies concerned with population control, health and family planning, women are less often included in policies, which directly address the problems of low-income housing and infrastructure provision. Since female-headed households are required to provide these services to their families, gender should play a prominent role in policy consideration.

Priority Intervention: Link General Housing Strategies and Housing Policy to the Needs of (Victims of GBV, the Vulnerable and Indigent)

- Government must re-assess the role of housing with respect to vulnerable groups, such as orphans, people living with AIDS (PLWA) and abused women, child and female headed houses holds
- Property and Housing laws must be reviewed in order to accelerate property ownership for women. Government must do away with (long payment structures) for housing bonds, which still disproportionately affects women
- Develop a comprehensive shelter and housing policy responsive to the needs of abused women.
- Develop housing strategies that take consideration of permanent housing needs of abused women
- Link general housing projects to benefit Female and Child Headed households
- Link general housing projects to homeless women with children
- Housing Provision, Shall also take into consideration the needs of the LGBTQI+ Community
- Shelters shall be provided for vulnerable the LGBTQI+ Community, who often face discrimination and violence in public spaces

[39] "Southern Africa: Homes become dangerous place for women and girls during COVID-19 lockdown", Amnesty International, 2021
https://www.amnesty.org/en/latest/news/2021/02/southern-africa-homes-become-dangerous-place-for-women-and-girls-during-covid19-lockdown/

[40] S Charlton, An Overview of the Housing Policy and Debates, Particularly in Relation to Women (or Vulnerable Groupings)
http://www.csvr.org.za/docs/gender/overviewofhousing.pdf

STRATEGIC OBJECTIVE 14: Advancing Women's Equitable Access to Health Care

Women's improved health status have benefits beyond the individual - when women have adequate access to healthcare and health-related resources they are more likely to not only ensure better health for themselves, but also their families and ultimately their communities. Healthier families and communities are able to result in a more productive labour force which, given the right conditions, contributes to economic and sustainable development. The relationship between women's economic empowerment and reproductive health is often mutually enforcing. In every society and every household, women provide critical economic support to their families, whether in agriculture or by earning income in the informal or formal labour market. Therefore, reproductive decisions and sexual health have a great impact on women's ability to engage in productive labour and contribute to family well-being and that of the nation. The World Bank highlights that investments in women's health have multiple payoffs: in addition to improving women's well-being and productivity, such investments also yield significant benefits for families, communities and the national economy. Women's health has a major impact on the health and productivity of the next generation.

Problem Statement: Women's Inadequate Access to Health Care is exacerbated by Vast Distances and High Travel Costs, Especially in Rural Areas; high out-of-pocket (OOP) Payments for Care; Long Queues and Disempowered Patients.

The Commission for Gender Equality indicates that a number of barriers exist in terms of women's access to health care. These include vast distances and high travel costs, especially in rural areas; high out-of-pocket (OOP) payments for care; long queues and disempowered patients. It further notes that women need access to antenatal care during pregnancy, they need skilled care during childbirth and further care and support in the weeks after childbirth. In some instances, women have access to the health facilities but are not attended to by a skilled health professional i.e. doctor, midwife or trained nurse. In addition, there are still barriers to accessing contraceptives which disproportionately impact on vulnerable and marginalised populations, such as adolescents, and persons living with disabilities. Women are less likely to have access to most forms of health insurance that are based on formal employment, and to this end the provision of efficient and accessible primary health care is imperative for women's development and empowerment.

Priority Actions: Government Shall Ensure that Healthcare Services are Accessible to Women, with Adequate Consideration of Women in Rural Areas.

- Government Shall implement the NHI and further consider its gendered implications, for poor and vulnerable women
- The provision of health care services is directly linked to accessibility and availability. Government Shall ensure that healthcare services are accessible to women, with adequate consideration of women in rural areas.
- The accessibility of services is linked to the availability of proper infrastructure development. Government. Shall therefore ensure that infrastructure projects consider the provision of proper infrastructure, where women reside
- Government Shall ensure the provision presence of the appropriate medical equipment and human resources, to address women's medical and health needs at health care needs
- Equal, affordable and accessible health care services which meet women's specific health needs shall be provided.
- The health care system Shall provide antenatal care during pregnancy for women
- Women have the right to control over their bodies which includes the right to reproductive decisions.
- Access to Information and knowledge to enable women to make informed choices about their bodies and about health care should be provided.
- Education about family planning and family planning services should be provided free of charge to both men and women.

