



# en-gendered

August 2014 - Issue 2

"Official publication of the Commission for Gender Equality"



**National Gender Summit 2014**

**# BRING BACK OUR GIRLS**

**ELECTIONS 2014**

**#BRING ME BACK HOME**

## INSIDE:

Special feature on Women's Month: "Promoting Dignity of women through Clean Break Principle."

### Did you know?

"Gender is a dynamic concept... Gender roles for women and men vary greatly from one culture to another, and from one social group to another within the same culture. Race, class, economic circumstances, age – all of these influence what is considered appropriate for women and men". *Oxfam Gender Training Manual.*



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Commission for Gender Equality  
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BRAAMFONTEIN  
2017

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## Editorial

This is the second instalment of the official publication of the CGE (*En-gendered*), which is published in Women's Month of 2014. A lot has happened in the public domain and the gender sector since the launch of the publication. We therefore refer back to recent events and programmes of CGE and also pay homage to women during Women's Month.

In April of this year, the CGE held a National Gender Summit which culminated in the Benoni Declaration. The Gender Summit was an event that provided a platform for government, civil society and multi-lateral institutions to discuss the challenges that continue to confront gender practitioners and the public. Issues fore-grounded in the discussions were in the context of 20 years of democracy with reference on the gains and challenges faced by the gender sector.

In this edition of *En-gendered*, the Chairperson of the CGE, Mr. Mfanozelwe Shoji gives his viewpoint about the Gender Summit and we also make reference to the Benoni Declaration with the hope that it becomes an imprint in the minds of those who are dedicated to making a contribution towards implementation of several statutes of the Declaration. The full Declaration will be made available on the CGE website [www.cge.org.za](http://www.cge.org.za).

The scourge of gender based violence continues to be a challenge in our society, despite several campaigns aimed at creating awareness on gender based violence. Our provincial co-ordinator, Mr. Ntuthuko Manzini shares his thoughts (in this edition of *En-gendered*) about the impact of gender based violence campaigns.

As mentioned above, the month of August is commonly known as "Women's Month", and for that reason we feature an analysis into the pension regime to assess benefits that are to be accrued by women in accordance with the law. This feature article was written by our legal officer, Mr. Dennis Matotoka. During the month of August the CGE will be hosting several programmes linked to the Women's Month Campaign. The calendar of events for August appears on the events section of this edition of *En-gendered*.

On a lighter note, we make a public introduction of our new Commissioners who joined the CGE a few months ago and also bid farewell to outgoing Commissioners.

We hope you enjoy this instalment of *En-gendered*.

Thanking you,  
Mofihli Teleki (CPRP)  
Editor: *En-gendered*

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# CGE Overview

The Commission in terms of the Commission for gender Equality Act 39 consists of a Chairperson and Commissioners being in the part or full time employ of the Commission for gender Equality.

## Mandate

Section 187(1) of the Constitution of South Africa reads: "The Commission must promote respect for gender equality and the protection, development and attainment to gender equality". The Commission is a catalyst for the attainment of gender equality. Section 187(2) grants the Commission for gender Equality "the power, as regulated by national legislation, necessary to perform its function, including the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality".

## Our Vision

A society free from all forms of gender oppression and inequality

## Our Mission

To promote, protect, monitor and evaluate gender through research, public education, policy development, legislative initiatives, effective monitoring and litigation.

## Our Values

We anchor our values in the supremacy of the constitution and the rule of law and we perform all our functions with an ethos grounded in the following rules:

- Independence – we impartially perform our duties without fear or favour mindful of the independence of our office
- Professionalism – we timeously execute our responsibilities with the utmost care and diligence responsive to the society we serve
- Accountability – we always give an account of our actions and decisions
- Ethical behavior – we maintain high standards of:
  - ☞ Trustworthiness and honesty
  - ☞ Respect and empathy
  - ☞ Integrity
- Teamwork – we support and work in collaboration with our colleagues, state organs and civil society to maximise the attainment of our objectives.

