



*South Africa's National Policy  
Framework for  
Women's Empowerment and Gender  
Equality*

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## **EXECUTIVE SUMMARY**

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### **1.1 Introduction**

The Presidency, in accordance with its jurisdiction over the national gender programme, proposed that Cabinet adopt the policy framework prepared by the Office on the Status on Women. The policy framework was titled: *South Africa's National Policy Framework for Women's Empowerment and Gender Equality*. This framework will hereafter referred to as the Gender Policy Framework.

This executive summary provides an overview of the content of the Gender Policy Framework. The document is comprised of eight (8) chapters. These are: *Introduction* (Chapter 1); *Situational Analysis and Problem Statement* (Chapter 2); *Vision and Principles for Gender Equality* (Chapter 3); *The Institutional Framework* (Chapter 4); *Proposed Intersectoral Co-ordination Framework and Process for Gender Mainstreaming* (Chapter 5); *Monitoring and Evaluation* (Chapter 6); *Resources* (Chapter 7); and *Carrying the Process Forward* (Chapter 8).

This Gender Policy Framework outlines South Africa's vision for gender equality and for how it intends to realise this ideal. Like other generic policy documents which are trans-sectoral, such as the "White Paper on Transforming the Public Service," it is not meant to be prescriptive for the various sectors of government. Instead, it details the overarching principles, which will be integrated by all sectors into their own sectoral policies, practices and programmes.

### **1.2 Statement of the Problem**

South Africa's definition of and goals towards achieving gender equality are guided by a vision of human rights which incorporates acceptance of equal and inalienable rights of all women and men. This ideal is a fundamental tenet under the Bill of Rights of The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996). It emerged from a long period of struggle for a democratic society that respects and promotes the rights of all its citizens irrespective of race, gender, class, age, disability, etc. (Bill of Rights, Sections 9.1 to 9.4)

The conception of such an ideal emerged from people whose history is steeped in institutional racism where rights, life chances and the distribution of goods and services were predicated along racial lines. More importantly, respect for the dignity of individuals was determined by the colour of their skin and, further within the various racial groupings, by their gender designation. The socio-cultural dictates of all groups defined women to be inferior to men and as such assigned to them the position of minors in both the public and private spheres of life. In the private sphere, women were less likely to lead in decision-making. In most interpersonal relationships men had more power. This historical legacy of patriarchy influenced essential informal and formal human relationships with a marked impact at the workplace.

This Gender Policy Framework establishes guidelines for South Africa as a nation to take action to remedy the historical legacy by defining new terms of reference for interacting with each other in both the private and public spheres, and by proposing and recommending an institutional framework that facilitates equal access to goods and services for both women and men. The Gender Policy Framework proposes a process that moves away from treating gender issues as "something at the end-of-the-day" business. Often, while discussing development issues, it is presumed that gender issues can be addressed after the "hard-core

issues” have been dealt with<sup>1</sup>. This Gender Policy Framework attempts to ensure that the process of achieving Gender equality is at the very center of the transformation process in South Africa within all the structures, institutions, policies, procedures, practices and programmes of government, its agencies and parastatals, civil society and the private sector.

### **1.3 Assumptions Made in Crafting the Gender Policy Framework**

It is essential to identify the basic assumptions in which underpin the formulation of this Gender Policy Framework. The central assumptions are that:

- in spite of the fact that South Africa is considered by some international indicators to be among the upper-middle-income countries of the world, the majority of South Africans live either in abject poverty or in fear of becoming poor. Since the majority of these people are women living in peri-urban and rural areas, the Gender Policy Framework has taken a “basic needs” approach and has prioritised the meeting of ‘basic needs’;
- by definition, a “basic needs” approach is holistic in nature. To comply with the principles embraced in this approach, the strategy for programme implementation has to be intersectoral. To deliver programmes, those involved will have to mobilise across a number of sectors to address the multiple needs assumed within this model;
- the “women’s empowerment” approach tends to focus more on practical needs which in themselves are complementary to the “basic needs” approach reflected in the situational analysis. On the other hand, the “Gender and Development” (GAD) approach focuses on ‘strategic needs,’ the goal of which is gender equality. Given the high levels of inequalities which pertain in the South African context, the focus on women’s empowerment in this document affirms the satisfaction of ‘basic needs’ (‘practical needs’) as a necessary precondition towards the identification and attainment of ‘strategic needs’;
- this Gender Policy Framework is issue driven rather than sector specific and promotes a co-operative approach among sectors towards achieving Gender equality both within and across sectors. In presenting the situational analysis the Gender Policy Framework draws on the Beijing Platform of Action as an analytical and organising tool because it is comprehensive. Whilst not all the critical areas found in the Beijing Platform are included, those selected are sufficiently broad to incorporate the 27 sectors of the South African Government. There is no need to specify each sector and lose sight of the intersectoral approach;
- each sector has unique issues to address. In turn, these sector issues have unique gender implications. As a generic policy framework, the National Gender Policy Framework will provide the guidelines which the various sectors can use to issue more detailed policy documents that are sector specific. Sectors will be able to integrate the principles contained in this Gender Policy Framework into their prevailing policy and strategic documents.

The Gender Policy Framework further assumes that writing a Policy Document that addresses the specific policy needs of each government department presupposes:

- intimate knowledge of the situation in that department; and

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<sup>1</sup> Gender Equality Indicators: Public Concerns and Public Policies. Proceedings of a Symposium held at Statistics Canada; March 1999.

- centralisation of policy development in the OSW which, in turn, requires centralisation of implementation within the OSW.

Such centralisation of policy development would result in the:

- marginalisation of gender programmes in the line departments thereby defeating the gender mainstreaming principles which move towards the total integration of gender issues within a department.

The National Gender Policy Framework herein contained, establishes the national goal, proposes central objectives, defines key indicators for attaining the goal and objectives, and identifies expectations of key national structures that are mandated to implement the programme. While the Gender Policy Framework is not prescriptive, it does set standards and norms for the national programme.

#### **1.4 Overview**

Closely related to the assumptions outlined in paragraph 1.3 is an overview of the policy document. It should be noted that the policy document is not an academic exercise. It is a document which comes out of a lengthy consultative process dating back to 1990. Thus, the Gender Policy Framework is but a consolidation and synthesis of documents emanating from this process.

##### **1.4.1 Challenges Facing South Africa**

South Africa is faced with many challenges. To achieve a society free of racism and sexism the country must undergo a paradigm shift with regard to how resources are allocated and how people relate to each other. The challenges facing South Africa have been translated into national priorities. All of these priorities have compelling gender dimensions which need to be addressed if the country is to advance towards Gender equality. The key challenges are:

- **Gender relations:** South Africa is in a process of transition. One of the key objectives in this process is the transformation of gender relations. The challenge is to shape the broad transformation project in a way which acknowledges the centrality and compatibility of the transformation of gender relations to the broader institutional change process. This requires a fundamental review of what has come to be accepted as 'business as usual.'
- **Poverty** is a major problem for women in South Africa. The systematic and socially-engineered location of women in rural areas, and the underdevelopment of infrastructure in these areas, has been directly responsible for the poor conditions under which the majority of South Africa's rural communities live. Apartheid laws, coupled with repressive customs and traditions, disempowered women in ways that will take generations to reverse. While the democratic government has established enabling legislation, it must move towards delivery to alleviate and, eventually, eradicate poverty.
- **Globalisation** is an emerging world challenge. It is a system of redistribution of opportunities and benefits which may enhance the economy or lead to rising inequality and aggravated poverty. The challenge for South Africa is to ensure that women benefit equally with others in society.

- **HIV/AIDS** is a very serious problem in South Africa. It affects women disproportionately to men. The power imbalances between women and men in interpersonal relations contribute to this growing pandemic.
- **Violence** against women remains a serious problem in South African society. The high incidence of rape cases, as well as other forms of physical and psychological abuse of women and girls, are evidence of this. The Criminal Justice and Safety and Security systems are now beginning to deal with this crisis in a gender-sensitive manner. It will continue to be a major challenge especially as it is compounded by its interrelation with poverty and HIV/AIDS.
- **Access to basic needs** such as education, housing, welfare, fuel and water has also been influenced by unequal gender, race and class relations. The inequality of power between women and men has inevitably led to the unequal sharing of resources such as information, time and income as well.
- **Access to basic resources** such as water and fuel has improved since 1994 but women's control over these resources is still not satisfactory. The lack of infrastructure in the rural areas still acts as a barrier for women to gain easy access to basic resources.
- **Access to employment:** Differential access to employment opportunities exists. Whilst theoretically women currently have access to a broader scope of position in the labour market, these new opportunities are accessible to a narrow pool of women who have had access to skills development, education and training. In large measure, women's employment remains either within the traditional female occupations or within the domestic and farming sectors all too often as casual workers. They are concentrated within positions which are low paying and which have high rates of turnover.
- **Economic empowerment of women:** Women constitute the poorest group in South Africa and are more likely to be unemployed or underemployed. The challenge is to ensure that South Africa's macro economic strategy promotes economic growth and sufficiently addresses the differential impact of macro-economic policy on various groups of people depending on class, race, age, gender, location and disability.
- **Access to land.** South Africa has embarked on an aggressive land reform and land reclamation programme. The implementation of this programme is challenged by some entrenched cultural practices such as patriarchy.
- **Access to science and technology:** As described in the *Beijing+5 Report*<sup>2</sup>, science and technology, as fundamental components of development, are transforming patterns of production, contributing to the creation of jobs and new ways of working, and promoting the establishment of a knowledge-based society. Given the large number of women in the workforce, South Africa must devise mechanisms for engaging women with science and technology in order to

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<sup>2</sup> United Nations: Report of the Ad Hoc Committee of the Whole of the Twenty-third Special Session of the General Assembly; No. 3 (A/S-23/10/Rev.1)

enhance their productivity and thus increase the quality of national production. Women should be actively involved in the definition, design, development, implementation and gender-impact evaluation of policies related to the economic and social changes referred to above.

- **Women's access to political power** and decision-making has improved since the 1994 elections. There is a strong representation of women in the national, provincial and local legislative branches of government and in some government departments. The challenge to political institutions is to change their culture in order to be more responsive to the needs of women politicians and of civil servants.
- **Implementation of laws.** Drawing from experiences from in other parts of the world, South Africa has adopted sophisticated rights-based legislation with explicit reference to gender equality. An important challenge remains in making these rights accessible to all women by the provision of information and the development of the knowledge and skills that women require to avail themselves of the mechanisms inherent in the legal remedies.
- **National Gender Machinery.** Although South Africa's National Gender Machinery is universally acknowledged to be a "best practice," the lack of skills, resources, and integrated co-ordination framework with clear lines of communication and accountability is likely to render it ineffectual. It will be unable to support cohesive programmes that can make a substantial dent on the challenges identified above.

The above challenges, as will be reflected in Chapter 2, are interrelated. The Gender Policy Framework advances the "basic needs" approach to women's empowerment and gender equality to ensure that government approaches these challenges in an integrated manner and avoids piecemeal impact.

### **1.5 Principles and Guidelines**

The principles and guidelines enunciated and proposed in this document are drawn directly from a consultative process. These national consultations proposed that the emerging "New South Africa," as the country was then referred to, could advance the integration of gender considerations into the transformation of the country by ensuring that:

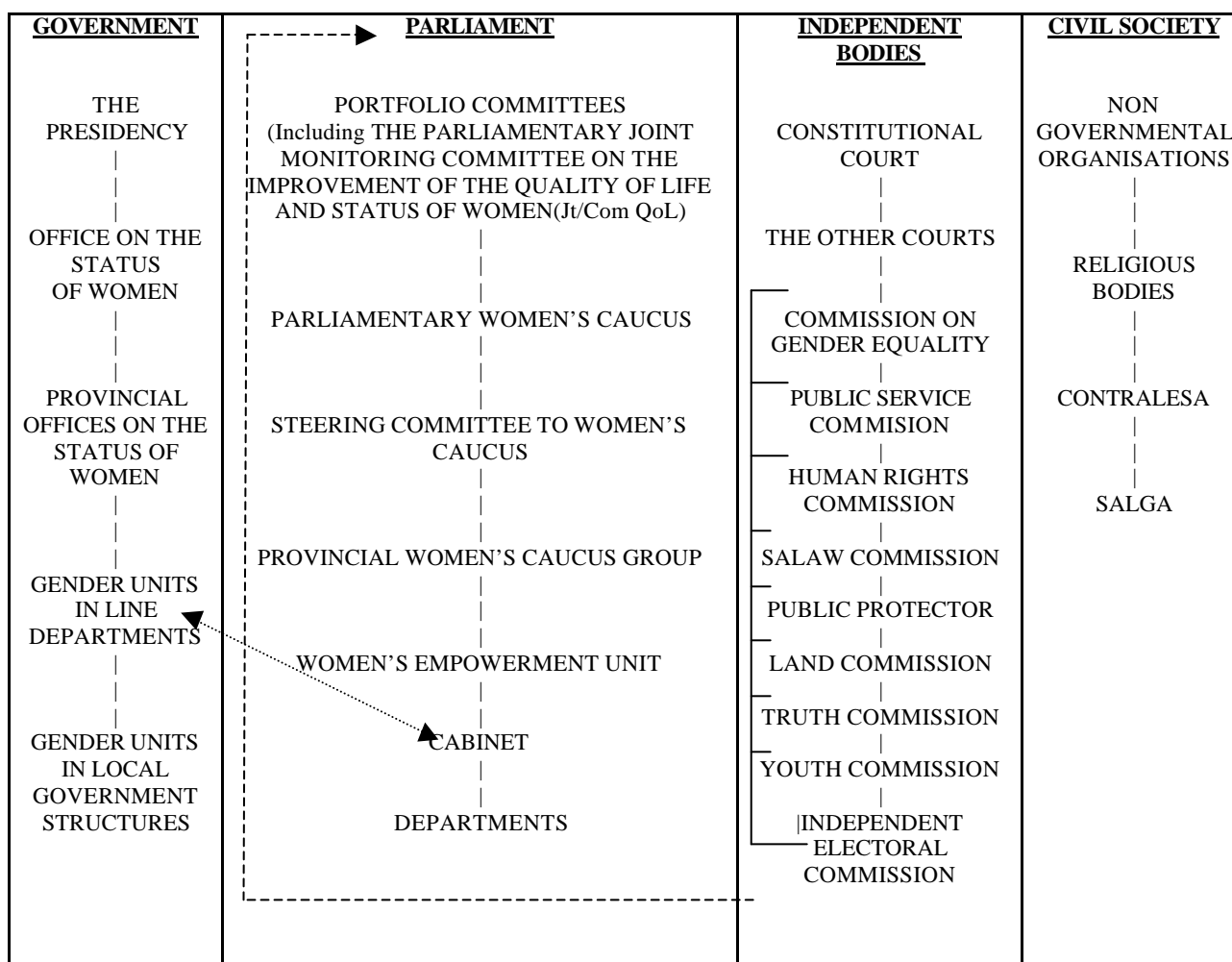
- there is equality of all persons and that non-sexism and non-racism be enshrined in the Constitution of South Africa;
- there is an understanding that women are not a homogenous group. This principle must inform all policies and programmes that will lead to the implementation of Gender equality. Distinctions according to race, class, sexuality, disability, age and other variables should not to be overlooked or taken for granted. However, similarities should also be used to strengthen initiatives designed to reverse past gender discrimination;
- women's rights be seen as human rights;
- customary, cultural and religious practices be subject to the right to equality;

- affirmative action programmes targeting women be developed and implemented;
- economic empowerment of women be promoted;
- serious attention be placed on changing policies and practices which have hitherto hindered women's access to basic needs, the economy and decision-making;
- enabling legislation has already been passed by Parliament and other legislative bodies. Where the need arises, additional legislation be developed to make it possible for women's empowerment and gender equality to be attained;
- efficient machinery be set up at national and provincial levels and in public and private organisations to ensure that the policy is implemented. Adequate structures and resources must be set aside to guarantee the implementation of programmes;
- appropriate training to improve knowledge, skills and attitudes in gender analysis and gender equality be provided to all policy makers, strategic and operational managers;
- effective collaborative strategies to enhance relationships between formal political structures such as the Cabinet, Ministries, Government Departments, the Commission for Gender Equality, the Office on the Status of Women, the Parliamentary Ad Hoc Committee on the Quality of Life and Status of Women and other Portfolio Committees need to be developed.

The emphasis in this document is to operationalize recommendations made by the women's movement as well as those contained in national, regional and international instruments into core principles for the National Gender Programme. The aim is to create an enabling environment and make it possible for government to develop mechanisms that will assist in the achievement of the national goal of gender equality.

## **1.6 Institutional Framework**

The consultations around the aspirations regarding gender equality were always grounded in a parallel discussion of the institutional framework, that is, necessary to facilitate the attainment of such a vision. Hence, these consultations recommended a national machinery that is multi-pronged in character. Diagram 1 below reflects the components of the national machinery for the advancement of the gender equality in South Africa.



**Table I: Structure and Components of the National Machinery**

Adapted from South Africa's Beijing +5 Report: Prepared by the Office on the Status of Women

The rationale for such a design was to ensure a comprehensive thrust in all facets of South African life while avoiding duplication. *Whereas functions are phrased in similar language, the point of entry, level of authority and degree of thrust differs significantly with each structure.* The intended impact differs significantly with each structure. The Gender Policy Framework highlights these unique features in detailing not only the mandate as contained in the functions of the individual structures but proposes indicators that enable parallel and transversal progression towards gender equality. The mechanisms and processes contained in the national machinery must not only aim but also show progression towards the:

- achievement of equality for women as active citizens, decision makers and beneficiaries in the political, economic, social and cultural spheres of life. Women most in need of social upliftment must be given priority;
- development and implementation of mechanisms through which South Africa can meet its constitutional, sub-regional, regional and international commitments towards gender equality, human rights and social justice;



- transformation of existing institutional values, norms and cultures which hinder Gender equality;
- enactment of laws that take into account the needs and aspirations of women;
- development of strategic objectives for implementing such laws and policies;
- adoption of effective management information systems to ensure that those who implement policy receive adequate, appropriate and relevant training and development;
- development of clear performance indicators in line with priority areas to ensure effective monitoring and evaluation of progress;
- allocation of resources for the benefit of women in rural and urban areas and mechanisms ensuring that these resources reach them.

There are key processes and mechanisms that must be adopted to affirm a vibrant national gender programme advancing the country toward gender equality. These are contained in the various structures of the National Machinery. The principle structures are the Office on the Status of Women (OSW), Gender Focal Points (GFPs), Commission for Gender Equality (CGE) and various organs of civil society. The processes and mechanisms necessary to advance towards gender equality are detailed under Table II with the key structures listed next to it.