- Every person shall have access to adequate nutrition.
- Appropriate and accessible mental health care services must be provided to women.

STRATEGIC OBJECTIVE 15: Advancing Transformation and Gender Equality in the Media Industry

Media today, from traditional legacy media to online media, still hugely influence our perceptions and ideas about the role of girls and women in society. Research shows that from a young age, children are influenced by the gendered stereotypes that media present to them. Research has found that exposure to stereotypical gender portrayals and clear gender segregation correlates "(a) with preferences for 'gender appropriate' media content, toys, games and activities; (b) to traditional perceptions of gender roles, occupations and personality traits; as well as (c) to attitudes towards 2 expectations and aspirations for future trajectories of life" . Women are frequently portrayed in stereotypical and hyper-sexualised roles in advertising and the film industry, which has long-term social consequences.
Media can play an impactful and transformative role in achieving gender equality in societies. By creating gender-sensitive and gender-transformative content and breaking gender stereotypes. By challenging traditional social and cultural norms and attitudes regarding gender perceptions both in content and in the media houses. By showing women in leadership roles and as experts on a diversity of topics on a daily basis, not as an exception. The media industry needs to be encouraged to produce gender-transformative content and to develop self-regulatory equality policies, including access to decision-making positions. Monitoring and evaluation mechanisms need to be set up to assess the progress within the sector. Thereby creating gender equality in content, workplace and management.[41]

Problem Statement: In South Africa, Women do not Enjoy Equal Access to, or Coverage in the Film, Print and Electronic Media. Very Few Women Own or Control Media Institutions or Occupy Executive or Editorial Decision-Making Positions.

The African Media Barometer highlighted the following challenges: South African media lacks diversity regarding offering content that addresses the gender, class, race and ethnic complexities of the country. Voices of women, rural citizens, the disabled, sexual minorities, ethnic and religious groups are marginalised in the media. There is also little diversity of styles, genres and formats. Furthermore, women continue to be marginalised in the newsrooms. Although the number of women reporters has increased, there are very few women at editorial and management levels. Research has shown that creating gender equality in the newsroom is more than fulfilling a quota or being politically correct – it is good business as gender balance not only helps build readership and a publication's impact but eventually, its overall revenue. Women remain under-represented professionally in newsrooms, making it harder for women's voices to be heard on certain issues. Women also tend to be stereotyped in terms of topics and are rarely called upon by the mainstream media to discuss certain subjects (such as science). Research conducted by Media Monitoring Africa found that media sources in South Africa give voices to women only 18-23% of the time in terms of news stories, while male voices remain dominant A 2018 Sanef/Genderlinks report on the glass ceiling for women in South African newsrooms indicated that there was an invisible yet real barrier to the advancement of senior women through pervasive sexism in media houses. The report noted that challenges for women in the South African media are becoming less about numbers and more about the underlying sexism in the media, with new threats such as cyber-based misogyny emerging. In addition, issues such as the impact of working hours on childcare, further compounds the unequal burden on women in the media.

Priority Actions: Media Houses Shall Develop Content that Addresses Gender Stereotypes and Patriarchy, Including Issues of Gender Based Violence and Femicide.

- Women Shall have equal access to all media and media institutions.
- Government shall put the appropriate monitoring systems in place, in order to ensure that women's voices are heard, particularly on matters that advance gender equality
  Through a social compact with media houses and the overall media industry (all role players and stakeholders), government Shall ensure the production and distribution of media content that

[41] International Media Support at el, 2020 "The crucial role of media in achieving gender equality" https://www.mediasupport.org/the-crucial-role-of-media-in-achieving-gender-equality/

ends the portrayals and framing of women, in stereotypical (home- and family-focused), sexualised, or auxiliary roles, which often entrenches patriarchy and its various manifestations.

- As part of the social compact, industry leaders shall ensure the development of social campaigns, education programmes, and more targeted training and awareness-raising (including for industry decision-makers) to promote egalitarian values and practices

- Government Shall put systems in place to address matters relating to sexism in media houses, including cyber misogyny and bullying of women across the media houses and newsrooms.