# The CGE welcomes new Commissioners and bids farewell to outgoing Commissioners

## CGE welcomes New Commissioners



**Ms. Lulama Nare**  
(Full time Commissioner)



**Ms. Nomsisi Bata**  
(Full time Commissioner)



**Ms. Nomasonto Mazibuko**  
(Part time Commissioner)



**Mr. Mbuyiselo Botha**  
(Part time Commissioner)



**Ms. Fundisile Nzimande**  
(Part time Commissioner)



**Ms. Pinkie Sobahle**  
(Part time Commissioner)

The new commissioners were inducted during the plenary meeting of February this year. In this session the new Commissioners were given an opportunity to introduce themselves to other Commissioners and Senior Managers and to familiarise themselves with the overall strategies of the organisation. The new Commissioners also took an opportunity to give inputs and comments to departmental strategies and other important programmes of the organisation.

The induction workshop was also graced by the presence of the former Minister of Women, Children and People with Disabilities, Ms. Lulu Xingwana, Adv. Pansy Tlhakula (Chairperson of the IEC) and Adv. Nonkosi Cetywayo (Director: Office on Institutions Supporting Democracy). The abovementioned speakers addressed the new Commissioners about their varied roles and welcomed them at the CGE. The new section 6 specialists also joined the plenary session, to introduce themselves and to also provide an overview of each component of speciality.

The new commissioners are: Ms. Lulama Nare (Full time Commissioner), Ms. Nomsisi Bata (Full time Commissioner), Ms. Nomasonto Mazibuko (Part time Commissioner), Mr. Mbuyiselo Botha (Part time Commissioner), Ms. Fundisile Nzimande and Ms. Pinkie Sobahle (Part time Commissioner).

New Commissioners will be positioned in the following committees:

### **Strategy Planning, Monitoring, Evaluation and Annual Report –**

Ms. Nomsisi Bata

### **Legal and Complain Submission –**

Ms. Fundisile Nzimande, Ms. Pinkie Sobahle and Ms. Nomsisi Bata

### **Finance –**

Ms. Fundisile Nzimande and Mr. Mbuyiselo Botha

### **IT and Communications –**

Ms. Fundisile Nzimande, Mr. Mbuyiselo Botha

### **Good Governance –**

Ms. Nomasonto Mazibuko and Ms. Pinkie Sobahle

### **Education and Research –**

Ms. Pinkie Sobahle (Chairperson of the Committee) and Ms. Lulama Nare

### **Human Resources –**

Ms. Lulama Nare (Chairperson of the Committee)

### **IT and Communications –**

Ms. Lulama Nare

During the plenary meeting of June 2014, the CGE bid farewell to outgoing Commissioners, namely Ms. Ndileka Portia Loyilane, Prof. Amanda Gouws, and Ms. Sylvia Stevens-Maziya, at an occasion held in Kempton Park. The farewell event was attended by the Deputy Speaker of Parliament, Mr. Lechesa Tsenoli, Mr. Ben Mthembu (Chairperson of the Public Service Commission) and Ms. Phumelele Ntombela-Nzimande, Commissioner at the Public Service Commission.

Commissioner Loyilane leaves the CGE after a seven year span where she served in the audit and finance committees of the CGE, and also made a contribution in the “culture, tradition and religion” focal area.

Having spent two years at the CGE, Commissioner Stevens-Maziya worked within the gender based violence focal area and she was also a member of finance committee.

Commissioner Gouws was a member of the research and education committee as well as the information technology and communication committee. In the two year tenure as a Commissioner, her focal area was the “National Gender Machinery”.

## CGE bids farewell to Commissioners



**Ms. Ndileka Portia Loyilane**



**Prof. Amanda Gouws**



**Ms. Sylvia Stevens-Maziya**

# COMMISSION FOR GENDER EQUALITY

## Elections 2014 - Observations and Reflections



By: Keketso Maema

Section 187(1) of the Constitution of South Africa reads: "The Commission for Gender Equality (CGE) must promote respect for gender equality and the protection, development and attainment of gender equality." The CGE is a catalyst for the attainment of gender equality. Section 187(2) grants the CGE "the power, as regulated by national legislation, necessary to perform its functions, including the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality."