**Table II: Processes and Mechanisms Affirming Progress towards Gender Equality**

| <b>Key Institutional Processes</b>   | <b>Key Role Players</b>                                     | <b>Key Partners</b>  |
|--|---|--|
| <ul style="list-style-type: none"> <li>- Review existing policies and institutionalise women's empowerment and Gender Equality in line departments</li> <li>- Adoption of departmental policy documents and action plans</li> <li>- Implementation of actions plans</li> </ul>   | GFP in national line departments and provincial departments | Premiers, Ministers, MECs, Directors General, OSW, Provincial and Local governments, women's organisations and sector specific civil society, organisations. |
| <ul style="list-style-type: none"> <li>- Development of National Policy Framework and support Gender Focal Points in provinces and line departments to implement the policy</li> <li>- Development of an integrated co-ordination framework</li> <li>- Development of a National Action Plan</li> <li>- Development of a Gender Mainstreaming Strategy</li> <li>- Crafting of frameworks for implementation</li> </ul> | OSW in the Office of the Presidency                         | Cabinet; Premiers; Ministers; MECs; Directors General; GFPs at national, provincial and local government levels; CGE; and Jt Com QoL                         |
| <ul style="list-style-type: none"> <li>- Adoption of National Policy Framework and receipt of ministerial commitment</li> <li>- Application of gender lens to all Parliamentary processes</li> </ul>   | Cabinet Committee   | The Presidency, OSW, GFPs and the Jt Com QoL   |
| <ul style="list-style-type: none"> <li>- Introduction of legislation to parliament,</li> </ul>   | Parliamentary Select  | The Presidency; Premiers,  |

| <b>Key Institutional Processes</b>   | <b>Key Role Players</b>                                | <b>Key Partners</b>  |
|--|--|--|
| formulation of policy and redrafting legislation<br>- Application of gender lens to decisions taken by all Parliamentary Committees  | and Portfolio Committees                               | Ministers, MECs, Parliament, OSW, GFPs, legislatures, women in civil society, provincial departments.        |
| Creation of a focal point in Parliament for women in parliament to communicate with organisations in civil society   | Women's Parliamentary Caucus and Jt Com QoL            | Women in civil society   |
| - Development and co-ordination of provincial plans of action<br>- Development of provincial Gender Action Plans<br>- Development of provincial Gender Mainstreaming Strategies<br>- Development effective provincial Management Information Systems | National OSW<br>Provincial OSWs                        | Minister in the Presidency, National OSW, Offices of the Premiers, MECs, women's organisations in provinces. |
| Advancement of the empowerment of women and Gender equality and monitoring the effectiveness of departmental policies on Gender equality   | OSW, GFPs, C GE and other independent statutory bodies | OSW, line departments, parliamentary committees and women in civil society.                                  |
| Liaise with parliamentary committee on QoL and monitor the implementation of the Policy on Gender Equality   | OSW, CGE, GFPs, civil society organisations            | Jt ComQoL, CGE.  |

### **1.6.1 Proposed Movement Towards a more effective Structural Arrangement**

The South African National Gender Programme has been introduced into an institutional framework with established Human Resource norms, standards and practices. A key feature in the recruitment of personnel is the high value placed on administrative and management competence. While administrative competence is essential for programme management for the National Gender Programme to attain the central goal of gender equality enunciated in this policy framework, it is essential that recruitment and hiring of staff for the gender programme be predicated upon the type of technical and professional competence outlined in paragraph 5.9.1 of this document.

For a programme that is solely dependent upon specific professional specialization, the focus on administrative competence as the primary eligibility requirement for employment creates an important constraint on the achievement of gender equality. This Gender Policy Framework moves government towards addressing this issue in a way which allows for the appointment of gender professionals within the prevailing Public Service regulations.

| <b>CURRENT PHASE</b> | <b>TRANSITIONAL PHASE</b> | <b>FUTURE GOAL</b> |
|----------------------|---------------------------|--------------------|
|----------------------|---------------------------|--------------------|

|   |  |   |
|---|--|---|
| <p>This phase is one in which positions are subject to civil service provisions. The dominant selection criteria is of administrative competence.</p> | <p>Hiring practices continue to favour administrative competence. However, increasing consideration is being given to transformation issues such as gender. Hence the increasing requirements for gender specialisation.</p> | <p>The goal is to have positions defined on the basis of professional competence of the incumbent. Emphasis is to be placed on specialisation and importance of issues of transformation.</p> |
|---|--|---|

**Figure I: Phases Towards a More Effective Structural Arrangement and Location of Gender Focal Points**

### **1.7 Monitoring and Evaluation**

The Gender Policy Framework proposes key approaches to evaluation and monitoring. These indicators serve as key performance indicators which are helpful in ensuring movement towards gender equality. The Framework also provides guidelines for ongoing evaluation. These indicators are drawn from such international sources as the Gender Related Development Index (GDI) and the Gender Empowerment Measure (GEM). Such indicators have been adapted and are reflected in Chapter 7 of this document. The GDI focuses on “expansion of capabilities” as reflected in the emphasis on access to resources while the key element of the GEM is the “use of these capabilities.” The use of capabilities is central to this Gender Policy Framework as outlined in the call for access to decision-making and training opportunities. The primary indicators found in the present document include among others:

- Women’s enhanced access to resources for economic development;
- Women’s earning power and their involvement in the economy;
- Reduction of women’s vulnerability to social injustice such as poverty, HIV/AIDS and violence;
- The extent to which women participate in political decision-making;
- A change in attitude to women and enhanced recognition of the value they add to society; and
- Women’s access to professional opportunities.

These indicators incorporate both quantitative (short-term) or output indicators as well as qualitative (long-term) or outcome indicators. Combined, these indicators will assist in assessing the impact of this policy on the lives of women and men in South Africa over the next decade and beyond.

### **1.8 Resource Allocation**

While South Africa has designed a most comprehensive National Machinery, it must also support it to ensure that it achieves its optimal potential. In this light, the Gender Policy Framework encourages serious consideration and application of the following premises:

- The allocation of resources by various executive and legislative structures is crucial to ensuring that the policy on gender equality is implemented;

- Co-ordination, capacity building, communication, networking and collaboration towards the implementation of the Gender Policy Framework require various types of resources including information technology and personnel;
- Regular technical advisory services need to be made available to the national, provincial and local structures for the mainstreaming of gender equality; and
- Adequate staffing, institutional infrastructure, monitoring and evaluation, disseminating information, maintaining active partnerships and capacity building all require strategic interventions to enable the machinery to work effectively towards the goal of women's empowerment and gender equality.

Institutional support mechanisms will have to be put in place in order to assist in realising these strategic goals. The need to proceed with proper resourcing of the national machinery is affirmed by the findings of the National Audit.

### **1.9 Conclusion**

The National Gender Policy Framework is a document that defines the country's vision and states what it plans to do to achieve this vision. It provides the framework by providing broad guidelines. It is directive and prescriptive on minimum standards for the institutional framework, key indicators and national goals. All of these have direct impact for the development of sector specific policies and plans of action.

It is a policy framework that is guided by national imperatives. It addresses needs by proposing mechanisms that were articulated by women and men who engaged in the consultative process that resulted in enshrining gender equality into the National Constitution.

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**ABBREVIATIONS**

|                  |  |
|------------------|--|
| <b>AA</b>        | Affirmative Action   |
| <b>ABET</b>      | Adult Basic Education and Training   |
| <b>AIDS</b>      | Acquired Immune Deficiency Syndrome  |
| <b>CBO</b>       | Community Based Organisation   |
| <b>CEDAW</b>     | Convention on the Elimination of all forms of Discrimination Against Women                       |
| <b>CGE</b>       | Commission on Gender Equality  |
| <b>CIDA</b>      | Canadian International Development Agency  |
| <b>CSS</b>       | Central Statistical Service  |
| <b>DP</b>        | Deputy President   |
| <b>FOSAD</b>     | Forum of South African Directors General   |
| <b>GDI</b>       | Gender Development Index   |
| <b>GDP</b>       | Gross Domestic Product   |
| <b>GEAR</b>      | Strategy for Growth, Employment and Redistribution   |
| <b>GEM</b>       | Gender Empowerment Measure   |
| <b>GETT</b>      | Gender Equity Task Team  |
| <b>GMS</b>       | Gender Management System   |
| <b>HIV</b>       | Human Immuno-Deficiency Virus  |
| <b>ISIS WICE</b> | Women's International Cultural Exchange  |
| <b>MIS</b>       | Management Information System  |
| <b>MTEF</b>      | Medium Term Expenditure Framework  |
| <b>NGAP</b>      | National Gender Action Plan  |
| <b>NGMS</b>      | National Gender Mainstreaming Strategy   |
| <b>NGO</b>       | Non-Governmental Organisation  |
| <b>OSW</b>       | Office on the Status of Women  |
| <b>QoL</b>       | The Joint Monitoring Committee on the Improvement of the Quality of Life and the Status of Women |
| <b>RDP</b>       | Reconstruction and Development Programme   |
| <b>SALGA</b>     | South African Local Government Association   |
| <b>STATS SA</b>  | Statistics South Africa  |
| <b>UNECA</b>     | United Nations Economic Commission on Africa   |
| <b>UNDP</b>      | United Nations Development Programme   |
| <b>UWC</b>       | University of the Western Cape   |
| <b>WHO</b>       | World Health Organisation  |
| <b>WNC</b>       | Women's National Coalition   |

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## GLOSSARY OF TERMS

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**ENGENDERING:** In Gender studies, engendering refers to the process of integrating gender considerations and concerns into words, action and assessment.

**EMPOWERMENT:** Refers to the process of "conscientisation" which builds critical analytical skills for an individual to gain self-confidence in order to take control of her or his life. Empowerment of women is an essential process in the transformation of gender relations because it addresses the structural and underlying causes of subordination and discrimination.

**EQUALITY OF OPPORTUNITY: Refers to a fundamental human right embedded in the Constitution of South Africa.** This Gender Policy Framework aims towards the achievement of *equality of opportunity*, in access to and share of employment opportunities, services and resources as well as in equality of treatment by employers and service providers.

**EQUALITY OF TREATMENT:** Refers to meeting the specific and distinct needs of different social categories of women and men. This can often involve special programmes and the commitment of additional resources, for example in the case of women and men with disabilities. Equality of treatment does not mean treating all men and all women in exactly the same way (i.e. in a gender blind fashion) as this would only serve to perpetuate existing disparities.

**GENDER:** In this policy framework document, refers to the social roles allocated respectively to women and to men in particular societies and at particular times. Such roles, and the differences between them, are conditioned by a variety of political, economic, ideological and cultural factors and are characterised in most societies by unequal power relations. Gender is distinguished from sex which is biologically determined.

**GENDER AND DEVELOPMENT (GAD):** Refers to a planning process which is based on an analysis of the different situations and needs of women and men. It aims at creating gender equity and equality between women and men. A gender and development perspective recognises the importance of the relations between women and men.

**GENDER ANALYSIS:** For this policy document, the definition adopted comes from Irene van Staveren and Diane Elson and refers to gender analysis as the study of socially determined inequalities within women and men. Gender analysis entails studying "gender-biases" which perpetuate gender inequalities in all sectors of society.

**GENDER AWARENESS:** Refers to a state of knowledge of the differences in roles and relations of women and men and how this results in differences in power relations, status, privileges and needs.

**GENDER DEVELOPMENT INDEX (GDI): Refers to an index which uses some of the same variables as the HDI (see below), viz life expectancy, educational attainment and real GDP, but which goes further to take into account inequality in achievement between women and men.**

**GENDER EMPOWERMENT MEASURE (GEM):** Refers to a measure which examines whether women and men are able to actively participate in economic and political life and to take part in decision-making. The **GEM** focuses on the respective capabilities of women and men to take advantage of the opportunities of life.

**GENDER EQUALITY:** Refers to a situation where women and men have equal conditions for realizing their full human rights and potential; are able to contribute equally to national political, economic, social and cultural development; and benefit equally from the results. Gender Equality entails that the underlying causes of discrimination are systematically identified and removed in order to give women and men equal opportunities. The concept of Gender Equality, as used in this policy framework, takes into account women's existing subordinate positions within social relations and aims at the restructuring of society so as to eradicate male domination. Therefore, equality is understood to include both formal equality and substantive equality; not merely simple equality to men.

**GENDER EQUITY:** Refers to the fair and just distribution of all means of opportunities and resources between women and men.

**GENDER FOCUSED RESEARCH METHODOLOGY:** Refers to a process of designing and implementing a gender sensitive research agenda. This means that the hypothesis setting, the questions asked, the time selected for data collection, the people to whom the questions are put, the area and social setting selected for research, the language used in data collection and dissemination, and the way the data is analysed all take gender differences into account. The researcher must be gender-aware in order to design a gender sensitive research methodology.

**GENDER ISSUES:** Arise when the relationships between women and men, their roles, privileges, status and positions are identified and analysed. Gender issues arise where inequalities and inequities are shown to exist between people purely on the basis of their being female or male. The fact that gender and gender differences are socially constructed is itself a primary issue to deal with.

**GENDER MAINSTREAMING:** Refers to a process that is goal oriented. It recognises that most institutions consciously and unconsciously serve the interests of men and encourages institutions to adopt a gender perspective in transforming themselves. It promotes the full participation of women in decision-making so that women's needs move from the margins to the centre of development planning and resource allocation.

**GENDER MANAGEMENT SYSTEM (GMS)** Refers to a holistic and system-wide approach to gender mainstreaming developed by the Commonwealth for the use of governments in partnership with other stakeholders, including civil society and the private sector. In this policy framework, it refers to a comprehensive network of structures, mechanisms and processes to enable government and other organisations to contribute to gender equality.

**GENDER PERSPECTIVE:** Refers to an approach in which the ultimate goal is to create equity and equality between women and men. Such an approach has a set of tools for and

guidelines on how to identify the impact on development of the relations and roles of women and men.

**GENDER RESPONSIVE:** Refers to a planning process in which programmes and policy actions are developed to deal with and counteract problems which arise out of socially constructed differences between women and men.

**GENDER SENSITIVE:** Refers to the state of knowledge of the socially constructed differences between women and men, including differences in their needs, as well as to the use of such knowledge to identify and understand the problems arising from such differences and to act purposefully to address them.

**HUMAN DEVELOPMENT INDEX (HDI):** Refers to a tool which measures the average achievement of a country in basic human capabilities. The **HDI** focuses on three variables, namely life expectancy, educational attainment and the gross domestic product (GDP).

**MANAGEMENT INFORMATION SYSTEMS (MIS):** Refers to the repository and clearinghouse for all information relating to the establishment and functioning of the Gender Management System (**GMS**). Its function is to gather, synthesise and disseminate information on the goals, activities and achievements of the **GMS** and on other structures and formations relating to gender mainstreaming and the advancement of gender equality.

**POLICY:** Refers to guiding principles to a course of action arrived at by decision-makers to address a particular issue or issues.

**PRACTICAL GENDER NEEDS:** Refers to the needs identified to help women cope better in their existing subordinate positions. Practical needs are related largely to issues of welfare and do not challenge the existing gender division of labour or to women's subordinate positions in society.

**PROJECT:** Refers to the design of an implementation strategy of a plan of action geared towards achieving a particular goal.

**PROGRAMME:** Refers to a systematic action-oriented design of a plan of action towards achieving a particular goal.

**STRATEGIC GENDER NEEDS:** Refers to needs which are identified as necessary to transform the existing unequal relations between women and men. Addressing women's strategic gender needs expedites women's empowerment and facilitates the fundamental social transformation necessary for establishment of gender equality.

**SUBSTANTIVE EQUALITY:** Refers to a stage of real equality underpinned by equality of opportunity, access and treatment between women and men.

**WOMEN IN DEVELOPMENT:** Refers to a planning process in which the importance of women's needs in development is the major focus.

**Part One: Context and Vision**

## CHAPTER 1

### INTRODUCTION AND POLICY CONTEXT

---

*It is vitally important that all structures of government, including the President himself, should understand this fully: that freedom cannot be achieved unless women have been emancipated from all forms of oppression. All of us must take this on board, that the objectives of the Reconstruction and Development Programme (RDP) will not have been realised unless we see in visible and practical terms that the condition of the women in our country has radically changed for the better, and that they have been empowered to intervene in all spheres of life as equals with any other member of society”.*

**(President Nelson Mandela, Inaugural Speech April 1994)**

#### **1.1 The Need for a Policy on Gender Equality**

##### **1.1.1 Definition of Problem**

This chapter focuses on the need for a policy framework on gender equality and describes the vision that determines such a need. South Africans are emerging out of an era of institutional racism; one in which a person's worth has been dictated by the colour of their skin. This translates into a reality where the lighter the shade of colour, the greater the value; the darker the hue, the less the value of the individual. Alongside institutional racism has been the issue of gender discrimination. While women in general have been negatively affected by racism, African women have carried a disproportionate burden of the under-development caused by racism.

##### **1.1.2 Gender Equality as a Historical Core Value**

Gender equality has always been a core value of the struggle for a democratic South Africa. This value was immediately adopted into the country's governance processes with the establishment of the new dispensation in 1994 and has been enshrined in the 1996 Constitution of South Africa. It is the strong political commitment to this value that has moved the South African government to craft gender sensitive national priorities. The commitment to achieving gender equality has:

- motivated South Africa to accede to regional and international instruments promoting gender equality;
- increased awareness of gender issues in all spheres of life;
- enhanced the integration of gender considerations into government policies and programmes.

1.1.3 The commitment to gender equality has historically been supported by the majority of South Africans committed to equality and to a democratic and non-racist society. Supporters of this principle include members of political parties, the women's movement, religious community, NGOs and the youth movement.

- 1.1.4 After a long struggle against an oppressive system of government, characterised by institutional racism, patriarchy and oppression, a new democracy was ushered in on 27<sup>th</sup> April 1994 with the mandate of advancing the country towards a democratic, non-racist, non-sexist society. Through the 1996 Constitution, the people of South Africa committed themselves to, among others, the values of “*human dignity, the achievement of equality and advancement of human rights and freedoms*” (‘Founding Provisions’ in the Constitution of 1996).
- 1.1.5 Non-racism and non-sexism form the cornerstone of South Africa’s transformation project which is well underway. The government’s objectives are to de-racialise and engender all institutions of the state and of civil society.
- 1.1.6 The government’s commitment to the promotion of gender equality has been demonstrated by the establishment of a comprehensive National Machinery for the advancement of gender equality in South Africa composed of key structures such as the Office on the Status of Women and the Commission on Gender Equality. This commitment is further affirmed by the focus on gender issues in a variety of policy documents; by the introduction of new legislation designed to root out gender discrimination and to promote women’s rights and empowerment; by the prioritisation of the basic needs of South Africa’s poorest citizens through improving access to health, welfare, housing, water and education; by the growth in the numbers of women occupying senior positions in government, and by the advancement of democratisation of all institutions of the state and civil society.
- 1.1.7** While significant progress has been made, South African women continue to face serious inequality and disadvantage in a wide range of spheres: in government, in business, in their communities and in their homes. These disadvantages are further complicated by unequal gender relations within the categories of race, class, disability, sexual orientation, religion and geographic location. The *Situational Analysis* in Chapter 2 demonstrates that gender inequality continues to be deeply rooted in the relationships, structures, values, attitudes and behaviour of institutions of both the state and civil society.
- 1.1.8 In order to consolidate the accomplishments towards gender equality, minimise the gaps and overcome the challenges, collaboration between state and civil society must evolve to transform this reality further. This National Policy Framework on gender attempts to respond to and address this need by providing policy- and decision-makers in government, as well as in civil society institutions and organisations, with a set of principles, strategic guidelines and an institutional framework that will assist them to contribute more proactively to the political, economic, social and cultural emancipation of women and, thereby, to the realisation of gender equality.
- 1.1.9 Much has been accomplished. The principle of equality, found in the Bill of Rights of the Constitution of South Africa (1996), not only protects women’s rights, it explicitly prohibits discrimination on the basis of gender. (Section 9).