- Negative or injurious stereotypes of women Shall be eliminated, through sustained campaigns that are guides by gender equality precepts.

- A gender sensitive legal framework governing the media Shall be developed, to include laws which are specific to media companies, such as licensing system regulations, diversity, respect for human dignity and ensuring women receive equal pay for the work they do in the media industry

- The contribution of women in all areas of public and private life must be reflected in the media.
- The promotion of equality, including affirmative action, in employment must redress current imbalances in the status of women in the media.

- Government Shall put the appropriate monitoring systems in place, to ensure the representation of women in senior management and decision making positions in the media industry

- This Charter gives expression to the common experiences, visions and aspirations of South African women. We are breaking our silence. We call for respect and recognition of our human dignity and for a genuine change in our status and material conditions in a future South Africa. All decisions and resolutions taken by women's forums Shall be monitored so as to track implementation progress.

COMMITTEE REPORTS

National Assembly

1. REPORT OF THE PORTFOLIO COMMITTEE ON PUBLIC SERVICE AND ADMINISTRATION ON THE RECOMMENDED CANDIDATES FOR APPOINTMENT BY THE PRESIDENT TO SERVE AS COMMISSIONERS FOR THE NATIONAL PUBLIC SERVICE COMMISSION, 02 MARCH 2022

The Portfolio Committee on Public Service and Administration (the Committee) having considered a request by the President of South Africa, requesting the National Assembly to recommend fit and proper persons in accordance with section 196(8)(a) of the Constitution, to fill vacancies of commissioners for the Public Service Commission, reports as follows:

1. BACKGROUND

1.1 The Public Service Commission is an independent institution established in terms of Chapter 10 of the Constitution, 1996. It derives its mandate from section 196 of the Constitution, which sets out the values and principles governing public administration. The Constitution stipulates that there is a single PSC for the Republic of South Africa, which consist of 14 commissioners. Section 196 (7)(a) of the Constitution stipulates that five commissioners are approved by the National Assembly in accordance with subsection (8)(a). Section 196(10) states that a commissioner is appointed for a term of five years, which is renewable for one additional term only.

2. INTRODUCTION

2.1 A letter dated 29 September 2021 was received from the President of South Africa, requesting the National Assembly to recommend fit and proper persons in accordance with section 196(8)(a) of the Constitution, to fill vacancies that would occur when the term of office of Adv. RK Sizani, Ms CP Nzimande and Dr TB

Luthuli as commissioners in the Public Service Commission comes to an end in January 2022 (see ATC 136-2021). The Speaker referred the matter to the Portfolio Committee on Public Service and Administration.

2.2 In designing an advert, the Committee was guided by a legal opinion on "fit and proper person" from the Constitutional and Legal Services of Parliament pertaining to the constitutional requirements for a commissioner in the Public Service Commission (PSC). The words "fit and proper person" in respect of the appointment of a PSC commissioner as set out in both the Constitution and the Public Service Commission Act, 1997 (Act No.46 of 1996) was rigorously interpreted and clarified.

2.3 In terms of the legal interpretation, it is commonly accepted that in order to be a "fit and proper person" a person must show *integrity, reliability and honesty* as these are the characteristics which could affect the relationship between such a person and the public. The Courts have also interpreted the requirement of "fit and proper person" and have held that the "fit and proper person" standard is a value judgement.

2.4 According to 09th Edition Rules of the National Assembly, Rule 229 indicates that "a portfolio committee may appoint a subcommittee from among its members to assist the committee. On 01 December 2021, the Portfolio Committee established the subcommittee to shortlist and interview candidates. The subcommittee comprised of the following members:

African National Congress:

James, Mr TH (Chairperson)

Mgweba, Ms T.

Kibi, Ms MT.

Malomane, Ms VP.

Democratic Alliance:

Schreiber, Dr LA.

Economic Freedom Fighters:
Komane, Ms RN.

National Freedom Party:
Sibisi, Mr CHM.

2.5 On 12th November 2021, the Committee placed an advert in various national newspapers calling on members of the public who are fit and proper persons to apply for the vacancies at the PSC. The advert closed on 03rd December 2021.