As per its Constitutional mandate the CGE monitored the 5<sup>th</sup> national elections throughout the country. CGE teams consisted of Commissioners, Provincial Managers and Officers visited various polling stations in all the nine provinces. The team as part of their role I monitored the elections with the purpose of establishing whether the elections were free, fair and transparent, from a gender based perspective.

The 2014 National and Provincial Elections occurred on the 20<sup>th</sup> year of the advent of democracy in South Africa.

As a constitutional body supporting democracy and primarily mandated to promote, protect and advance gender equality, the Commission for Gender Equality therefore utilized the occasion of the 5<sup>th</sup> national democratic elections in South Africa not only to observe South Africans of all races, ages and socio-economic backgrounds exercising their right to elect a government of their choice, but also to observe the democratic principle of gender equality expressing itself through the ballot box as a measure of progress, 20 years after the advent of democracy in this country.

The Commission sent a team of Election Observers across all the country to observe a total of 198 polling stations, spread across all the nine provinces. Our Observers utilized an observation tool that enabled them to observe and note the various stages of the process of voting on Election Day. In particular, the CGE's Team observed the various stages and aspects of the process, including the opening procedures, the voting process throughout the day and the closing procedures as well as the technical management and overall conduct of the election process from a gender equality perspective. It was imperative for the Commission to ensure that no systemic factors were allowed to impinge on the right of the voters, irrespective of their gender, to exercise their democratic right to choose their government.

Our Observers paid attention to the level of participation of women and men in the elections process, noting any factors that could potentially play a role in undermining or enhancing the right of both men and women to vote. It was important also to observe the different categories of men and women such as the disabled, pregnant

women, young men and women, the elderly, men and women from disadvantaged rural communities and those at risk of not being able to exercise their right to vote due gender discrimination.

The Commission is pleased to declare that no formal/legal and political factors were observed and deemed to have undermined the right of both men and women to vote. We are also pleased to convey a message of approval and support for the work of the Independent Electoral Commission (IEC) in managing the 2014 National and Provincial Elections.

The Commission does, however, recognize that any task of this magnitude - especially in a country such as ours where socio-economic, geographic, literacy, financial and even gender related factors continue to define the quality of citizenship of millions of South Africans - is bound to encounter numerous practical challenges, and some of our observers did note many of these challenges on the day of the election. As part of our mandate to support South Africa's democracy, the Commission is currently drafting its detailed election observer report containing findings and recommendations to be discussed directly with the IEC. The aim is to ensure that the Commission for Gender Equality contributes directly towards the improvement of the quality of citizenship of South Africans irrespective of their gender, thereby enhancing their ability to exercise their democratic right to choose their leaders through free and fair electoral processes.

# CGE ADVISES PARLIAMENT TO LEGISLATE ON 50/50 QUOTA

By: Janine Hicks and Sanja Bornman

The legal mandate in terms of Section 11 (1) (c) mandates the CGE to evaluate any law being proposed by Parliament that is likely to affect gender equality or the status of women and make recommendations to Parliament thereto. The CGE accordingly made a submission to Parliament's Portfolio Committee on Home Affairs, to include relevant clauses to embed a 50/50 gender quota system in the current Electoral Amendment Bill, currently before Parliament.

South Africa has a clear commitment to achieving substantive gender equality during its democratic consolidation. The Constitution calls for positive action to attain gender equality throughout society. The Promotion of Equality and Prevention of Unfair Discrimination Act similarly calls for positive action to promote equality by state and non-state actors, including clubs and associations. Numerous international instruments call for the advancement of women's equality specifically through achieving proportionate gender representation in decision-making structures. Women's substantive equality must be attained in political decision-making structures.