## **1.2 National, Regional and International Instruments**

- 1.2.1 South Africa’s engagement with gender issues at regional, subregional and international levels is informed by its constitutional commitment to gender equality. The Constitution is key national instrument which determines South Africa’s compliance with issues of

gender equality at national governance level. Of particular importance was the participation by the South African government and NGOs in the Fourth World Conference on Women held by the United Nations in Beijing in September 1995. While this was the first official participation by the South African government at an international women's conference, South African liberation movements had consistently participated in international women's conferences since 1975.

1.2.2 In January 1996, the South African Government ratified the international *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW). This step legally bound Parliament and the Executive to work actively towards the abolition of gender discrimination in the governance of the country.

1.2.3 In September 1997, the Heads of State or Government of the Southern African Development Community (SADC), including South Africa, signed a declaration committing their governments and countries, *inter alia*, to:

- embedding gender firmly into the agenda of the SADC Programme of Action and Community Building Initiative;
- ensuring the equal representation of women and men at all levels of the decision-making structures of member states as well as in SADC structures;
- promoting women's full access to and control over productive resources;
- repealing and reforming all laws and changing social practices which subject women to discrimination;
- enhancing access to quality education by both women and men and removing gender stereotypes from the curriculum, career choices and professions;
- making quality reproductive and other health services more accessible to women and men;
- protecting and promoting the human rights of women and children;
- recognising, protecting and promoting the reproductive and sexual rights of women and the girl child;
- taking urgent measures to prevent and deal with the increasing levels of violence against women; and
- encouraging the mass media to disseminate information and materials in respect of the human rights of women.

### **1.3 Purpose and Objectives**

1.3.1 The main purpose of this Gender Policy Framework is to establish a clear vision and framework to guide the process of developing laws, policies, procedures and practices which will serve to ensure equal rights and opportunities for women and men in all



spheres and structures of government as well as in the workplace, the community and the family.

1.3.2 The main objectives are to:

- create an enabling policy environment for translating government commitment to gender equality into a reality;
- establish policies, programmes, structures and mechanisms to empower women and to transform gender relations in all aspects of work, at all levels of government as well as within the broader society;
- ensure that gender considerations are effectively integrated into all aspects of government policies, activities and programmes;
- establish an institutional framework for the advancement of the status of women as well as the achievement of gender equality; and
- advocate for the promotion of new attitudes, values and behaviour, and a culture of respect for all human beings in line with the new policy.

1.3.3 It is anticipated that this Gender Policy Framework will represent a significant step in the struggle for gender equality and justice in South Africa, in particular by:

- enhancing the visibility and influence of the National Gender Machinery;
- strengthening the voices of women in civil society, in Parliament and in other legislatures who have already made a visible impact by challenging gender blind laws and policies;
- enhancing the work that is already being undertaken by the Commission on Gender Equality and
- adding momentum to the implementation of South Africa's commitment to the *Platform for Action* adopted after the World Conference in Beijing in 1995 and the 16 articles of the *Convention on the Elimination of all Forms of Discrimination Against Women* (CEDAW) which the South African Government ratified without reservation in 1995.
- guiding the development of the National Gender Action Plan (NGAP).

1.3.4 Ultimately, the success of this Gender Policy Framework will be reflected in the ability of government to move towards gender equality in an integrated and co-ordinated manner.

## **1.4** **Scope**

1.4.1 The policy principles, proposals and provisions in this Gender Policy Framework will apply specifically and directly to all government departments, provincial administrations,

local structures, parastatals and other public entities.

- 1.4.2 It is anticipated, however, that such principles and proposals will also be relevant in broader terms within the organisations and institutions of business and of civil society.

## **1.5      Focus**

- 1.5.1 This Policy Framework is aimed at creating an enabling environment to facilitate full development of individual potential.
- 1.5.2 The Policy Framework aims to work towards the achievement of **equality of opportunity** in terms of access to and share of employment opportunities, services and resources as well as equality of treatment by employers and service providers. **Equality of treatment**, of course, does not mean treating all men and all women in exactly the same way (i.e. in a gender-blind fashion). This would only serve to perpetuate existing disparities. Equality of treatment entails meeting the specific and distinct needs of different categories of women and men. This can often require special programmes and the commitment of additional resources, for example, as in the case of women and men with disabilities.
- 1.5.3 In devising and implementing effective programmes to achieve gender equality, it will be important that such programmes are based on a detailed understanding and analysis of the specific and distinct needs of women. Unless these specific needs and disadvantages are addressed, through the kind of legislative, affirmative or corrective or other measures provided for in Section 9(2) of the 1996 Constitution and in other legal frameworks, it will be impossible to level the playing field for the achievement of effective gender equality.
- 1.5.4 Although this Gender Policy Framework is concerned with gender, its focus, however, will be largely on issues concerned with women and their empowerment. This is because of the impact of past policies and laws which deliberately favoured men, in particular white men. Until women and men have equality of opportunity with respect to access to control and decision-making in the economy to the provision of services, to the sharing of resources and employment and to fair treatment, policy and decision-makers will need to draw distinctions between gender issues and women's issues so that resources can be set aside to meet the specific needs of women. **Women's empowerment is thus a means to achieving gender equality rather than an end in itself.**
- 1.5.5 This Gender Policy Framework is premised on the view that gender equality cannot be attained without women's participation in all spheres of life as well as the empowerment, in particular, of the most deprived women. In South Africa, the latter are predominantly African<sup>1</sup> women who live in rural areas. They constitute the majority of the poorest of the poor. Their access to national institutions, resources and facilities is grossly limited. Many live in isolated rural areas where there are few roads or transport services to facilitate communication, and where it is harder to organise a defence of their common practical needs and strategic interests.
- 1.5.6 The policy also recognises the need for the state to use its formal and institutional powers

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<sup>1</sup> The word African in this document refers to the indigenous people of South Africa. Black is used to refer to the previously disadvantaged, these are African people, the so called coloured community, the Indian people and the San and Khoi communities.

to legitimise the value of gender equality as well as ensure that its employees adhere to the equality clause and the principle of non-sexism found in the 1996 Constitution.

- 1.5.7 In addition, this Gender Policy Framework recognises the need for all institutions of the state and civil society to develop mechanisms that will ensure that management information systems are set up and staff are trained to make it possible for the implementation of policy to be managed effectively.
- 1.5.8 The Gender Policy Framework emphasises the pivotal role of ongoing monitoring and evaluation. To this end, the policy takes the view that any form of change needs to be monitored to measure progress in order to adjust, change or redesign existing activities. Monitoring and evaluation are thus essential parts of this policy.

## **1.6. Intended Outcomes**

1.6.1 The Gender Policy Framework identifies a set of factors that will act as indicators for measuring the effectiveness of the gender policy. If a concerted effort is made and adequate resources are allocated to the processes of institutionalising women's empowerment and gender equality, along the lines recommended in this Gender Policy Framework, the result should be a fairer and transformed society in which women and men will benefit in the following ways:

- The *Equality* clause (Section 9) and women's legal rights as found in the Bill of Rights in the 1996 Constitution will be a lived vision.
- Women and men will have equal rights and access to education, health, housing, employment and other basic needs.
- Women and men will have equality of opportunity to participate in and to contribute to the political, social, economic and cultural development of South African society.
- Women's rights will be seen and respected as human rights.
- The current gender-based-division of labour will be effectively.
- Civil, administrative and judicial regulations and procedures as well as customary, cultural and religious practices will respect the *Equality* clause and the *Bill of Rights* and will not be used to justify the continuation of the subordination of women. Similarly those responsible for enforcing these laws will do so within a framework of this policy document and of the Constitution and the *Bill of Rights* of South Africa.
- An effective institutional framework for advancing the status of women towards gender equality will be put into place at national, provincial and local levels.
- Affirmative action strategies to promote representivity and enhance the status of women will be effectively implemented in all sectors at national, provincial and local levels.

- Key government personnel, and in particular strategic and operational managers, will be skilled in conducting a gender analysis of institutional policies, practices and programmes.
- Government and civil society will work together to develop an enabling environment in which the goal of gender equality can be attained.
- Attitudes and behaviour within government and society will be transformed in ways that are conducive to the equal and meaningful participation of women and men.
- The principles and practice of gender transformation will be considered an integral part to the transformation process.
- The role women play as mothers and nurturers will be recognised as important and not be viewed to be a barrier to advancement in the work place.

## **1.7 Consultation**

- 1.7.1 The Gender Policy Framework represents the culmination of a long consultative process which has included members of civil society, academia, government and the labour movement.
- 1.7.2 The content of this Gender Policy Framework is drawn from a range of documents and reports developed over several years through a process of consultation, open discussion and debate. These include the *Draft National Women's Empowerment Policy* (1995) which was initiated and drafted by the RDP Office as well as the *Charter for Effective Equality* (1994) which was produced by the Women's National Coalition (WNC). More recent policy frameworks influencing the South African Gender Policy Framework are the *White Paper on Transforming the Public Service*; the *White Paper on Affirmative Action in the Public Service, Batho Pele*; *Gender Equity in Education*; Report of the Gender Equity Task Team; *Employment Equity Act of 1998*; *Skills Development Act of 1998*, the *Housing Act of 1997* and the *Promotion of Equality and Prevention of Unfair Discrimination Act of 2000*.

## CHAPTER 2

### SITUATIONAL ANALYSIS AND PROBLEM STATEMENT

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*“Women in South Africa are definitely not free. The majority live in poverty and many cannot read or write. Millions do not have proper housing and no access to water, sanitation, education or health services. They are marginalised economically with no right to own land. Under customary law they marry and live their lives as effective minors subject to the authority of a male relative.” (Dr. Nkosazana Dlamini-Zuma, Beijing World Conference on Women, September 1995).*

#### **2.1 Introduction**

- 2.1.1 The purpose of this section is to provide a global view of the critical issues which impact on South Africa’s progression towards gender equality. The legacy of apartheid is one of structured and entrenched inequalities which were most clearly manifest in government policies, programmes and processes and consequently in their impact on the lives especially of African women. This Gender Policy Framework has been crafted in a dynamic service delivery environment; not all data contained in this chapter will reflect the progress made by departments as of the time of completion of the document.
- 2.1.2 The focus is on highlighting a range of gender-related challenges and problems that will need to be overcome if the government’s commitment to women’s empowerment and gender equality is to be successfully translated into practice. These problems and challenges result from South Africa’s history of race, class and gender domination and oppression. A history that has served in many ways to subordinate, marginalise and impoverish South African women in general and African women in particular. The national legal framework was at the centre of this process of subjugation.

#### **2.2 Legal Framework**

- 2.2.1 In its attempt to reverse the history of women’s discrimination and marginalisation, since 1994 the government has adopted a number of laws developed to promote equality between women and men regardless of race, class, disability and sexual orientation. These laws protect the interests of women and men in the family, the criminal justice system, employment, health, property, education and training, governance and institutional support and general equality. A sample of these laws is presented below to illustrate the current legal framework which has the potential to empower women and promote gender equality, thereby making a non-sexist society a reality.
- 2.2.2 The new and enabling legislative framework must be activated to ensure that the remedies inherent in these measures are felt by women.

**Table 1: Legal Framework**

| Family  | Criminal  | Employment   | Health  | Access to Property  | Education & Training   | General Equality  | Others  |
|---|---|--|---|---|--|---|---|
| Divorce Courts Amendment Act [No. 65 of 1997]; Maintenance Act [No. 99 of 1998]; Marriage Act, Extension Act [No. 50 of 1997]   | Criminal Law Amendment Act [No. 105 of 1997]; Prevention of Organised Crime Act [No. 121 of 1998]   | Occupational Health & Safety Act [No. 85 of 1993]; Labour Relations Amendment Act [No. 127 of 1998]; | Choice on Termination of Pregnancy Act [No. 92 of 1998] | Housing Act [No. 107 of 1997]; Housing Second Amendment Act [No. 60 of 1999]; Rental Housing Act [No. 50 of 1999]   | The National Education Act [No. 27 of 1996]; Further Education and Training Act [No. 98 of 1998] | Independent Broadcasting Amendment Act [No. 153 of 1993]; Film and Publication Act [No. 65 of 1996];)                           | Electoral Commission Act 51 (1996)  |
| Domestic Violence Act [No. 116 of 1998]   | Prevention of Organised Crime Amendment Act [No. 24 of 1999];                                       | Labour Relations Act [No. 66 of 1995]; Unemployment Insurance Act [No. 30 of 1997];                  | Sterilisation Act [No. 44 of 1998]                      | Prevention of Illegal Eviction from and Unlawful Occupation of Land Act [No. 19 of 1998]  | South African Schools Act [No. 84 of 1996]; Skills Development Act [No. 97 of 1998]              | South African Citizenship Amendment Act [No. 69 of 1997];   | Public Funding of Represented Political Parties Act [No. 103 of 1997]   |
| Recognition of Customary Marriages Act [No. 120 of 1998]; Natural Fathers of Children Born out of Wedlock Act [No. 86 of 1997]; Adoption Matters Amendment Act [No. 56 of 1998] | Witness Protection Act [No. 112 of 1998]; Criminal Procedure Amendment Acts [No. 85 and 76 of 1997] | Basic Conditions of Employment Act [No. 75 of 1997]; Employment Equity Act [No. 55 of 1998]          |   | National Forests Act [No. 84 of 1998]; Land Restitution and Reform Laws Amendment Act [No. 63 of 1997 & 18 of 1999]; Extension of Security of Tenure Act [No. 62 of 1997] | Higher Education Act [No. 101 of 1997]; Education Laws Amendment Act [No. 100 of 1997]           | Telecommunications Act [No. 103 of 1996]; Births and Death Registration Act [No. 51 of 1992] and Amendment Act [No. 67 of 1997] | Electoral Act [No. 73 of 1998]<br><br>Promotion of Equality and Prevention of Unfair Discrimination Act [No. 4 of 2000] |

2.2.3 In spite of the introduction of the laws cited above, gaps in the legal framework persist. Examples of legal gaps include African customary law which is still based on the Black Administration Act 35 of 1927 and which disinherits women. Other gaps are identified in the situational analysis that follows below.

2.2.4 The statistics cited in this chapter have been drawn from a various sources: Statistics South Africa (Stats SA) formerly called the Central Statistical Services (CSS); the Women's Budget; the First CEDAW Report; the South African Platform for Action (drawn up following the 1995 Beijing Conference); the Poverty and Inequality Report; and the University of the Western Cape/Southern African Research and Documentation Centre report on Women in South Africa.<sup>2</sup> It is important to acknowledge that such statistics do not represent a comprehensive picture of the reality of women's lives in South Africa. Incomplete as it is, the information presented below does help, however, to reveal important trends that will need to be addressed if greater progress is to be made towards gender equality.

<sup>2</sup> Statistics South Africa, 2000. *October households survey, 1999*. Central Statistical Services, *1995 October Household Survey*, and *Census 96: Preliminary Estimates of the Size of the South African Population*. D. Budlender (ed), *The Women's Budget*, Cape Town: IDASA (1996), and *The Second Women's Budget*, Cape Town, IDASA (1997). The Department of Welfare, *Beijing Conference Platform of Action: South African Women on the Road to Development, Equality and Peace* (1995). UWC Gender Equity Unit and the Southern African Research and Documentation Centre, *Beyond Inequalities: Women in South Africa*, Bellville and Harare: UWC/SARDC (1997). May, J, Mokate R et al, *The Poverty and Inequality Report: 1998*.

2.2.5 This situational analysis uses socio-economic and political analytical categories that have been taken from the *Women's Charter for Effective Equality*, the Report of the *South African National Conference of Commitments on the Implementation of the Beijing Platform For Action*, and CEDAW. This typology is compatible with articulated national priorities in South Africa. Hopefully, the changing legal, programmatic and service delivery environment will have a marked positive impact on the analysis of these categories in years to come.

### **2.3 Women and Poverty**

2.3.1 The last decade has witnessed a marked increase in the numbers of those who are poor across the world. South Africa is no exception. In determining poverty rates, the usual approach in South Africa has been to consider the poorest 40% of households as 'poor'. Adopting this definition, poverty is found to be concentrated in rural areas, and amongst black people.

Close to three-quarters (71%) of all rural households are poor. Over three in five (61%) of African households are poor compared to 38% of coloured households, 5% of Indian and 1% of white<sup>3</sup>. Poverty has not only placed great stress on family units, but also on women, children and young people. In addition South Africa has experienced the deepening of a phenomenon called the *feminisation of poverty*.

2.3.2 A number of factors contribute towards the poverty of women in South Africa. The gendered division of labour in the household, the low value accorded to women's work with the concomitant clustering of women in low-paid jobs contributes to female poverty. Past discriminatory civil and traditional laws that have denied women access to land, loans and property have also hindered women's ability to be self-sufficient.

2.3.3 According to figures supplied by Statistics South Africa (Stats SA), the incidence and effects of poverty amongst women are demonstrated in the following statistics:

- In 1999, 36% of heads of household were reported to be female. The most recent five-yearly *Income and Expenditure Survey*, conducted in 1995, found that only 4% of rural households reported to be headed by a woman fell among the wealthiest fifth of households. Over a third (37%) of rural women-headed households and 15% of urban woman-headed households were amongst the poorest fifth of households. However, while higher rates of poverty are identified among female-headed households, the majority of the poor – both male and female - remain in male-headed households.
- Thirty-five per cent of economically active African women were unemployed in October 1999, compared to 25% of African men. This compares to a 5% rate for white women, although the rate for white women is higher than that for white men (at 4%).
- Forty-nine per cent of employed African women were working in "elementary" or "unskilled" occupations, such as cleaning, garbage collection and farm work, compared to 21% of African men.

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3 May J. 1998:4.

- Figures for 1999 indicate that in non-urban areas, three in every ten (30%) of all households had to fetch wood for cooking and heating purposes. Three in every ten (30%) of African households and 14% of coloured households were fetching wood for fuel. A little under half (44%) of those who fetch wood have to travel more than a kilometre to do so. Almost all (98%) of these are African households. It is usually women who perform these tasks.
- Many women in South Africa's rural communities live in abject poverty. Their multiple roles as farmers, mothers and homemakers put extra burdens on them.

## **2.4 Women and Education**

2.4.1 Statistical data on ordinary public and independent school enrolment in 1999 shows that girls constitute just over half (50.6%) of all learners. It would appear, therefore, that girls and boys enjoy equal access to primary and secondary schooling. However, the statistics also indicate that, in 1999, 17% of African women aged 20 years and older had received no formal education, compared to 12% of African men and 0% of white women and men. If we take completion of four years of formal schooling as an indicator of functional literacy, 58% of the illiterate aged 20 years and older are women and 54% are African women.