3. PROCESS UNDERTAKEN

3.1 The Committee received 146 applicants who responded to the advert to serve as a commissioner of the Public Service Commission. Since the Constitution and the Public Service Commission Act of 1997 do not prescribe the requirements, the subcommittee agreed on the criteria to be considered for purpose of shortlisting candidates. The following criteria were generally applied:

- Principle of fit and proper person.
- Demonstration of strong work ethic and integrity.
- Extensive knowledge of and skill in government system.
- Understanding of and/or previous experience with the Public Service Commission.
- Appropriate and extensive experience in senior management level in either public or private sector.
- Understanding of the National Development Plan and the mandate of the Public Service Commission.

3.2 The subcommittee discharged its duties conscientiously in screening 146 applicants' curriculum vitaes. The subcommittee had agreed on a specific number of candidates

to be shortlisted. The subcommittee resolved to shortlist the following seventeen (17) candidates for the interviews:

1. Mr Jafet Ferdinand Victor
2. Dr William Khotso De Wee
3. Mr Theodore Madoda Sefuba
4. Mr Thabo Guy Monyanyedi
5. Mr Maseala David Kekana
6. Ms Zukiswa Mqolomba.
7. Mr Themba Thomas Cyril Dlamini
8. Dr Tholumuzi Bruno Luthuli
9. Ms Anita Thelma Marshall
10. Ms Nancy Nomah Ngwenya
11. Mr Bhekizenzo Tembe
12. Ms Odette Retana Ramsingh
13. Ms Nkele Linah Mogolane
14. Prof Nicolaas Johannes Jacobus Olivier
15. Prof Mandlenkosi Stanley Makhanya
16. Ms Thusani Matshele Mulaudzi
17. Ms Mpho Janet Digojane

4. INTERVIEW PROCESS

4.1 As per the advert requirements, applicants were subjected to security clearance. All candidates' details were submitted for the security clearance process.

4.2 All shortlisted candidates were invited to attend the interview scheduled for 16-17 February 2022.

4.3 Parliament Support Staff drafted guidelines and interview questions framework to advise members of the subcommittee on conducting interviews. Candidates were

given topics for the presentation; one for day one and one for day two. The interview was based on two phases, presentation-specific and structured generic interview questions. The subcommittee adopted both the outline and guidelines comprising of structured interview questions for the purpose of ensuring fairness of the process. All candidates were asked similar generic questions and presentation-specific questions in relation to their presentations; and assessed fairly in relation to individual capabilities, competency and skills relevant to job requirements.

4.4 Candidates were split into two groups over the two days - nine (9) candidates for day one and eight (8) candidates for day two.

4.5 As part of the recruitment process, the Committee has requested the Department of State Security Agency to vet shortlisted candidates in order to determine the fit and proper person to be recommended for the appointment by the President. Due to the delays encountered regarding the security clearance, the Committee referred the matter to the Presidency Office to ensure consideration of the vetting report by the Department of State Security Agency prior the appointment.

5. RECOMMENDATIONS

5.1 The Portfolio Committee resolved to recommend three candidates to the National Assembly in terms of section 196(8)(a) of the Constitution, for the appointment by the President to serve as commissioners for the Public Service Commission, who are as follows:

(i) Ms Zukiswa Mqolomba

(ii) Ms Nancy Nomah Ngwenya

(iii) Prof Mandlenkosi Stanley Makhanya

5.2 The Committee has ensured that a mix of candidates are recommended for the appointment by the President, which includes persons living with disability, women and youth.

5.3 Having encountered delays with regard to the security clearance, the Office of the Presidency should consider pursuing the matter with the Department of State Security Agency prior to the appointment of the candidates recommended above to serve as commissioners for PSC, since the information on fingerprints is still outstanding from the State Security agency.

5.4 In terms of the Public Service Commission Act of 1997, once appointed *"a commissioner shall not hold office in any political party or political organisation. A commissioner shall not, without the consent of the President, perform or engage himself or herself to perform any remunerative work outside the duties of his or her office".* This provision of the Public Service Commission Act of 1997 ensures that the Commission remains independent and impartial from any political influence.

6. CONCLUSION

6.1 The Portfolio Committee is therefore confident that the candidates recommended above for the appointment have a clear understanding, expertise, skills and knowledge of the mandate of the Public Service Commission.

Report to be considered.