The CGE submits that South Africa's Constitution, and the country's international obligations flowing from relevant treaties and conventions compel the state to legislate on a 50/50 quota within the electoral legislative framework. The CGE's submission therefore recommends to Parliament that such provisions be incorporated with the Electoral Act, and outlines proposed mechanisms and amendments to the Electoral Act. This proposal was deliberated on and endorsed at a public dialogue on 8 March 2012 convened by the CGE, and was developed with research support from the Women's Legal Centre.

If legislation were put in place that increased the number of women in political decision-making structures to 50%, this would amount to putting in place a "quota" system. There are many arguments against quota systems - most notably that simply increasing numbers is an exercise in formal equality, and will not ensure better outcomes, or substantive equality, for women.

In reality, quotas for women compensate in many ways for the barriers faced by women in accessing political decision-making positions. An increased number of women in decision-making positions would, over time, change the institutional culture of the hitherto male-dominated political environments in parties and government. Bringing more women into the political environment means bringing more women's experiences into the political environment, thereby improving policy and other decision-making. Increased numbers of women will also embolden and reduce the pressure on individual women who currently serve in political decision-making structures as "token" women. Women will be able to focus on their performance, instead of addressing gender barriers in addition to performing their duties, thereby facilitating better performance and growth.

Due to the proportional representation system of South Africa, quotas cannot damage voters' rights, as it is in fact primarily our political parties that determine individual nominations through the party list system, and not voters. Under the circumstances, quotas can in fact contribute to a process of democratisation by making the nomination process more transparent and formalised

The CGE's submission to Parliament therefore recommends that a gender quota system be incorporated within the Electoral Act, outlining proposed mechanisms and amendments. Essentially, these require that the number of women and men on each party candidate list may not differ by more than one, and that the names of the women and men on each party list shall alternate, so that each group of two candidates as they appear on the list contains the names of one man and one woman.

The CGE is of the view that the most effective manner in which to address non-compliance with the quota system would be to empower the Independent Electoral Commission (IEC) to include this as a party requirement in the existing party candidate list compilation and submission process. Should a party fail to apply the principle of 50/50 to their party candidate list compilation, the IEC would note such non-compliance and provide the non-complying party an opportunity to correct their list accordingly, failing which the IEC would have the power to disqualify the party from participating in the election.

In addition, the CGE suggests that party members and the general public should be able to lodge a complaint of non-compliance, through a provision enabling any person to object to the compilation of any party's list on the grounds that it does not comply with the 50/50 principle. Such objection could be lodged with the Chief Electoral Officer of the IEC for investigation, and also served on the registered party against which the objection is made.

South Africa has clearly made its commitment to achieving substantive gender equality through numerous measures taken during its transition to democracy. The Constitution calls for positive action to reach gender equality throughout society, and legislation such as the Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA) similarly calls for positive action to promote equality by state and non-state actors, including clubs and associations. Numerous international instruments call for the advancement of women's equality specifically through achieving proportionate gender representation in decision-making structures.

The CGE is of the opinion that the Legislature is obliged to make legislative provision for the attainment of 50/50, and that the current vehicle of the Electoral Amendment Bill provides such an opportunity. The CGE will further engage with Parliament with regard to proposed amendments to the Local Government: Municipal Structures Act, 1998 and the Local Government Municipal Electoral Act, 2000, to embed the quota system seamlessly within the South African electoral legislative framework.

# Action needed to advance gender equality matters

By: Mfanozelwe Shoji

The Commission for Gender Equality (CGE) recently held the National Gender Summit, a conference that coincided with 20 year celebrations of democracy in South Africa. From the CGE's point of view, the conference was meant to reflect on the gains and

Women Rights Charter of 1954 as well as the Women's March of 1956 did not only bring to light the then malaise of women in South Africa but they also fostered the establishment of social movements around issues of gender equality and inequality. During the liberation struggle of South Africa, several Women formations continued to emerged in various

National Women's Coalition came into being with the objective of ensuring that there was adequate representation of women during the process of the "making" of South Africa's constitution.