2.4.2 Despite enormous efforts at transforming the education system, the following factors continue to contribute to high drop-out rates and lower secondary school pass rates for girls:

- Unplanned pregnancies affect girls more negatively than unplanned paternity affects boys. In a survey quoted in the *Women's Budget*, 28% of female drop-outs were a result of pregnancy compared to the 3% of male drop-outs.
- Domestic responsibilities lead to school absenteeism for girls, especially in rural areas. Girls, more often than boys, are likely to be the victims of sexual harassment, rape and other forms of violence. The resulting trauma frequently leads to a drop in school attendance.
- Despite innovative advances in the South African education, gender stereotypes and women's subordination continue to pose a challenge for curriculum development.
- Given high levels of illiteracy among women in rural areas, non-formal education can make a major contribution to women's lives.
- At the higher education level, in 1999 women comprised 55% of all university students and 46% of all technikon students. However, the representation of women is greater in subject areas such as health, education and social sciences than in science and engineering subject areas where rewards and career prospects are generally better.
- Although women were found to constitute 38% of the academic staff at higher education institutions, in a survey of higher education institutions conducted by the Gender Equity Task Team (GETT) of the *National Commission on Higher*



*Education*, the proportion of women declined as the level or rank of staff increased. Fifty one per cent (51%) of lecturers were female, but only 8% are professors.

## **2.5 Women and Health**

- 2.5.1 The combined impact of the legacy of apartheid and gender discrimination has had negative consequences for the status of women's health. While statistical data on women's health is scant, the following trends are nonetheless discernible.
- 2.5.2 The major causes of female deaths in South Africa are: high blood pressure; pregnancy-related complications; prolonged labour and obstetric haemorrhage; septic abortions; HIV/AIDS related diseases; cancer of the cervix; tuberculosis; malaria; and other opportunistic diseases.
- 2.5.3 The *1998 Demographic and Health Survey* found that 58% of sexually active African women, 68% of Coloured women, 80% of Indian women and 75% of white women were using modern methods of contraception. These statistics clearly reflect inherited Apartheid inequalities.
- 2.5.4 Despite relatively easy access to contraceptives, many women still have limited control over their sexuality and reproductive lives.
- 2.5.5 Women are more vulnerable to HIV and AIDS. A survey conducted by the Department of Health in October/November 1999 found that HIV and AIDS were most prevalent in women in the 20-24 age group, and particularly among African women. The *1999 Annual Antenatal HIV Survey* found that HIV was most prevalent in women under the age of 30 years. An average of 22% of all pregnant women attending antenatal clinics and 17% of teenage mothers tested HIV positive.
- 2.5.6 As health care and community workers, women tend to bear the burden of caring for and counselling people living with HIV and AIDS as well as nurturing children whose parents have died of HIV and AIDS
- 2.5.7 Anaemia is more prevalent in women than in men, particularly in rural areas.
- 2.5.8 Although the 1997 *Integrated National Disability Strategy* suggests very concrete ways of supporting women's health, the experiences of women with disabilities as well as those of care-givers of disabled people, particularly children, have received little attention from policy makers. Their situations remain marginal to the development initiatives of government.
- 2.5.9 One of the first health programmes that the Government of National Unity implemented after the 1994 elections was free health care for pregnant and lactating women, and for children under the age of six years at state clinics and hospitals. The shortage of health workers in some areas, the inadequacy of health facilities and the lack of adequate transport for many rural women have, however, limited women's and their children's access to such programmes.
- 2.5.10 Nursing is one of those caring professions which women are socialised into from an early age. While women constitute the majority of health personnel in clinics, hospitals and

private practices, nurses are accorded low social status and material benefits. They are grossly under-represented in research, managerial and leadership positions in the health sector and play an even smaller role in shaping its policies, structures, services and products.

- 2.5.11 Housing is not provided as a matter of fact for nurses who are by and large women. On the other hand, doctors, the majority of whom are men, are in most cases assured of accommodation..
- 2.5.12 Mental health is continuously neglected. This has a greater impact on women in under-resourced circumstances, especially in rural areas, where they face poverty, ill health, unemployment and greater responsibilities.
- 2.5.13 Expectations based on gender are usually very high for women particularly in terms of fertility. Childless women are often in desperate situations because of the stigma attached to childlessness. Violence is also common in these circumstances.

## **2.6** **Violence against Women**

- 2.6.1 South Africa faces the challenge of combating domestic violence, abuse and rape where the main targets are women, children and girls.
- 2.6.2 There are few support structures for victims of rape. At police stations, rape victims are faced with a lack of facilities coupled with the unsympathetic treatment women frequently receive from the both the police and the justice system.
- 2.6.3 The South African Police Service reports that in the year 2000, it had initiated a Victim Empowerment Programme as violence against women and children was one of its focus areas for the period 2000 - 2003.

## **2.7** **Women and Housing**

- 2.7.1 Housing offers women a sense of security, safety, comfort and space to bring up families, to set up small and micro businesses, to rest and to feel a sense of communal belonging.
- 2.7.2 In 1994, it was estimated that there were between 3 and 5 million homeless and displaced people in South Africa, over a million of whom were living in abject squalor in overcrowded and unsanitary informal settlements or squatter camps. Given this situation, the newly elected democratic government in South Africa moved quickly to launch a new housing policy in December 1994 (The Housing White Paper) which was designed to promote an effective right to housing for all.
- 2.7.3 Despite attempts to remove gender discrimination in housing, some practices continue to work against the interests of women. These include:
- The application age for a housing subsidy is based on the legal contractual age of 21 even though many women have children before the age of 21. This means that women under the age of 21 are often left homeless as they are not able to access the housing subsidy;

- Township housing transfer schemes favour existing title deed holders who tend to be male;
- There are no legal provisions for rights to housing for women who receive custody of their children after separation or divorce;
- In rural areas, women find it hard to obtain the necessary security of tenure that is a precondition for accessing housing subsidies;
- In marriages under customary law women are denied rights to own property independently, to enter into contracts, to sue or be sued and to obtain credit. Women in marriages under customary law may not inherit property or land held in individual tenure. Women may, however, apply to be exempted from “Black Law and Custom”.

## **2.8 Women and Welfare**

2.8.1 Welfare in South Africa has been structured to meet two sets of needs. Firstly, Social Security offers grants to pensioners, to people with disabilities and for children in family care, foster care and care dependency. .

Secondly, the Department of Social Development offers support to people who need one or another form of direct social care largely in state-sponsored institutions.

2.8.2 Women, as the primary care providers for children, orphans, the elderly, and those who live with physical and mental disabilities are particularly dependent on social security grants. At times, procedural obstacles in accessing certain grants has resulted in lower take-up rates by women as compared to men for both pensions and disability grants. The government is taking steps to streamline procedures and improve access for women.

2.8.3 The take-up rates amongst African women for state maintenance grants has been particularly low, effectively reflecting racial bias in the distribution of such grants in practice if not in strict legal terms. The Lund Report recommended the adoption of a system that would grant less money to more people. The reduced level of the grant has attracted considerable criticism from welfare NGOs and women's groups.

## **2.9 Women, Land and Agriculture**

2.9.1 The Department of Land Affairs has explicitly stated its commitment to gender equity in the allocation of land and has demonstrated this by establishing a sub-directorate on land reform, gender policy and implementation. However, historical factors and unequal gender relations continue to hinder women's access to land and control over resources in a number of ways:

- Women's land rights are still limited and insecure. Lack of information about land rights further hinders women's ability to access land;
- What rights women hold are threatened by the negative attitudes of some service providers; by chiefs and the rules and practices of customary law; and by patriarchal households and community relations;

- The ability of women to claim land entitlements is variable and depends, to a large extent, on social status and the goodwill of male partners and relatives;
- The laws of inheritance, in which sons have tended to inherit land from their deceased fathers, sometimes leaves widows [and daughters] without rights of tenure;
- Inheritance rights are still limited by customary practices. Even when women can inherit land, they may have to forfeit control of it, usually to male relatives;
- The power and dominance of traditional systems often deny women their rights to represent themselves in land claims;
- Pilot projects under reform programmes have not always included women. Thus, women usually have less information than men on the procedures for accessing land;
- Women do not have sufficient access to agricultural resources such as land, credit, technology, marketing and other information which would promote their contribution to agricultural production;
- The role of women in the agricultural sector is likely to be labourers and subsistence farmers rather than commercial farmers;
- There is not enough capacity building targeted at women to help them increase their participation in land reform programmes and projects.

## **2.10 Women and the Environment**

2.10.1 Given the large proportion of women in rural areas who are dependent on natural resources and who are affected by poverty, access to these resources is a gender issue. In large measure, women struggle to get water, wood and fuel as well as access to mineral and other resource rights.

2.10.2 The initiatives taken by the Department of Water Affairs and Forestry to include women in its planning and implementation strategies has been welcomed. Afforestation programmes, dam building projects and all other environmental programmes have attempted to take into account the specific needs of women. The Department's regulations stipulate that 30% of the representatives on all water boards and other water committees must be women.

2.10.3 There are, however, several limitations:

- Water schemes have tended to favour houses which are easy to connect to water supplies. This has disadvantaged poor rural women who live far away from water supplies.
- There are few training and empowerment programmes to prepare women as managers and custodians of natural resources.

- Environmental impact assessments have not paid enough attention to the impact of policies and practices on all women.
- Few women are involved in making decisions aimed at the creation of a healthy and sustainable environment.

## **2.11 Women and the Economy**

- 2.11.1 The statistics on gender in the economy paint a grim and very unequal picture with very large differences between women and men and between black and white women. Compared to men, women, especially black women, have low access to paid employment. When they do find paid work, black women typically have lower incomes and less security than all men. Most black women are found in poorly paid domestic labour and micro-enterprises which do not offer job security and benefits nor much by way of legislative protection. Although gender discrimination has been removed from labour laws, this has not been sufficient to achieve equality in women's participation in the paid labour force.
- 2.11.2 In October 1999, only one in every four (26%) of African women between the ages of 15 and 65 was employed compared to 41% of all African men. White women are still over-represented among employed women. Although comprising 11% of the women in this age group, they constituted 20% of those in formal employment. African women, who comprised 76% of women in this age group constituted 63% of those women employed and 27% of all employed.
- 2.11.3 Employed women are concentrated in low-paying occupations. Of the African women employed, one-fifth (21%) have clerical or sales jobs. One in twenty-five (4%) are in the professions while 11% are in the semi-professions. In terms of industry, only 10% of employed African women and 12% of all employed women have jobs in manufacturing compared to 16% of all employed men. Women in general account for only 25% of all managerial positions.
- 2.11.4 Because of the limited opportunities in the formal employment sector, many women, and especially black women, are forced to work in the poorly paid and largely unregulated informal sector. In October 1999, 763 000 women were working as domestic workers in private households, 87% of whom were African. A large percentage of these are either single breadwinners or the only breadwinner in households. The laws of the country offer little protection to domestic workers as employees.
- 2.11.5 Macro-economic policy does not seem to deal effectively with issues of women's empowerment and gender equality.
- 2.11.6 Current thinking sees economic growth as an important component in improving the quality of life for all. But growth in GDP per capita income is usually an unreliable indication of change in the lives of poor people, especially women. For change to be felt by women, there has to be a twin strategy that involves economic growth with effective strategies for meeting the basic needs of the people.

## **2.12 Women, Power and Decision-making**

- 2.12.1 Women's access to political power and decision-making has improved since the 1994 general elections. In 2000, women constituted 8 of 27 Ministers and 8 out of 13 Deputy Ministers in the national government, 30% of the Members of Parliament and 24% of Members of Provincial Legislatures. Women are less well represented at local government level, where 19.4% of Councillors and 14.4% of Executive Committee positions are women.
- 2.12.2 With respect to the public service, the proportion of women in senior management positions (director and above) has increased significantly since 1994. However, the proportions still fall considerably short of the target of 30% of new recruits to the management echelon by the year 2000 laid down in the *White Paper on the Transformation of the Public Service* (1995) and recently reinforced in the *White Paper on Affirmative Action in the Public Service* (1998). Whilst a number of departments and provinces have made considerable progress in gender representivity at the senior management levels, others have made little or no progress.
- 2.12.3 With respect to the economy, women account for only 25% of all managerial positions. African women account for 23% of these positions, coloured women for 9% and Indian women for 5%. White women account for 62% of all women managers. The proportion of women occupying senior positions within the trade unions is also very low.
- 2.12.4 The increased presence of women in the legislatures, the executive branches and other structures of government has made it possible for women politicians and civil servants to promote women's interests through new legislation as well as through an increasingly strong lobby to transform male-dominated institutional norms, values and cultures.
- 2.12.5 Despite such improvements, there is still a long way to go before institutional power is shared equally between women and men in the government and corporate sectors. The persistence of a predominantly male culture in most organisations makes it difficult for those women who have penetrated the "glass ceiling" to ensure that their voices are effectively heard.

## **2.13 Women and Information Communications Technologies (ICT)**

- 2.13.1 Telecommunication is an infrastructure capable of providing timely information and data. As such it plays a pivotal role not only in economic development but also as a catalyst in human and social development. Communications technologies are also important for the distribution of alternative, balanced and equitable portrayals of women and their potential. One of the biggest challenges facing ICT policy-makers is to develop ICT policies so that they serve the social and economic needs of development.
- 2.13.2 The question of gender perspectives in telecommunications, broadcasting and postal policies is one of the most important aspects of restructuring and planning in the communications sector. If the ultimate goal is to provide universal access to telecommunications services, it would indeed be counterproductive, to say the least, to neglect the gender dimensions during planning processes. Allowing for gender perspectives of policies in communications means to understand fully how women and men have been socialised differently and, consequently, to understand the differential impacts of policy on women and men.

- 2.13.3 Distributive justice requires that women should participate in the ICT driven information society on an equitable basis. Technological changes themselves should be used to promote economic and social empowerment of women, thereby resulting in the enlargement of the market for equipment and service delivery.
- 2.13.4 In the era of knowledge-intensive modes of production, facilitated by ICT development, it will be strategic to mobilise the untapped cognitive skills of women for complex managerial and technological tasks. It is in the light of the importance of cognitive skills for sustainable development that a gender focus on recruitment, training, operational policies and practices of the I C T sector will be necessary. The goal of the ICT sector and gender equity advocates is the full participation of women as equal partners in the sustainable development of society.
- 2.13.5 Communication technologies, in some instances, still contribute towards the negative or degrading portrayal of women. Poverty, lack of access to opportunities, illiteracy, language barriers and other factors prevent women from positively and optimally utilising ICT as a development tool.

#### **2.14 Women and Human Rights**

- 2.14.1 South Africa has a constitution which entrenches non-sexism and non-racism in the Bill of Rights. It recognises primarily, that human rights are inalienable; they apply to all human beings. South Africans understand that the enjoyment of human rights is the most basic requirement and standard for the enjoyment of all human life. To this end South Africa has enacted legislation and ratified international and regional instruments aimed at the protection and promotion of women's rights as human rights.
- 2.14.2 These rights fall into two broad categories: socio-economic rights as well as political and civil rights. By socio-economic rights is meant, rights dealing with basic necessities such as housing, health, water and food. Political and civil rights refer to the rights of individuals to citizenship, language, culture, religion and basic freedom of movement and expression.
- 2.14.3 Inequalities based on gender, and deepened by other characteristics such as disability, age, geographic location and religion, are particularly relevant to South Africans because of our past. The majority of South Africans, whilst no longer subject to racist laws, continue to encounter racist attitudes which persist to this day are the legacy of our recent past.

#### **2.15 Institutional Mechanisms**

- 2.15.1 The institutional mechanisms to promote gender equality, commonly referred to as the National Machinery, are well developed in South Africa. The South African model is a comprehensive one composed of a variety of structures which are all dedicated towards advancing gender equality. These structures are located in the executive branch, in Parliament, in provincial government, in independent bodies like courts and various commissions and in civil society. Since the entire National Machinery is in its embryonic phase of development, it is essential that it be empowered with a clear co-ordination role enabling it to advance gender equality in our nation.

## CHAPTER 3

### VISION AND PRINCIPLES FOR GENDER EQUALITY

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*"Everyone is equal before the law and has the right to equal protection and benefit of the law. Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons or categories of persons disadvantaged by unfair discrimination, may be taken."*  
(Source: Constitution of the Republic of South Africa [Act 108 of 1996]).

#### **3.1 Introduction**

- 3.1.1 The basic vision of this Policy Framework is derived from the 1996 Constitution which includes in its founding provisions the values of human dignity, the achievement of equality, advancement of human rights and freedoms as well as non-racialism and non-sexism. Equality of all persons, women and men, and the principles of non-sexism are the two values enshrined in the Constitution which are most central to the vision of this document.
- 3.1.2 The Constitution acknowledges that to promote the achievement of equality, measures designed to protect or advance categories of persons disadvantaged by unfair discrimination may be taken. Women comprise such a group of persons who, because of unfair discrimination, require special legislative and other measures to facilitate the achievement of full equality as citizens of South Africa.
- 3.1.3 In addition, the vision outlined here is based on the *Reconstruction and Development Programme (RDP)*, the *Women's Charter for Effective Equality*, the *National Policy for Women's Empowerment*, the *Convention on the Elimination of all forms of Discrimination Against Women*, and the *Platform of Action of the Fourth World Conference on Women in Beijing, 1995*.
- 3.1.4 The *RDP White Paper (1994)* specifically recognised the need to eliminate sexism in all spheres of society. It undertook a mandate "to spearhead a broader empowerment programme for women, taking into account that women often represent the poorest, most exploited and most marginalised sector of our society" (p.4) The National Policy for Women's Empowerment was the outcome of this mandate.

#### **3.2 Vision and Mission**

- 3.2.1 The vision on which this Gender Policy Framework is based is that of a society in which women and men are able to realise their full potential and to participate as equal partners in creating a just and prosperous society for all. The vision is that of gender equality.

In support of this vision, the mission is to create an effective enabling framework to guide the process of developing laws, policies, procedures and practices which will serve to ensure equal rights and opportunities for women and men in all spheres and structures of government, as well as in the workplace, the community and the family.