Much of the current edifices on human and social rights in South Africa carry elements congruent with the Women's Rights Charter of 1954 and resolutions of Malibongwe Conference - for example, the right to education for women, equal opportunities between men and women, the prohibition of discrimination along gender "lines" etc. Some of these are now found in South Africa's current bill of rights. I therefore argue that by the year 1994, South Africa's new democratic dispensation was well prepared to formulate progressive constitutional frameworks (including the CGE Act) aimed at protecting the rights of women due to the hard work of activists of the past. The women thought leaders of yesteryear, those who were responsible for conscientising the masses of the need to shift paradigms on the role of women and gender equality need to be lauded for their "thinking" and contribution to gender equality.

The some of the debates held at the National Gender Summit of 2014 eked out a body of knowledge on the journey long traveled prior to the drafting of South Africa's constitution and bill of rights. The one thing that became clear during the discussions held at the National Gender Summit was the fact that much was



L-R: Ms. Lulama Nare (Commissioner: CGE), Ms. Nomasonto Mazibuko (Commissioner: CGE), Ms. Ndileka Loyliane (Former Commissioner: CGE)

challenges associated with attaining gender equality in South Africa.

What is even more interesting is the fact that the conference not only occurred during 20 year anniversary of our democracy, but the year 2014 also marks the 60 year anniversary of the 1954 Women Rights Charter which was drafted under the auspices of the Federation of South African Women. The Charter was formed with the ideals centered around issues of equality, in the context of social and human rights. It was a document which arguably encouraged and pushed partisanship for the emancipation of women across all spheres of society. The key principle held by the Charter was the removal of all laws, regulations, and conventions deemed repressive to women.

History abounds several discourses on issues of emancipation of women through social movements such as the Bantu Women's League which was formed around 1913 under the able stewardship of the late Charlotte Maxeke. The establishment of such movements; leading up to the drafting of the

parts of the country and abroad (in exile). In 1990, the city of Amsterdam hosted the Malibongwe Conference with the theme "Women united for a unitary, non-racial, democratic South Africa". According its programme of action, the conference sought to "chart the way for mobilization towards forceful unity in action against apartheid and to create a united, non-racial, democratic, non-sexist society". Two years later (1992), the



L-R: Ms. Janine Hicks (Commissioner: CGE), Dr. Pregs Govender (Deputy Chairperson: SA Human Rights Commission) and Ms. Lulu Xingwana (former Minister of Women, Children and People with Disabilities)



## Gender Summit 2014



Dr. Vuyo Mahlati, President of International Women's Forum South Africa



Mr. Ben Mthembu: Chairperson, Public Service Commission



Adv. Lawrence Mushwana: Chairperson, SA Human Rights Commission



Mr. Collins Chabane: former Minister in the Presidency, currently Minister of Public Service and Administration

achieved in the last century in drafting policies, frameworks, charters, protocols and legal instruments aimed at protecting and promoting gender rights but more needs to be done in order to ensure that policies, declarations, and legal instruments are adequately effected.

In brief, the National Gender Summit Declaration of 2014 (*The Benoni Declaration of 2014*) puts specific emphasis on the need to advance a plan of action and the need for institutions to implement the declaration in different contexts and for different purposes. For example, the declaration expresses this particular agitation, amongst others; *"We call upon the South African Government and the private sector to commit itself to ratifying and implementing all the relevant global declarations and protocols including; the UN international Covenant on Economic, Social and Cultural Rights"*.

The declaration also encourages the strengthening of the work of civil society organisations through partnerships that are geared towards attaining social and gender transformation in South Africa. All parties involved in the National Gender Summit of 2014 commit to ensuring that the rights of LGBTI (Lesbians, Gays, Bisexuals, Transsexuals and Intersex persons) Communities are protected, respected, enforced and promoted. Of particular interest to civil society organisations is the continuous engagement with men and boy children in an effort to educate them on anti-patriarchal values, the effect of which should lead to the eradication of Gender Based Violence.