### 3.3 Principles

**Table 2: Key Principles Underlying the Vision and Mission**

| PRINCIPLE  | DEFINITION OF PRINCIPLE  | KEY INDICATORS FOR MEASURING PROGRAMME APPLICATION  |
|--|--|---|
| <i>Equality between women and men.</i>   | Refers to a situation where women and men have equal conditions for realising their full human rights and potential and are able equally to contribute to national political, economic, social and cultural development and to benefit from the results. (Also see definition of gender equality in the Glossary included in this document.) | <ul style="list-style-type: none"> <li>• Access to resources on equal basis with men,</li> <li>• Equality of opportunity and equality of treatment in all facets of life</li> <li>• Share of resources in all aspects of their social, economic, political and cultural experiences on equal basis with men</li> </ul> <p>Levels/hierarchy of equality are defined in terms of:</p> <p>Control</p> <p>▲</p> <p>Participation</p> <p>▲</p> <p>Conscientisation</p> <p>▲</p> <p>Access</p> <p>▲</p> <p>Welfare</p> <p>Increased Equality and Increased Empowerment</p> <p>[These levels of equality are in hierarchical relationship, so that equality of control is more important for women's empowerment than equality of welfare. The higher levels are concerned with providing women with the means towards increased control over their own lives]</p> |
| <i>Recognition of differences and inequalities among women.</i>                          | Women differ according to factors such as race, disability, class, culture, religion, sexual orientation and geographic location.  | <ul style="list-style-type: none"> <li>• Increased representation of women in all spheres of life in terms of their race, disability, socio-economic class, culture, religion, sexual orientation and geographic location in terms of their proportion in the population</li> </ul>   |
| <i>Women's rights are human rights.</i>  | Women's rights are part and parcel of human rights as enshrined in the Bill of Rights. These rights form part of the cornerstone of democracy in South Africa  | <ul style="list-style-type: none"> <li>• Number of policies and programmes in place focusing on women, disabled women, the aged and children, specifically targeting the vulnerable.</li> </ul>   |
| <i>Customary, cultural and religious practices are subject to the right to equality.</i> | This principle recognises the right of all persons to enjoy and practice their cultural and religious beliefs. However, these practices should not discriminate on the basis of gender   | <ul style="list-style-type: none"> <li>• Increased number of women in decision-making positions in these institutions. This should include disabled women.</li> <li>• Equitable and equal treatment of women under these practices</li> </ul> <p>Levels/hierarchy of equality are defined in terms of:</p> <p>Control</p> <p>▲</p> <p>Participation</p> <p>▲</p> <p>Conscientisation</p> <p>▲</p> <p>Access</p> <p>▲</p> <p>Welfare</p> <p>Increased Equality and Increased Empowerment</p>   |

| PRINCIPLE   | DEFINITION OF PRINCIPLE  | KEY INDICATORS FOR MEASURING PROGRAMME APPLICATION   |
|---|--|--|
| <b><i>Public and private are not separable spheres of life.</i></b>         | This principle recognise the inter-relatedness of private and public life. Many discriminatory practices against women are enacted in a variety of settings.   | <ul style="list-style-type: none"> <li>• Number of laws enacted to effectively address discrimination and subordination of women.</li> <li>• Legal empowerment of women through enforcement of these laws;</li> <li>• Increase in the number of women using these legal instruments; and</li> <li>• Change in power relationships between women and men in both public and private domains, such as:               <ul style="list-style-type: none"> <li>- Shared roles and responsibilities between women and men;</li> <li>- Number of men participating in household chores;</li> <li>- Women assuming positions in all sectors that were formally dominated by men;</li> <li>- Change in consensus between women and men.</li> </ul> </li> </ul>  |
| <b><i>Entitlement to the right of integrity and security of person.</i></b> | Women are entitled to the right to bodily and psychological integrity as enshrined in the Constitution. This means that women have the right to security and to make decisions over their own bodies, including their reproductive rights              | <ul style="list-style-type: none"> <li>• Number of laws enacted to specifically deal with issues of violence and harassment of women both in their private and public spheres of life;</li> <li>• Legal empowerment of women through enforcement of these laws;</li> <li>• Increase in the number of women using these legal instruments, including those pertaining to the right to control over their bodies.</li> </ul>   |
| <b><i>Affirmative action programmes for women.</i></b>                      | This principle refers to corrective measures through programmes targeting women to redress the legacies of discrimination and subordination. This means that special legislative and other measures are needed for the achievement of gender equality. | <ul style="list-style-type: none"> <li>• At least 30% decision-making positions in the public sector and public enterprises to be occupied by women;</li> <li>• Training programmes in both the public and private sectors targeting women at various levels;</li> <li>• Number of women trained in priority skills areas;</li> <li>• The National Department of Labour has, in adopting its National Skill Training Strategy, undertaken to ensure that in implementing this strategy all sectors will comply with the allocation of 54% of resources to women. This includes the budget.</li> <li>• At least 30% of gainful employment in all sectors to be held by women;</li> <li>• Recruitment and placement of women at all levels in both the public and private enterprises;</li> <li>• At least 30% of people recruited and participating in activities in the public sphere to be women</li> </ul> |
| <b><i>Economic empowerment for women</i></b>                                | This principle refers to the capacity of women to access and control economic resources and make decisions for improving their quality of life.  | <ul style="list-style-type: none"> <li>• Access;</li> <li>• Control/ownership;</li> <li>• Decision-making;</li> <li>• Change in power relations;</li> <li>• Choices;</li> <li>• Participation;</li> <li>• Self-reliance.</li> </ul>  |
| <b><i>Mainstreaming gender equality</i></b>                                 | This principle recognises that most institutions consciously or unconsciously serve the interests of men. This principle therefore   | <ul style="list-style-type: none"> <li>• Resource allocation to programmes for mainstreaming gender equality;</li> <li>• Engendering of all government policies and programmes;</li> <li>• Policies and programmes geared towards the achievement of mainstreaming gender equality;</li> </ul>   |

| PRINCIPLE  | DEFINITION OF PRINCIPLE  | KEY INDICATORS FOR MEASURING PROGRAMME APPLICATION   |
|--|--|--|
|  | encourages institutions to adopt a gender perspective in transforming themselves.  | <ul style="list-style-type: none"> <li>• Gender disaggregated data provide by all institutions.</li> </ul>   |
| <i>Partnerships between government and civil society</i> | This principle recognises the critical role that government and civil society can play in partnerships with regard to advancing the tenets of gender equality. | <ul style="list-style-type: none"> <li>• Collaborative workshops between government agencies and civil society;</li> <li>• Consultations between government and civil society in matters relating to gender policies and programmes;</li> <li>• Joint campaigns between government and civil society.</li> </ul> |

The principles described above ought to form the guide posts for the South African programme.

## **Part Two: A Framework for Implementation**

## CHAPTER 4

### THE INSTITUTIONAL FRAMEWORK

*“Appropriate government machinery for monitoring and improving the status of women should be established where it is lacking. To be effective, this machinery should be established at the highest level of government and should be ensured adequate resources, commitment and authority to advise on the impact on women of all government policies. Such machinery can play a vital role in enhancing the status of women, inter alia, through the dissemination of information to women on their rights and entitlements, through collaborative action with various ministries and other government agencies, and with non- governmental organisations and indigenous women’s groups.”*

(Source: Nairobi Forward Looking Strategies, 1985, para 57).

#### **4.1 Introduction**

4.1.1 The Constitution through the Equality section in the *Bill of Rights* reinforces social justice, human rights and full citizenship status for women. To give full substance to the essence and quality of these rights, mechanisms need to be put in place that will enable women to develop a relationship with the state including the executive, the legislature and the judiciary at all levels of government.

4.1.2 The purpose of this chapter is to outline a framework for the establishment of an efficient, effective and co-ordinated machinery to formulate, implement, monitor and evaluate government policy on women’s empowerment and gender equality.

#### **4.2 The Need for a National Machinery for Women's Empowerment and Gender Equality**

4.2.1 The situational analysis in Chapter Two of this Policy Framework describes the inequalities and disadvantages that women experience in South Africa. It is also evident that these disadvantages are further compounded by variables such as race, class, disability, sexual orientation, religion and geographic location. Gender inequality is systemic and entrenched in the structures, norms, values and perspectives of the state and civil society. It is pervasive but it is also often hidden, complex and insidious.

4.2.2 The emancipation of women and the attainment of equality in the political, economic, social, cultural and civic spheres is a long-term process of social transformation that fundamentally challenges the way in which society is organised. At the level of the state it requires a new approach to the formulation and implementation of policy. Decision-makers need to develop new ways of thinking about the world; bureaucrats need to understand these in implementing policies, programmes and laws; and parliaments need to translate this thinking into law. At the level of civil society, women and men need to educate themselves and each other about the causes and manifestations of, and the solutions to, gender inequality and patriarchy.

4.2.3 The shift thus from inequality to equality requires the transformation of government and civil society. National Machinery acts as a vehicle through which South Africa can meet

its constitutional and international commitments to gender equality, human rights and social justice.

### **4.3 Towards a National Machinery for Women's Empowerment and Gender Equality**

4.3.1 A national machinery for women's empowerment and gender equality refers to a set of co-ordinated structures within and outside government which aim to achieve equality for women in all spheres of life: political, civil, social, economic and cultural. The central issues at the heart of the National Machinery are those of location, goals and objectives. These issues are reflected in the Boxes 1a, b and c below.

#### **Boxes 1a, b and c: The Three Key Issues for Crafting the *National Machinery***

##### **Box 1a**

###### **Status and Location**

The *Beijing Platform for Action*, which has been adopted and endorsed by the South African government, calls on all governments to:

- create national machinery "at the highest levels of government" for the advancement of women;
- give this machinery a clearly defined mandate and authority;
- provide the machinery with adequate resources;
- ensure the ability and competence of this machinery to influence policy, and to formulate and review legislation.

##### **Box 1b**

###### **Goals**

The three main goals of the National Machinery in South Africa will be to:

- achieve equality for women as participants, decision-makers and beneficiaries in the political, civil, social, economic and cultural spheres of life;
- prioritise the needs of those women who benefited least from the system of apartheid;
- transform all national, provincial and local institutions by mainstreaming and integrating issues of women's empowerment and gender equality into their work. These include institutions of government, independent statutory organisations, the private sector, the public sector, the labour movement and organs of civil society

##### **Box 1c**

###### **Objectives**

In pursuit of these broad goals, the South African National Machinery will have the following specific objectives, namely to:

- promote South Africa's constitutional subregional, regional and international commitments to women's empowerment, gender equality, women's human rights and social justice;
- transform the institutions, laws, policies, procedures, consultative processes, budgetary allocations and priorities of government to take account of the needs and aspirations of all women, and particularly those who were most disadvantaged by the previous dispensation;
- ensure that all statutory, government, public and private institutions develop policies, structures and practices which address women's empowerment and redress gender inequality in their transformation goals;
- develop a national policy for gender equality and ensure that all levels of government and civil society implement the policy;
- co-ordinate the implementation of gender equality policies, monitor and evaluate their impact and effectiveness;
- set appropriate priorities, targets, time frames and performance indicators;
- conduct a gender analysis of existing policy;
- raise awareness about gender issues and advocate for gender sensitivity and gender equality.

- 4.3.2 The structures of the National Machinery should operate collaboratively and in synergy with each other. They should not be a “dumping ground” for those gender issues which should be the legitimate concern of other organisations and agencies.

#### **4.4 A Model for a National Machinery Based on Current Consensus**

- 4.4.1 A model for a national machinery on gender equality in South Africa is outlined below. This model is based on a general consensus among women and men’s organisations derived through many years of discussions, conferences and workshops on the issue. The central theme of this consensus is that the national machinery should be made up of an integrated "package" of structures located at various levels of the state and civil society. Many of these structures already exist, though their roles and responsibilities with respect to gender need to be clarified and their work more effectively co-ordinated.

#### **4.4.2 Structures and Functions of the National Executive**

Within the executive branch of the national government, the primary structures of the national machinery are comprised of the Cabinet, the Office on the Status of Women in the Presidency and the Gender Desks or Focal Points, holding appropriate seniority, in government departments.

- 4.4.2.1 The Cabinet is the supreme policy making body in the country. All national policies, including the budget, are approved by Cabinet before they are introduced to parliament or implemented by various government departments. It is proposed that all Cabinet Cluster Committees address gender issues and carry out the functions summarised in Box 2:

##### *Box 2: Functions of all Cabinet Cluster Committees and Clusters of Directors-General*

- Ensure the adoption and implementation of the national gender policy contained in this Gender Policy Framework;
- Ensure that Cabinet discussions are engendered;
- Ensure that ministers actively assert the implementation of gender policy;
- Provide access to information, including documentation, on budgetary measures with specific reference to its implication on gender;
- Ensure that the integrated co-ordination framework results in measurable sector specific outputs;
- Make recommendations on policy and legislation with regard to gender for discussion and approval by cabinet.

#### ***4.4.2.2 The National Office on the Status of Women (OSW)***

The national Office on the Status of Women is located in The Presidency. It has a vital role to play as the principal co-ordinating structure for the National Machinery on gender equality. It has been constructed as the nerve centre for developing and maintaining a vibrant gender programme. It develops frameworks and monitors their implementation. It is responsible for developing national gender plans as well as national strategies to implement them.

The national OSW's functions are summarised in Box 3:

*Box 3: Functions of the National Office on the Status of Women*

- To advance a national policy on women's empowerment and gender equality
- To prioritise key concerns and initiate policy and action-oriented research Relevant to gender mainstreaming;
- To advise and brief the President, the Deputy President and the Minister In the Presidency on all matters pertaining to the empowerment of women
- To liaise between NGOs dealing with women's and gender issues And the Presidency;
- To liaise between international bodies (e.g. United Nations) and the Presidency;
- To work with Ministries and departments, provinces and all publicly funded Bodies in mainstreaming gender in policies, practices and programmes;
- To develop key indicators for measuring the national progression towards Gender equality;
- To arrange for training in gender analysis and gender sensitisation;
- To act as a catalyst for Affirmative Action with respect to gender equality;
- To initiate and promote cross-sectoral action on cross cutting issues such as The girl child, violence against women and HIV/AIDS;
- To facilitate awareness-raising and confidence-building among women at all Levels;
- To provide a co-ordination framework for the effective implementation of the Gender programme at the national, provincial and local government levels;
- To consult and liaise with civil society and Parliament.

4.4.2.3 *Gender Focal Points (GFPs) in Government Departments.*

At the operational level, the main responsibility for ensuring the effective implementation of the National Gender Policy, contained in this Gender Policy Framework, will rest with individual government departments at national and provincial levels. All departments will be required to establish dedicated Gender Units or Focal Points to assist in the formulation and implementation of effective action plans to promote women's empowerment and gender equality in the work of departments.

The functions of the GFPs in government departments are summarised in Box 4:



***Box 4: Functions of the Gender Focal Points in Government Departments***

- To ensure that each department implements the national gender policy;
- To ensure that gender issues are routinely considered in departmental strategic planning exercises;
- To ensure that departments reflect gender considerations in their business plans and routinely report on them;
- To review departmental policy and planning in line with the National Gender Policy Framework;
- To review all policies, projects and programmes for their gender implications;
- To ensure that departments provide and use gender disaggregated data in their work;
- To establish mechanisms to link and liaise with civil society;
- To co-ordinate gender training and education of all staff within departments so as to ensure that gender is integrated into all aspects of the work;
- To monitor and evaluate departmental projects and programmes to assess whether they are consistent with national gender policy.

**4.4.2.4 The Rank and Location of Gender Focal Points (GFPs)**

4.4.2.4.1 *South Africa's National Gender Audit: An Analysis, Synthesis and Presentation of Findings and Recommendations at the National And Provincial Levels*, undertaken in 2000 by the national OSW, has highlighted the need to regularise the location of the GFP within departments. To this end, it is recommended in that report that GFPs should be located in the office of the Director General.

4.4.2.4.2 The Director General in each department is the chief accounting officer, and as such is responsible for all departmental functions. The placement of GFPs within this office would therefore afford the GFPs easy access to all programmes and programme officials within the department thereby creating an enabling environment for gender mainstreaming.

4.4.2.4.3 The recommendation that GFPs be appointed at the director level will only be effective if the eligibility requirements for appointments to this post are commensurate with the skills level required for gender mainstreaming. The skills complement for implementing the gender programme is identified under Table 5 in Chapter 5 of this document.

**4.4.3 Structures and Functions of the Legislature**

Given its law-making powers, Parliament has a central role to play in facilitating women's empowerment and gender equality. The Joint Monitoring Committee on the Quality of Life and Status of Women, was established to ensure that all legislation that is passed by parliament is engendered.

#### 4.4.3.1 The Joint Monitoring Committee on the Improvement of the Quality of Life and the Status of Women

**Box 5: Functions of the Joint Monitoring Committee on the Improvement of the Quality of Life and the Status of Women**

- a Monitor and evaluate progress with regard to the improvement in the quality of life and status of women in South Africa, with specific reference to the Government's commitments:
  - (i) to the Beijing platform of action;
  - (ii) with regard to the implementation of the Convention on the Elimination of Discrimination against Women; and
  - (iii) to any other applicable international instruments;
- (b) May make recommendations to both or either of the Houses, or any joint or House committee, on any matter arising from paragraph (a) or (b)

#### **4.4.4 Independent Statutory Bodies**

Independent Statutory bodies involved in gender issues include among others the Commission on Gender Equality; the Human Rights Commission; the Independent Electoral Commission; the Public Protector; the Public Service Commission; the Youth Commission; the Land Commission and the South African Law Commission. The Commission on Gender Equality plays the primary role in advancing the empowerment of women and gender equality. The other statutory bodies complement the work of the Commission on Gender Equality in a number of important ways.

##### 4.4.4.1 *The Commission on Gender Equality (CGE)* is provided for in Chapter 9 of the Constitution. It is an integral part of the National Machinery for Gender Equality, and is an independent statutory, advisory, consultative and research body. Its functions include the following:

**Box 6: Functions of the Commission on Gender Equality**

- To monitor, evaluate and make recommendations on all policies and practices of organisations, bodies and institutions in South Africa to ensure that they promote gender equality in their work;
- To develop, conduct and manage information and education programmes, to enable the public to promote gender equality as well as to understand the role of the Commission;
- To evaluate any bill or proposed legislation likely to affect gender equality, or the status of women, and make recommendations accordingly to Parliament or the appropriate provincial legislatures;
- To recommend to Parliament or the provincial legislatures the adoption of new legislation which would promote gender equality and the status of women;

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

4.4.4.2 **The Human Rights Commission** is concerned with the advancement and promotion of human rights. Since women's rights are human rights, this body is also an important mechanism at the disposal of women. It is also a body to which the Commission on Gender Equality can make appropriate referrals and with which it should liaise on a regular basis.

4.4.4.3 **The Independent Electoral Commission(IEC)** is a permanent body created by the Constitution to promote and safeguard democracy in South Africa. As part of its mandate, the IEC has to strengthen constitutional democracy and promote democratic electoral processes. The IEC is thus strategically placed to advance the involvement and participation of women in the political and electoral processes.

4.4.4.4 **The Public Protector** receives complaints from the all persons and communities which comprise the public against government agencies and officials. As regulated by national legislation, the Public Protector has the power to investigate any conduct of in state affairs or in the public administration in any sphere of government. It is empowered to investigate cases of unfair practice, impropriety or prejudice. This office is an important conduit through which women can take up grievances and seek redress.

4.4.4.5 **The Public Service Commission** has as part of its mandate the role of promoting greater representivity in the public service. It is therefore an important mechanism for advancing gender equality in the public service.

4.4.4.6 *The Youth Commission* is charged with the co-ordination, promotion and development of a national youth policy aimed at harnessing the potential of young women and young men. An important factor leading to the establishment of the Youth Commission is a recognition of the need to redress the impact of past imbalances on this sector of the population.

4.4.4.7 *The South African Law Commission* is a key structure involved in legal research and legal reform. It has already made enormous contributions to gender equality in its analysis of the relationship between Customary Law and the Equality clause in the Constitution.

4.4.4.8 *The Land Commission* is concerned with restitution and redistribution of land. As women's access to land tenure is a crucial element in their economic empowerment, its role is clearly important to women. The Land Commission is committed to ensuring that the Constitutional rights of women to land are upheld.

#### **4.4.5 Women's Organisations in Civil Society**

4.4.5.1 It is the experience of many countries that national machinery alone cannot shift public policy agendas for women without the participation of organisations of civil society. Strong women's organisations are therefore an important part of effective national machinery. This implies that the institutions of the national machinery must have structures and mechanisms to facilitate close and effective relationships with organisations in civil society.

4.4.5.2 Part of the role of national machinery should be to empower women's organisations through capacity-building, education and training, as well as through the provision of information and resources. This can be achieved in a number of ways, for example:

- All government structures should provide information on their functions and on the policies, programmes and laws in their departments which affect women;
- All government structures should endeavour to carry out awareness-raising on the issues of gender and to provide education or training, where appropriate. For example, the health department should educate the public about women's health;
- Research, technical assistance, monitoring, advocacy and awareness-raising by organisations in civil society should play an important role in the effective development and implementation of the national gender policy.

#### **4.5 Provincial Machinery for Advancing Women's Empowerment and Gender Equality**

4.5.1 Many provinces have established gender structures within their provincial governments and legislatures. Some have also established, or are establishing, independent bodies to play a role in women's empowerment. Although each province may need to tailor these structures to their specific requirements, it is strongly recommended that the general principles of the national model be followed in the provinces. In other words, it should be a requirement that provincial machinery for gender equality be established, to parallel the national machinery, along the following lines:

- The establishment of an Office on the Status of Women (in the office of the Premier) to develop a provincial gender policy and plan of action, in line with national policy, and to co-ordinate the activities of other role-players and stakeholders;
- The establishment of Gender Units or Focal Points in all provincial departments;
- The establishment of women's caucuses in the provincial legislatures;
- The provision of support for the establishment and/or development of civil society structures.

#### **4.6 Local Government Machinery for Advancing Women's Empowerment and Gender Equality**

*“Local Government is the sphere of government closest to the people, and the one that impacts most on women’s lives. It is best placed to analyse and respond to the needs of different women. To date, local government has lacked a coherent approach and the necessary tools to advance gender equality and not much attention has been given to this issue in discussions on national machinery.”*

**(Source: SALGA, Gender and Development - A Handbook for Councillors and Officials).**

- 4.6.1 Although the focus of this policy document is on the national and provincial spheres of government, it is important to emphasise that the development of gender structures at local government level is clearly vital.
- 4.6.2 Local government is responsible for the delivery of basic needs including local economic development, environmental protection, electricity, health, housing, library services, licensing, parks and recreation, planning, produce markets, roads, sewage, traffic, transport and water. The inadequate provision of these basic needs will obviously impact negatively on women. Gender sensitive policies, procedures, and practices will therefore be crucial.
- 4.6.3 Through its broad responsibilities in the area of local government, the Department of Provincial Affairs and Local Government will have an important role to play in working with local authorities to advance women's empowerment and gender equality.
- 4.6.4 The same principles which are applied at national level can be adapted to the development of local government machinery for the advancement of gender equality. According to the Co-ordination Framework, the National OSW will act as co-convenor with the hosting ministry for local government, the Department of Provincial Affairs and Local Government, to oversee the key responsibilities as outlined in 4.7.3.
- 4.6.5 The South African Local Government Association (SALGA) has already played a pivotal role in lobbying for the creation of gender structures which would drive transformation in both the external and internal work of the local government councils. A council gender committee or task team has been suggested as well as a gender desk in the office of the Mayor or the Chief Executive Officer. Both of these structures would clearly need to enjoy the support of senior politicians and executive members. Sufficient resources should

be allocated to such structures to make a meaningful impact on the lives of women in the local communities as well as to ensure the representation of women in council structures.

- 4.6.6 The role of organisations of civil society, including civics and community-based organisations, would be equally important. Clear consultation and communication strategies would have to be set up to ensure that local government remains relevant and responsive to the needs of local citizens. The institutional machinery, if properly coordinated, should result in an effective gender programme that will significantly enhance progress towards gender equality.

#### **4.7 National Gender Machinery and Gender Equality**

The institutional framework described in this Gender Policy Framework is on the "cutting edge" as national gender machinery. It must, however, be empowered in a substantial manner so that it may, in turn, facilitate the country's advance towards gender equality.

## **CHAPTER 5**

### **INTEGRATED CO-ORDINATION FRAMEWORK AND PROCESS FOR GENDER MAINSTREAMING**

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#### **5.1 Introduction**

- 5.1.1 Chapters 1 and 2 described the overall problem which necessitated policy intervention as well as the vision and mission towards which this Policy Framework is directed. These sections were followed by Chapter 3 which outlined the principles that would guide action towards achievement of the national ideal. Chapter 4 advanced the Policy Framework by describing the institutional framework which will house action. This chapter gives meaning to the vision, mission, principles and institutional framework detailed earlier by constructing the co-ordination framework and gender mainstreaming process that will guide and mobilise ministries, provinces and local government towards integrated programme delivery.
- 5.1.2 The Co-ordination Framework does not describe a new structure but a network of existing structures, mechanisms and processes for effecting gender mainstreaming.

#### **5.2 Co-ordination Framework**

- 5.2.1 The National Office on the Status of Women (OSW) is at the apex of the National Machinery as a co-ordinating structure. It is the responsibility of this office to establish an effective Gender Management System (GMS) that will ensure accelerated delivery of a quality national gender programme. Since the accountability of the national gender programme resides with the Presidency, the National Machinery was structured to ensure that Provincial OSWs and departmental Gender Focal Points would account on the one hand to the Premiers, MECs and Provincial Directors-General and to Ministers and Directors-General as well as to the National OSW on matters of programme delivery. This dual accountability makes for cohesive and integrated programme delivery and also enhances the optimal use of human, financial and intellectual resources.
- 5.2.2 For programme accountability, a distinction is made between programmatic and administrative responsibilities. By programme-related responsibilities is meant quality control of the overall programme and not the day-to-day management of the work executed by the Gender Focal Points and Provincial OSWs.

#### **5.2.3 Integrated Co-ordination Framework**

- 5.2.3.1 The integrated approach is compatible with Cabinet's decision to effect an integrated approach for service delivery. The crosscutting nature of gender, by definition, requires such an approach. Thus, the salient feature of the Co-ordination Framework espoused here places equal responsibility on the co-ordinating structures (OSWs and GFPs) and on all officials employed by the South African government.
- 5.2.3.2 The Integrated Co-ordination Framework is a communication, service delivery and accountability framework. More importantly, it is a tool for developing and maintaining a Management Information System (MIS) which will be the very engine of the National Gender Programme.

### **5.2.4 The Goals, Objectives and Outputs of the Co-ordination Framework**

5.2.4.1 The main objective of the Co-ordination Framework is to assign clear roles and responsibilities within a participatory framework that is built upon collaboration and requires synergy for effective delivery. This Co-ordination Framework meets these criteria. An effective co-ordination framework is one that results in effective gender mainstreaming with clear lines of communication and accountability, an identifiable centre for filtering information and a cohesive National Action Plan. Table 8a-c below reflects the goals, objectives and outputs of the Co-ordination Framework.

#### **Box 7a**

##### **Goals of the Co-ordination Framework**

- Broaden sectoral participation in the National Gender Programme by engaging all stakeholders;
- Ensure that the focus is on delivery by line ministries; and
- Affirm that the structures of the National Machinery remain as facilitators of the National Gender Programme and that implementation is the responsibility of all.

#### **Box 7b**

##### **Objectives of the Co-ordination Framework**

- Set goals and objectives for the National Gender Programme;
- Effect gender mainstreaming;
- Establish clear lines of communication and accountability;
- Assign roles and responsibilities;
- Develop a dynamic Management Information System that facilitates informed implementation;
- Facilitates and provides for the formulation of Gender-specific Action Plans at National, Provincial and Local Government levels; and
- Engage Civil Society

#### **Box 7c**

##### **Outputs of a Co-ordination Framework**

- Effective gender mainstreaming strategy;
- Clear lines of communication and accountability among stakeholders;
- Clarity of stakeholder roles and responsibilities resulting in clear division of labour;
- Clear boundaries and respect for boundaries while enhancing collaboration;
- Functional Management Information System
- Presence of National, Sectoral, Provincial and Local Plans of Action; and
- Collaborative definitions of Inputs, Process, Outputs and Impacts

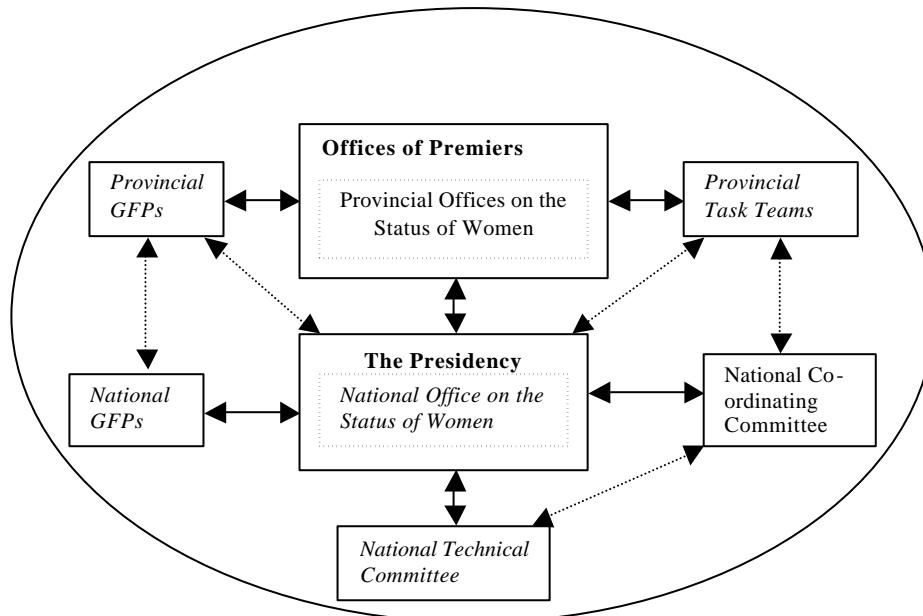
### **5.3 The Co-ordination Framework for South Africa**

5.3.1 Based on the outputs of the *National Gender Audit*, this Policy Framework proposes a Co-ordination Framework that will minimise role confusion and eliminate a haphazard approach to gender programming at all levels.

#### **5.3.2 The Centres of Co-ordination**

5.3.2.1 Based on the principles of the National Machinery, the National OSW is the centre for co-ordination because of its location in The Presidency. It operates through Gender Focal Points who are located in the implementing agencies. It also draws on the strategic input of the National Technical Committee. The dynamic process for effecting co-ordination is depicted in Figure 1.





**Figure 1: The Process of Co-ordination**

5.3.2.2 The co-ordination process is centred in The Presidency which is accountable for the delivery of the National Gender Programme. The Office on the Status of Women in The Presidency, in consultation with key stakeholders, develops key frameworks for delivery. The National OSW facilitates the integration of information on best practices into the different frameworks to ensure that the Gender Programme addresses the unique gender needs of each sector. To develop an effective National Management Information System, the OSW draws upon the skills of the National Technical Committee which serves as a think tank for the National Gender Programme.

#### **5.3.4 Functions of Key Role Players within the South African Co-ordination Framework**

5.3.4.1 Diagram 1 contained in the Executive Summary reflects the key structures of the South African National Machinery. This section outlines the functions of the key role players in the executive branch within the proposed South African co-ordination framework. These key players are:

- Cabinet
- The Minister in The Presidency
- Premiers
- National Ministers and MECs
- Director General in The Presidency
- Directors-General in National Departments and Provinces
- Office on the Status of Women (at all levels)
- Gender Focal Points (at all levels)
- National Co-ordinating Committee

5.3.4.2 The Minister and the Director General in The Presidency have distinct overarching functions for the National Gender Programme. Thus, their roles are treated separately. They are custodians and principle champions of the programme as they report directly to the President on gender issues. The key co-ordination functions of the Minister and the Director General in The Presidency are outlined in Boxes 9a and 9b respectively.

**Box 8a: Functions of the Minister in The Presidency**

- Represents the Gender Programme in all Cabinet Committees;
- Ensures that gender is mainstreamed through Cabinet and Cabinet Committees;
- Provides political guidance;
- Oversees the political content of the Gender Programme;
- Accounts on the National Gender Programme;
- Liaises with other Ministers;
- Leads the co-ordination.

**Box 8b: Functions of the Director General in The Presidency**

- Ensures that gender is mainstreamed in FOSAD;
- Ensures the integration of frameworks into Public Service regulations to make these gender sensitive;
- Facilitates gender mainstreaming among senior managers such as Directors General;
- Provides administrative guidance for the programme;
- Accounts on the National Gender Programme;
- Leads on central co-ordination issues.

The functions of the Minister and the Director General in The Presidency mirror those of the Premiers and the Directors General in provinces.

5.3.4.3 The national Office on the Status of Women as the key co-ordinating unit has the central role of co-ordination. Its key co-ordinating functions are listed in Box 9c below. The same functions apply for the provincial OSWs and, once established, for local government structures.

**Box 8c: Functions of the Office on the Status of Women**

- Reports to the Minister and the Director General in The Presidency;
- Leads in the co-ordination process;
- Designs frameworks for converting goals into programmes;
- Leads the process of developing strategies;
- Leads the process of developing a National Gender Action Plan;
- Initiates processes to ensure compliance with national, regional, sub-regional and international instruments;
- Prepares reports to reflect compliance with instruments;

The functions on the Office on the Status of Women in The Presidency are the same as those of the Provincial Offices on the Status of Women located in the Premiers' offices.

5.3.4.4 The functions of the Ministers and Directors General in departments have a central role to play in the sector specific programmes. Departments are centres of delivery for advancement towards Gender Equality.

**Box 8d: Functions of Ministers in Departments**

- Liaise with the Minister in the Presidency on gender issues emerging out of the departments' delivery process;
- Together with the Minister in the Presidency, oversee the translation of national goals into sector specific programmes;
- Together with the Minister in the Presidency, report to Cabinet on sector specific programmes;
- Provide political leadership in the department.

**Box 8e: Functions of Directors-General in Departments**

- Assist the Director General in The Presidency in ensuring the integration of gender in all Public Service regulations;
- Ensure that sector specific programmes integrate gender considerations;
- Together with the Director General in The Presidency account to Cabinet on sector specific gender programmes;
- Facilitate the development of an administrative system that centres gender;
- Provide The Presidency with reports; and
- Ensure the provision of resources to the Gender Programme.

The functions listed in Boxes 9d and 9e for Ministers and Directors-General at National level mirror those for the MECs and Directors-General in the Provinces

5.3.4.5 The Gender Focal Points are the implementing units within national departments. It is the GFP that facilitates the programme and is thus the centre for co-ordination at the departmental level. The GFP must also liaise with the provincial counterpart who is located in the centre of delivery. The key functions for this nodal point: appear in Box 9f below.

**Box 8f: Functions of Gender Focal Points**

- Liaise with the National OSW
- Lead the process for developing sector specific indicators
- Conduct sector specific analysis on gender disparities to ensure a comprehensive sector plan
- Lead the development of sector specific Management Information Systems
- Liaise on external reporting

5.3.4.6 All of the key players come together in what is termed the National Co-ordinating Committee. This committee receives all information, identifies gaps, defines goals and monitors progress. More importantly, it leads in determining areas of capacity building for the advancement of gender equality.

**5.3.5 The National Co-ordinating Committee**

5.3.5.1 The National Co-ordinating Committee is government's nerve centre for the effective co-ordination of the National Gender Programme. This committee is chaired by the OSW. Membership on the committee cuts across all national ministries, provinces, local government structures and organs of civil society. Within the Co-ordination Framework this committee will have a number of functions which are detailed in Box 9g . Eligibility for service on this body is based on potential member's ability to lend authority and clout to this committee.

**Box 8g: Functions of the National Co-ordinating Committee**

- Guide all processes and develop all mechanisms deployed;
- Provide guidance for gender analysis;
- Provide substantive information through the development of a national Management Information System;
- Develop a National Gender Action Plan;
- In conjunction with Ministers and Directors General design, implement and evaluate cross-cutting programmes such as poverty alleviation, job creation, violence against women, HIV/AIDS and rural strategy;
- Design tracking and evaluation frameworks.

5.3.5.2 This interactive, interdepartmental and collaborative system of co-ordination provides synergy while affording all role players the flexibility they need. It centres norms and standards but decentralises delivery.

**5.4 Gender Mainstreaming Process**

5.4.1 The implementation of gender equality is first and foremost the responsibility of all the institutions of government. To achieve gender equality, government must embark on a rigorous gender mainstreaming strategy. To this end, much of the responsibility for planning and implementing effective and innovative strategies for the promotion of women's empowerment and gender equality will rest equally with key structures of the National Machinery and with individual government departments at the national, provincial and local levels.

5.4.2 Whilst individual departments will obviously need to tailor their strategies for gender equality to suit the particular needs and requirements of their departments and client base, there are nevertheless a number of generic strategic guidelines which might usefully inform the processes of overall gender mainstreaming and overall planning and implementation. These are set out briefly below.

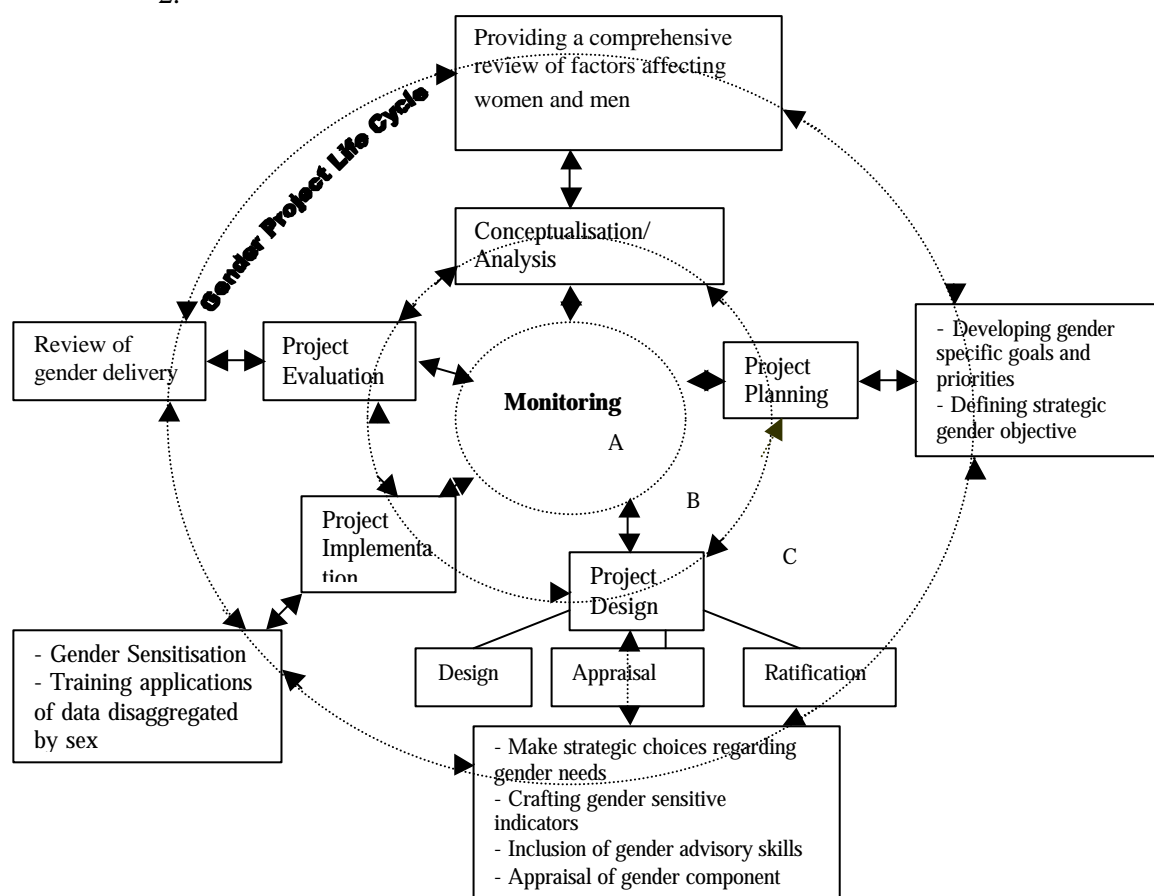
5.4.3 Broadly speaking, there are three main areas of intervention that government departments can make in the area of gender mainstreaming. These relate to external and internal gender transformation.

- Promoting women's empowerment and gender equality in their service provision. This amounts to external transformation.
- Raising public awareness about gender in their dealings with clients and stakeholders in the private and community sectors. This combines internal and external transformation.
- Promoting women's empowerment and gender equality in their internal employment policies and practices.

**5.5 Project Life Cycle as an Organising Tool**

5.5.1 To be effective, the framework for integrating gender considerations must be implemented in a co-ordination framework where there is synergy and clarity of roles. The principles of

gender mainstreaming must be applied throughout the project life cycle reflected in Figure 2.



**Figure 2: Project Life Cycle for the Implementation of the National Gender Programme**

5.5.2 The project life cycle is selected as an analytical and guiding tool because at each phase there are distinct tasks to be accomplished. Given the high expectations placed on the South African programme it is important that expectations be phase appropriate. Expectations can often precipitate action which is premature and, as such, result in a situation where the development of systems for delivery of a particular service is given inadequate attention. This can result in programmes that are not properly anchored and thus not sustainable. Within the project life cycle the tracking or monitoring of gender considerations is at the centre of the process. This process is cyclical and must be treated as such. Table 3 below describes key activities and outputs of the project life cycle for Cabinet and national ministries

**Table 3: Key Activities and Outputs during Phases of the Project Life Cycle**

| Spheres of Government | Phases of the Project Life Cycle  | Key Activities                                | Outputs  |
|-----------------------|-----------------------------------|---|--|
| Cabinet <sup>4</sup>  | Full cycle of project life cycle. | Apply a gender lens to all aspects of Cabinet | - National Priorities<br>- Cabinet memoranda<br>- Policy documents |

A Internal circle reflects monitoring as the centre of the gender mainstreaming programme.

B Middle circle reflects the dynamic planning process in the departments.

C Outer circle reflects factors that should be integrated into the normal planning by departments. More importantly, it reflects the factors to be considered.

<sup>4</sup> Highest decision-making organ of government. All other spheres implement and support.

| Spheres of Government | Phases of the Project Life Cycle            | Key Activities  | Outputs   |
|-----------------------|---|---|---|
| National Ministries   | Conceptualisation of sector specific issues | <ul style="list-style-type: none"> <li>- Development of sector specific priorities</li> <li>- Development of sector specific policies</li> </ul>  | <ul style="list-style-type: none"> <li>- Strategic documents</li> <li>- Proposed policy documents</li> </ul>  |
|                       | Project Design                              | <ul style="list-style-type: none"> <li>- Translation of national priorities into sector specific plans</li> <li>- Development of sector specific indicators</li> <li>- Translation of national, international and regional instruments into sector specific programmes</li> </ul> | <ul style="list-style-type: none"> <li>- Plans of action</li> <li>- Data disaggregated by sex</li> </ul>  |
|                       | Project Implementation                      | <ul style="list-style-type: none"> <li>- Development of a plan of action</li> <li>- Mechanisms for delivery around national priorities</li> <li>- Mechanisms around ongoing programmes</li> </ul>   | <ul style="list-style-type: none"> <li>- Gender mainstreaming</li> </ul>  |
|                       | Project Evaluation                          | <ul style="list-style-type: none"> <li>- Progress profile highlighting constraints, challenges and achievements</li> <li>- Define ongoing programme direction</li> </ul>  | <ul style="list-style-type: none"> <li>- Gender analysis of Programme impact</li> <li>- Intervention strategy that is Mainstreamed</li> <li>- Engendered appraisal of Programme strategy</li> </ul> |

### **5.7.3 Application of Project Life Cycle to Gender Mainstreaming**

5.7.3.1 The project life cycle as a tool also serves as an organising instrument for gender planning. For each phase there are complementary gender specific activities which must be accomplished. This makes it easier for the departments to audit the activity of each of the tasks they execute, be it related to internal or external transformation. Table 4 below reflects the injection of gender considerations along a typical project life cycle. To accommodate gender considerations, the project design phase is broken down into three phases marked as; design, appraisal and ratification. These are critical for projects in government as they accommodate administrative and political will that must endorse all projects.

**Table 4: Key Activities and Outputs from Application of Project Life Cycle to Gender Mainstreaming**

| Project Life Cycle | Phases in Gender Planning  | Activities  | Outputs  |
|--------------------|--|---|--|
| Conceptualisation  | <ul style="list-style-type: none"> <li>▪ Situational Analysis</li> <li>▪ Review of current policies, programmes and budgets</li> <li>▪ Problem Identification</li> </ul> | <ul style="list-style-type: none"> <li>▪ Conduct a situational analysis of the community's political, economic, social and cultural environments</li> <li>▪ Assess inclusion of gender considerations into budgets, policies, programmes and practices</li> </ul> | <ul style="list-style-type: none"> <li>▪ Understanding of the material conditions in which women and men live;</li> <li>▪ Comprehension of factors contributing to women's subordination as well as their lack of access to resources and services;</li> <li>▪ List of particular women's needs that need to be addressed;</li> <li>▪ Common understanding regarding gender gaps, constraints and challenges.</li> <li>▪ Identification of policy</li> </ul> |

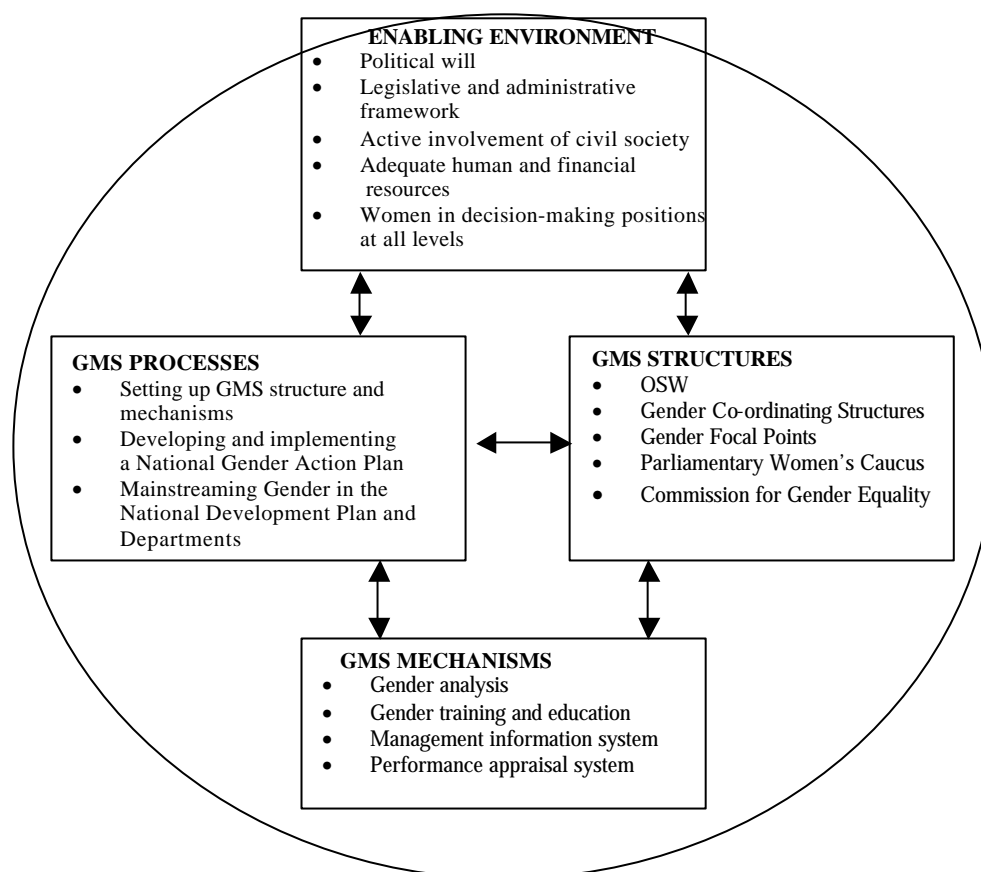
| Project Life Cycle     | Phases in Gender Planning   | Activities   | Outputs  |
|------------------------|---|--|--|
|                        |   |  | <ul style="list-style-type: none"> <li>directions</li> <li>▪ Targeting of mainstreaming initiatives</li> </ul>   |
| Project Planning       | <ul style="list-style-type: none"> <li>Develop gender specific goals and priorities;</li> <li>Define strategic options</li> </ul> | <ul style="list-style-type: none"> <li>▪ System-wide consultations;</li> <li>▪ Strategic planning;</li> <li>▪ Consultations with Human Resources and Finance divisions</li> <li>▪ Definition of target groups</li> <li>▪ Identification of gender objectives</li> <li>▪ Gender needs assessment</li> </ul> | <ul style="list-style-type: none"> <li>▪ Integration between women's needs and larger sector specific transformation objectives;</li> <li>▪ Women's views reflected in plans;</li> <li>▪ Views reflecting diversity of women by race, class, age, religion and region;</li> <li>▪ Methods for addressing gender gaps</li> <li>▪ Plans for gender budgets for departments;</li> <li>▪ Reference to gender in the MTEF Literature;</li> <li>▪ Gender resource plan.</li> <li>▪ Clear gender goals</li> <li>▪ Integrated plans</li> </ul> |
| Project Design         | Make strategic choices  | <ul style="list-style-type: none"> <li>▪ Undertake strategic planning;</li> <li>▪ Conduct internal consultations</li> <li>▪ Gender terms of reference</li> <li>▪ Integration of mechanisms that will ensure integration of women</li> <li>▪ Design of data collection</li> </ul>                           | <ul style="list-style-type: none"> <li>▪ Strategic objectives for addressing needs;</li> <li>▪ Gender targets in all Directorates;</li> <li>▪ Gender targets for programme delivery</li> <li>▪ Staff clear understanding of gender interventions</li> <li>▪ Strategies that have specific gender focus</li> <li>▪ Disaggregated data</li> </ul>  |
|                        | Appraisal   | <ul style="list-style-type: none"> <li>▪ Gender training of staff in the project</li> <li>▪ Inclusion of gender advisory skills</li> <li>▪ Gendered terms of reference for all</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Curriculum</li> <li>▪ Gender Specialists</li> <li>▪ Job descriptions</li> </ul>   |
|                        | Ratification  | <ul style="list-style-type: none"> <li>▪ Review of projects</li> <li>▪ Appraisal of gender component</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Approval of gendered projects</li> <li>▪ Multi-disciplinary review of engendered projects</li> <li>▪ Requests for integration of gender</li> <li>▪ Clarification of women's roles in participatory projects</li> </ul>  |
| Project Implementation | Prepare the Departments for Action  | Undertake an educational programme   | <ul style="list-style-type: none"> <li>▪ Gender sensitisation programme;</li> <li>▪ Policies for institutionalising gender equality;</li> <li>▪ Development and enhancement of Management Information System;</li> <li>▪ Clear tracking system;</li> <li>▪ Training of gender staff and all other staff in gender analysis;</li> <li>▪ Code of Conduct</li> </ul>  |
| Project Evaluation     | Undertake regular evaluation  | <ul style="list-style-type: none"> <li>▪ Conduct consultations</li> <li>▪ Review written reports</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Project Appraisal Report;</li> <li>▪ Reports on accomplishments;</li> </ul>   |

| Project Life Cycle | Phases in Gender Planning | Activities  | Outputs  |
|--------------------|---------------------------|---|--|
|                    |                           | <ul style="list-style-type: none"> <li>▪ Conduct focus groups</li> <li>▪ Conduct individual interviews</li> </ul> | <ul style="list-style-type: none"> <li>▪ gaps, challenges and constraints;</li> <li>▪ The way forward detailing strategies for addressing gender gaps, constraints and challenges that emerged during the cycle</li> </ul> |

## 5.8 Characteristics of an Effective Gender Management System

5.8.1 Co-ordination and Gender Mainstreaming takes place within the Gender Management System (GMS). A key feature of a GMS is its ability to establish a comprehensive network of structures, mechanisms and processes for bringing a gender perspective to bear in all government policies, programmes and projects. That is, its ability to co-ordinate and mainstream gender. The goal of a GMS is to mainstream gender into all government policies, programmes and activities in keeping with the constitutional imperative of gender equality.

5.8.2 The Gender Management System (GMS) is composed of four pillars. These are: (a) Enabling Environment; (b) GMS Structures; (c) GMS Mechanisms and (d) GMS Processes as depicted under Figure 3; titled The Gender Management System.<sup>5</sup>



**Figure 3: The Gender Management System**

<sup>5</sup> An Adaptation from the Commonwealth Gender Management System Handbook; 1999.



5.8.3 The *National Gender Audit* informs that in the South African context of the four pillars, two (Enabling Environment and Structures) are partially developed while the remaining two are yet not established. The Policy Framework thus aims to activate the existing elements of the GMS and energise government to develop the remaining two pillars.

## **5.9 Skills Required to Advance towards Gender Equality**

5.9.1 An effective co-ordination framework, gender mainstreaming process and GMS is reliant on skilled personnel. The matrix below summarises the key skills required by the national programme to advance the country towards the national goal of a non-sexist society. That means a society free of gender discrimination and characterised by equality between women and men. The identified skills are related to the key programme areas of policy, gender mainstreaming, advocacy, co-ordination and planning, liaison networking and capacity building.

**Table 5: Skills Required, and Outputs Towards achieving the National Goal of Gender Equality**

| <b>PROGRAMME AREAS</b>            | <b>SKILLS REQUIRED</b>   | <b>OUTPUTS</b>   |
|-----------------------------------|--|--|
| <b>Policy</b>                     | <ul style="list-style-type: none"> <li>- Gender based analysis;</li> <li>- Policy formulation;</li> <li>- Programme design;</li> <li>- Programme planning.</li> </ul>                                  | <ul style="list-style-type: none"> <li>- Gender sensitive programme;</li> <li>- Clear sectoral policies;</li> <li>- Plans of action.</li> </ul>  |
| <b>Gender Mainstreaming</b>       | <ul style="list-style-type: none"> <li>- Statistical analysis;</li> <li>- Gender based analysis;</li> <li>- Training skills;</li> <li>- Research skills;</li> <li>- Planning.</li> </ul>               | <ul style="list-style-type: none"> <li>- Disaggregated data;</li> <li>- Integration of gender into day to day activities of departments;</li> <li>- Clear gender planning programmes.</li> </ul>   |
| <b>Co-ordination and Planning</b> | <ul style="list-style-type: none"> <li>- Strategic planning;</li> <li>- Communication skills;</li> <li>- Quantitative and qualitative evaluation skills;</li> <li>- Co-ordination.</li> </ul>          | <ul style="list-style-type: none"> <li>- Management information system;</li> <li>- Consensus about the role of the gender programme.</li> </ul>  |
| <b>Advocacy</b>                   | <ul style="list-style-type: none"> <li>- Social and Economic skills;</li> <li>- Research/analytical skills;</li> <li>- Planning;</li> <li>- Training;</li> <li>- Monitoring and evaluation.</li> </ul> | <ul style="list-style-type: none"> <li>- Common understanding of gender and its role in transformation.</li> </ul>   |
| <b>Liaison Networking</b>         | <ul style="list-style-type: none"> <li>- Communication;</li> <li>- Grasp of stakeholders' interests;</li> <li>- Organisational skills;</li> <li>- Report writing .</li> </ul>                          | <ul style="list-style-type: none"> <li>- Clear communication with NGOs and international agencies.</li> </ul>  |
| <b>Capacity Building</b>          | <ul style="list-style-type: none"> <li>- Management skills;</li> <li>- Training;</li> <li>- Facilitation skills;</li> <li>- Analytical skills;</li> <li>- Insight into social situation.</li> </ul>    | <ul style="list-style-type: none"> <li>- Training modules;</li> <li>- Best practices;</li> <li>- Skilled cadre of gender people;</li> <li>- General awareness of all government officials about the goals, objectives and strategies of the gender programme.</li> </ul> |

## **5.10 Training as a Central Factor in Advancing Gender Equality**

5.10.1 Training is central to the implementation of the National Gender Programme. There are two distinct *foci* to the training. The first is aimed at the development of specific gender skills, such as gender based analysis. These skills are aimed at ensuring that the civil servants directly involved in implementing the programme have the skills with which to advance the programme. The second most important training is the gender sensitisation of senior management to ensure that they integrate gender considerations into everything they do including the integration of gender into their reports.

## CHAPTER 6

### MONITORING AND EVALUATION

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#### **6.1 Introduction**

- 6.1.1 The development and adoption of a national policy on women's empowerment and gender equality, as outlined in this Gender Policy Framework, is regarded by the Government as a major step in the process of social, political and economic transformation of South Africa. It is envisaged that the Policy, when implemented, will promote and institutionalise a process of development in which women and men are equal partners in creating a strong economy and a society where gender and racial equality are normative. The future prosperity of South African society will depend, among other things, on the extent to which South African women are able to participate fully and as equals in all sectors of society.
- 6.1.2 It will be vital, therefore, that the implementation and impact of the Policy Framework is effectively monitored and evaluated. This chapter sets out a variety of mechanisms and guidelines for these important processes.
- 6.1.3 Within the National Machinery, the various structures of the machinery have a responsibility for monitoring and evaluation. The key responsibility for monitoring and evaluation remains that of the National OSW.

#### **6.2 The Objectives of Monitoring and Evaluation**

- 6.2.1 Monitoring and evaluation of the Gender Policy Framework will serve a number of functions guided by national, regional and international indicators. These functions include:
- measuring the success and impact of the programmes that seek to implement gender equality principles;
  - measuring the effectiveness and impact of policy and assessing whether, in the long-term, there has been positive impact for women in particular and for the whole society in general.

#### **6.3 National Indicators**

- 6.3.1 The national indicators will be guided by nationally adopted legislation and policy documents. The key document defining the central goal of gender equality is the *Constitution of the Republic of South Africa, 1996*.

Other key documents would be the White Papers on *Transforming the Public Service*, *Affirmative Action in the Public Service*, and *Transformation of Public Service Delivery* as well as the *Reconstruction and Development Programme* and departmental policies that stipulate specific outcomes.

Key pieces of legislation guiding national indicators include: *Promotion of Equality and Prevention of Discrimination Act, Employment Equity Act, Affirmative Procurement Act, the Skills Development Act and The Housing Act of 1997.*

#### **6.4 International Indicators**

6.4.1 On the global level, the United Nations has developed a system of indicators which can be used to assess the performance of different governments regarding the achievement of gender equality. The United Nations Development Programme's *Human Development Report* (1995) has established a Gender Development Index (GDI) and a Gender Empowerment Measure (GEM). These have been incorporated, where appropriate, into sections of this chapter which follow.

6.4.2 In addition, the South African government has committed itself to the implementation of CEDAW, as well as the *Beijing Platform for Action*, which has already been translated into priorities for national action. South Africa will be judged, internationally, on the basis of indicators which include the extent of progress in regard to:

- Women's participation in political decision-making;
- Women's access to professional opportunities;
- Women's earning power and participation in the economy.

#### **6.5 Monitoring and Evaluation Mechanisms**

6.5.1 It is proposed that there should be an annual national reporting mechanism to ensure that there is regular follow-up and review of progress in the implementation of the National Gender Policy. This will take the form of an annual meeting to which various stakeholders will be invited to report on progress. The meeting will focus on assessing performance on the basis of indicators described in the sections below and on providing guidelines for the way forward.

6.5.2 It is further recommended that this annual meeting be organised collaboratively by the National Office on the Status of Women (OSW) and the Commission on Gender Equality (CGE). The OSW will be responsible for providing monitoring guidelines which will be used to collect information in government departments, private sector organisations and non-governmental organisations. It will also take responsibility for ensuring that the monitoring guidelines are distributed to all stakeholders and for collecting and disseminating information to be presented at the annual monitoring meeting. The CGE will undertake a review of the comprehensiveness of the indicators.

#### **6.6 Focus for Monitoring**

6.6.1 In the **short-term** the success of the *National Policy Framework on Women's Empowerment and Gender Equality* will be measured by the extent to which the state incorporates a gender perspective in the way it conducts its business as part of the process of internal transformation. In the **long-term**, its success will be measured by the actual transformation in society from the current state of gender inequality to the gender equality envisaged in this policy document and by the Constitution.

### **6.6.2 Short-Term Results**

6.6.2.1 The institutionalisation of a gender perspective in the sectoral policies, programmes and practices of national and provincial departments will be measured as short-term outcomes of the implementation of the national policy. The assessment of these short-term outcomes will focus, *inter alia*, on:

- The effectiveness of the structures which have been put in place to co-ordinate and monitor the implementation of the national policy for gender equality;
- The gender sensitivity of the policies, procedures, practices and structures of government as well as private and non-governmental institutions.

### **6.6.3 Long-Term Impact**

6.6.3.1 The long- term impact of the implementation of this policy on gender equality will also be measured according to a number of criteria including the extent to which women have achieved:

- Equality of access to the means of developing basic human capabilities;
- Equality of access to basic needs and services;
- Equality of opportunity to participate in all aspects of economic, social and political decision-making;
- Equality of rewards and benefits.

6.6.4 A second level of assessment will measure the extent to which women and men have changed those cultural beliefs, values, norms and practices which subordinate, exclude and prevent women from upholding their basic rights and realising their full potential.

### **6.7 Generic Indicators**

6.7.1 In this section, specific performance indicators are proposed for determining the effectiveness of the structures in the executive branch and some of the mechanisms and processes these structures must impact upon. The two structures are The Office on the Status of Women and Gender Focal Points. The indicators posed are applicable for these two structures at the national, provincial and local government levels.

**Table 6: Generic Indicators**

| Indicator  | OSW | GFPs |
|--|-----|------|
| Development of a national gender action plan   | ✓   |      |
| Inclusion of gender equality principles in vision and mission statements as well as in their strategic plans and goals | ✓   | ✓    |
| Identification of gender-related targets in business plans   |     | ✓    |
| Training of staff in gender awareness, gender analysis and gender planning   | ✓   | ✓    |
| Development of policies and programmes that address gender issues  | ✓   | ✓    |
| Collection of data disaggregated by gender   | ✓   | ✓    |
| Ability to respond to the needs of both women and men within their respective sectors                                  |     | ✓    |
| Clear co-ordination and communication network between all the key structures of the National Machinery                 | ✓   | ✓    |
| Clear monitoring and evaluation frameworks in place  | ✓   | ✓    |
| Gender sensitive indicators for all programmes and projects particularly those considered of high national priority    | ✓   | ✓    |
| Mechanisms in place for implementing obligations under national, regional and international instruments                | ✓   | ✓    |

### 6.7.2 Short-Term Performance Indicators

- 6.7.2.1 Short-term indicators will assess progress towards transformation and policy implementation and, particularly, the degree of success or failure in setting up effective structures and mechanisms for institutionalising women's empowerment and gender equality.
- 6.7.2.2 The structures established at national, provincial and local levels for advancing the national policy objectives, as well as the level of financial and human resources allocated to these structures, will be major indicators of government commitment to national transformation with respect to gender equality.
- 6.7.2.3 South Africa will affirm its commitment to gender equity and equality by the extent to which organisations at national, provincial and local levels transform themselves in order to meet the challenges of creating a society focused on women's empowerment and gender equality. The changes to be measured range from issues of individual capacity building and human resource management and development to institutional mechanisms for implementing programmes related to gender equality. Some of the key mechanisms and processes to be measured are those contained in Table 7.

**Table 7: Key Short-term Indicators to be Measured**

| Focus Point  | Indicator  |
|--|--|
| <b>Capacity Building</b>   | <ul style="list-style-type: none"> <li>• the number and quality of gender training programmes introduced to develop staff gender programming capacity and the number and categories of people trained;</li> <li>• the number and quality of in-house programmes (including affirmative action programmes) introduced to enhance women's participation in decision-making structures and the number of women benefiting from such programmes.</li> </ul>  |
| <b>Gender Sensitive Staff Recruitment and Discipline</b>                                     | <ul style="list-style-type: none"> <li>• the existence of appropriate guidelines for recruitment committees indicating the desired gender mix;</li> <li>• the existence of appropriate guidelines for gender awareness training for all staff responsible for recruitment and selection as well as for newly recruited staff;</li> <li>• the number and effectiveness of national, provincial and local level institutions which have developed and utilised gender sensitive policies and guidelines for reporting and disciplining cases of sexual harassment;</li> <li>• the number and effectiveness of internal structures established to deal with gender-based discrimination and sexual harassment.</li> </ul>       |
| <b>Gender Sensitive Terms and Conditions of Service which address Practical Gender Needs</b> | <ul style="list-style-type: none"> <li>• The extent to which gender sensitive and responsive programmes have been established to enhance the roles of both male and female employees as parents and professionals; e.g. day care centres in the work place</li> </ul>  |
| <b>Women's Increased Access to Management and Leadership</b>                                 | <ul style="list-style-type: none"> <li>• Increased proportions of women managers in positions in senior government posts and other public and private institutions (a 50:50 male-to-female ratio is desirable, but in the short-term, an increase to 30% prescribed by the White Paper on Affirmative Action in the Public Service will be a major indicator of commitment to gender equality);</li> <li>• Increased levels of skills in gender sensitivity and analysis among all managers.</li> </ul>  |
| <b>Transformation in Programmes</b>  | <ul style="list-style-type: none"> <li>• the number and quality of sector-related gender analysis training programmes in place and the number of professional staff who have undergone the training;</li> <li>• the extent to which sector-based gender analysis and gender disaggregated data are being used effectively in programme design;</li> <li>• the extent of technical support and guidelines provided for gender responsive reviews of sector programmes.</li> </ul>   |
| <b>Transformation in the Allocation of Resources</b>   | <ul style="list-style-type: none"> <li>• the level of human and financial resources allocated to programmes to advance women's empowerment and gender equality;</li> <li>• specifically identified, gender-based expenditure by national and provincial departments (for example, on women's health programmes or special education programmes for girls);</li> <li>• equal employment opportunity expenditure by such departments on their employees (for example, the training for women managers, and job descriptions which reflect equal employment opportunities);</li> <li>• gender mainstreaming of budget allocations and expenditures (for example, allocations to support rural women agriculturists).</li> </ul> |
| <b>Data Collection and Utilisation</b>   | <ul style="list-style-type: none"> <li>• effective process of production and utilisation of gender disaggregated data and statistics;</li> <li>• gender disaggregated data collection that reflects the relevant situation, problems and concerns of women and men;</li> <li>• gender disaggregated data and statistics reviewed and updated regularly for use in programme development, planning and implementation;</li> <li>• adequate capacity (human and financial) for the collection, analysis and dissemination of gender-related statistics (particularly by Statistics SA).</li> </ul>   |

### 6.7.3 Long-Term Performance Indicators

6.7.3.1 Long-term indicators will measure the impact of the National Gender Policy on women and society in general. From this perspective, a positive policy impact will have been made if it can be shown that the women of South Africa participate fully and on an equal footing in the creation of a non-sexist, non-racist and democratic society. In addition, long-term indicators will measure the changes in those societal attitudes, beliefs and cultural practices which affect women negatively. A number of the main long-term indicators are outlined below.

**Table 8: Key Long-Term Indicators to be Measured**

| Points of Focus   | Indicator  |
|---|--|
| <b>Increased Representivity through Affirmative Action Programmes</b> | <ul style="list-style-type: none"> <li>increased representivity of women, especially at professional and managerial levels, in all organisations (and specifically government departments);</li> <li>establishment of effective affirmative action programmes (in line especially with the provisions of the 1996 Constitution, the 1997 Employment Equity Bill and the 1998 White Paper on Affirmative Action in the Public Service);</li> <li>with respect to the Public Service, the targets laid down in the Affirmative Action White Paper (30% of new recruits to the middle and senior management echelons must be women) will be a key indicator of progress.</li> </ul> |
| <b>Economic Empowerment and the Reduction in Women's Poverty</b>      | <ul style="list-style-type: none"> <li>Equal legal status and capacity in customary law for women including full contractual rights to acquire and hold property, to inherit, to obtain credit, and to participate in decision-making processes in the country.</li> </ul>   |
| <b>Recognising Women's Contribution to the Economy</b>                | <ul style="list-style-type: none"> <li>Full recognition of women's work and contribution to the national economy including in the informal sector and subsistence economy.</li> </ul>  |
| <b>Adequate Health and Social Security Services</b>                   | <ul style="list-style-type: none"> <li>Measures for protection from violence, sexual abuse or harassment in all places, as well as improved health and safety services in all sectors of women's work;</li> <li>the quality (measured by the level of gender sensitivity) of reproductive health services, and training for women to enable them to make their own reproductive decisions.</li> </ul>  |
| <b>Access to Basic Social Services and Productive Resources</b>       | <ul style="list-style-type: none"> <li>improved access to basic resources for all women;</li> <li>for rural women in particular, improved access to basic education, training services and facilities, safe water and sanitation, energy, communication services, housing, health care and social welfare, land and security of tenure.</li> </ul>   |
| <b>Participation in Political and Decision-Making Structures</b>      | <ul style="list-style-type: none"> <li>the extent to which mechanisms and structures have been put in place to ensure that women, either as individuals or groups, are able to participate at all levels of decision-making structures and in all levels of political, civic and community life.</li> </ul>  |
| <b>Recognition of the Principle of Women's Rights as Human Rights</b> | <ul style="list-style-type: none"> <li>translation of this principle into practice;</li> <li>recognition of women's responsibility and rights in the family by ensuring that women and men have equal rights in the division of property, maintenance and arrangements in regard to the children;</li> <li>equitable access for women to the financial resources of the household, including adequate maintenance for the children;</li> </ul>   |



| Points of Focus  | Indicator  |
|--|--|
|  | <ul style="list-style-type: none"> <li>• customary, cultural and religious practices which subordinate women should be subject to the equality clause in the Bill of Rights.</li> </ul>  |
| <b>Protection from Violence</b>  | <ul style="list-style-type: none"> <li>• the establishment of effective mechanisms and facilities for dealing with all forms of gender-based violence and abuse</li> <li>• measurement of the quality and number of public education and training programmes established for the police, prosecutors, magistrates, judges and all the categories of institutions involved in dealing with gender-based violence and all forms of abuse.</li> </ul> |
| <b>Positive Portrayal of Women in the Media and Improved Self Images</b> | <ul style="list-style-type: none"> <li>• the increased frequency with which the diversity of women's lives, experiences and contributions in all spheres of public and private life are positively portrayed by the media</li> <li>• the increase in the number of women who are able to participate as decision-makers in the media.</li> </ul>   |

## CHAPTER 7 RESOURCES

***“Several conclusions can be derived from an analysis of the gender and development index: First, no society treats its women as well as its men. Second, gender equality does not depend on the income level of a society. Comparing the GDI ranks of countries with their income levels confirms that removing gender inequality is not dependent on having a high income... what it requires is a firm political commitment” (Source: UNDP, Human Development Report, 1995, p 75).***

7.1 The need for effective co-ordination, monitoring, networking and provision of technical support for the process of advancing women's empowerment and achieving gender equality will require that adequate resources be made available for the following strategic operations:

- A strong communications network, which requires new technology infrastructure and improved transportation especially for rural women;
- Regular updating of information on the state of gender equality which requires primary data collection on gender, information dissemination and sharing of data as well as regular institutional and sector based review of progress in development;
- Joint networking and collaborative activities among all the institutions, national structures, non-governmental organisations, community-based organisations and private sector organisations for effective participatory consultative processes. There is also a need to maintain strong links with international organisations which are actively involved in the advancement of women;
- Regular technical advisory services which need to be made available to the national structures for gender mainstreaming as well as to sectors and institutions responsible for enhancing gender mainstreaming approaches and programmes.

7.2 The national structures established to promote women's empowerment and gender equality (and specifically the OSW and the CGE) will need to be strengthened to be able to provide *inter alia*,

- ***A well defined client base*** which will act as a useful guide in the allocation of resources;
- ***Accessible and adequate facilities*** to enable the management and staff of the implementing bodies to work in conducive environments;
- ***Adequate staffing***, including staff with the capacity for carrying out basic gender research, policy analysis, gender training programme design, participatory research methodologies, monitoring and evaluation methodologies, and organisational management and administration;

- ***Institutional infrastructure***, including appropriate communication and information technologies for management and the dissemination of information to all stakeholders, especially rural women and civil society, as well as adequate office space and effective administrative support;
- ***Co-ordination and monitoring of the work of departmental gender focal points*** at national and provincial levels as well as of gender mainstreaming activities in private and non-governmental institutions. This should incorporate opportunities for sharing lessons in best practices;
- ***Adequate financial resources*** to make it possible for the work to be done;
- ***Developing and disseminating gender mainstreaming*** guidelines and training manuals;
- ***Maintaining active partnerships and processes of consultation*** with women's groups in particular and civil society in general;
- ***Networking*** with regional and international organisations for sharing lessons in best practice.

7.3.1 With respect to the planning and implementation of programmes for women's empowerment and gender equality at the departmental level, the costs involved will need to be incorporated into existing departmental budgets. This will be achieved, amongst other things, by the re-prioritisation of spending and efficiency savings. Expenditure on gender-related initiatives and programmes will need to be planned in advance and incorporated into the MTEF planning process. If the plans have already been made, then they need to be reviewed and adjusted to meet the specific needs of women.

## **Part Three: Conclusion**

## CHAPTER 8

### CARRYING THE PROCESS FORWARD

*"South Africa is in the process of setting up mechanisms to promote women's advancement. World experience shows that national machineries for the advancement of women are often marginalised in national government structures. These machineries are often hampered by unclear mandates, lack of staff and training data, and insufficient resources and support from national leadership. We can learn from this experience."*

**Quote from South African Women on the Road to Development, Equality and Peace Report, Beijing 1995.**

#### **8.1 Introduction**

- 8.1.1 This Gender Policy Framework on women's empowerment and gender equality has attempted to set out a clear vision and framework to guide the processes of developing laws, policies, procedures and practices which will serve to ensure equal rights and opportunities for women and men in all spheres and structures of government as well as in the workplace, the community and the family.
- 8.1.2 Much work will still need to be done, however, in translating the broad Policy Framework contained in this document into specific, achievable and effective strategies for implementation. The move from policy formulation and commitment to effective implementation represents in many ways the most important challenge facing the movement for women's empowerment and gender equality.
- 8.1.3 In meeting this challenge a sustained and concerted effort will be required by national, provincial and local spheres of government, trade unions, business, NGOs and community organisations. Various elements will be involved in this process but three will be of particular importance:
- Support and leadership from above;
  - Effective co-ordination, networking and monitoring;
  - Changing attitudes, values and behaviour.

#### **8.2 Support and Leadership from Above**

- 8.2.1 The responsibility for facilitating the process of women's empowerment and gender equality has been placed in The Presidency under the leadership of the Minister in The Presidency. This has signalled support at the highest levels. This level of support and leadership has increased the potential for influencing policies and practices at national, provincial, local and sectoral levels, and for ensuring that gender issues are placed high on the agenda in government organisations. There are, however, practical challenges in transforming this potential into reality

### **8.3 Co-ordination, Networking and Monitoring**

- 8.3.1 Many role players are already involved at different levels in the process of advancing women's empowerment and gender equality. This poses a number of challenges. How can all these role players be made accountable to civil society, to women in particular, and especially to those women who benefited least from the past dispensation? Who will take responsibility for ensuring that the framework which is adopted by the different actors for women's empowerment is compatible with the gender equality and economic development objectives of the country? How can those women and men, who are involved in mainstreaming gender in the process of transformation, establish a common voice based on a shared understanding of women's empowerment and gender equality in a society rich with socio-cultural and racial diversities but eroded by economic inequalities?
- 8.3.2 The answers lie in the provision of effective leadership, co-ordination, networking and monitoring in the process of women's empowerment, based on the principles of collaboration, trust, accountability, open participation and communication. Much of the responsibility for this will rest with the OSW, as the main co-ordinating structure, and the Commission on Gender Equality, as the main monitoring structure. It will be vital that these two important organisations work together in an interdependent and collaborative manner and that they are equally accountable especially to the disadvantaged majority of women in South Africa.

### **8.4 Changing Attitudes, Values and Behaviour**

- 8.4.1 The Constitution calls for a non-sexist and non-racist society. The challenge is for the country to affirm this vision.

### **8.5 The Long-term, Medium-term and Short-term Action Plan**

- 8.5.1 Implicit in this Policy Framework are long-term, medium-term and short-term action plans. These activities are required to define and shape the process that will result in a sustainable national gender programme.

#### **8.5.2 Short-term Action Plan**

- 8.5.2.1 There are several steps which are essential to establish the foundation for sustainable gender programmes.
- 8.5.2.2 **Definition of a Process:** Given the comprehensive nature of the South African National Machinery and the particular character of the transformation process, it is essential that the national gender programme develop an inclusive process that will engage all stakeholders.
- 8.5.2.3 It is essential that there be an audit determining whether there is a Gender Management System (GMS) in place. That is, there is a network of structures, mechanisms and processes that can support a gender programme in a manner that will enable South Africa to achieve the constitutional mandate of gender equality. This audit will form the basis of evaluation and can be updated every four years.

8.5.2.4 **National Gender Action Plan:** It is imperative that a five-year national plan be developed. This can be updated every five years.

8.5.2.5 **Co-ordination Framework:** Given the complexity of the South African gender machinery, it is important to have a smooth co-ordination framework that is participatory in nature and that assigns roles and responsibilities.

### **8.5.3 Medium-term Steps**

8.5.3.1 It is essential that the short-term activities be advanced in the medium term.

8.5.3.2 **Development of a Gender Mainstreaming Strategy:** There must be a clear Gender Mainstreaming Strategy to support the execution of the National Gender Action Plan (NGAP). The development of this strategy will be led by the OSW.

### **8.5.4 Long-term Activities**

8.5.4.1 Long-term action must be around the enactment of the National Gender Action Plan, ongoing implementation of the co-ordination framework and disaggregation of data by sex in an effort to measure progress over time.

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