The expectation of the CGE and its partners in regards to the way forward, does not necessarily mean that all of those concerned should run amok, aimlessly targeting the set goals. The first point of call from the CGE perspective is for all those concerned (three spheres of government, civil society and private

sector) to rather envelop the "Will" to ensure that action takes place in regards to implementation of the Benoni Declaration. Secondly and more importantly we need a more concerted co-ordination in the implementation process of the Declaration from various institutions in order to ensure that there is a seamless process of implementation.

Recent history informs us of several other domestic declarations such as the Kopanong Declaration of 2006, whereby soon after the national plan of action (365 Days of Action to end violence against women and children) was established, parties concerned faced challenges in synthesizing key activities linked to the national plan of action. It is thus important to ensure that there is strong co-ordination in implementing the plan of action in regards to the Benoni Declaration of 2014. Thirdly and lastly, we need to establish an adequate resource base for civil society organizations who in many respects are considered active advocacy players and implementers within communities.

We owe it to our forebearers to make sure that there is progression from their eminent "thinking" to a scenario where we are able to realize the fruits of their labour. The leaders or forebearers I refer to are the Women who participated in drafting the 1954 Women's Charter, Leaders of 1956 Women's March, former Leaders of the Bantu Women's League and others who participated in the Malibongwe conference. I argue that we have a moral imperative to ensure that the foundation laid by the forebearers remains solid. We also have a responsibility to ensure that whatever was bestowed on us by former leaders is advanced to greater heights through implementation and adequate action.

# PROMOTING THE DIGNITY OF WOMEN IN SOUTH AFRICA THROUGH THE CLEAN BREAK PRINCIPLE

By: Dennis Matotoka

## 1. Introduction

In recent years pension laws in South Africa both in the public and the private sector have been amended significantly and thus contributing positively to the development of South African retirement law. This paper seeks to determine whether the introduced 'clean-break' principle conforms with the Constitution and the Government's proposed social security and retirement reform to ensure a basic standard of living to all South Africans. Poverty alleviation is one of South African government's objectives and this is evident from many social assistance programmes that are currently in place to address this challenge. The provision of income security is amongst the most practical expressions of a nation's cohesion and values. It relies on confidence in the long-term continuity of institutions. It rests on trust in the law and sound financial and economic management. It embodies the core principles of solidarity and risk-sharing.

## 2. A background and definition of the clean-break principle

There are two parallel regimes of pension funds at play in South Africa: first, those private funds governed by the Pension Funds Act (PFA) and second, government funds which are not governed by the PFA but, rather, by a statute unique to that fund. The introduction of the clean-break principle emanates from an intense debate in the retirement funding community especially in light of the perceived unfairness of the PFA to non-member spouses. Prior to the introduction of the clean break principle, the allocation of a share of non-member spouse was determined in accordance with the provisions of the Divorce Act and the PFA. The Divorce Act provided that the former spouse could be awarded by the court a portion of benefits that the member would have received had he or she resigned on the date of divorce. Furthermore, in terms of the Divorce Act read with the PFA, the former spouse was only entitled to receive that share when the member became entitled to a benefit

in terms of the rules of the fund (that is, on his or her later retirement or termination of membership which could have been many years after the date of divorce). This position had brought a lot of challenges and in the process prejudiced and failed to appreciate the hardships faced by divorced women who are unemployed and single mothers. This is very rife especially in our communities where a man is generally the breadwinner and the woman on the other hand is expected to look after the children or the household. The introduction of the clean break principle was therefore meant to harmonise this position with the Constitution to give adequate protection to the right to dignity and equality of a non-member spouses who are generally women.

Since 1 November 2008, two legislations have been passed by Parliament to clarify the above position. The Pension Funds Amendment Act which came into effect on 13 September 2007 and Financial Services Laws General Amendment Act which came into effect on 1 November 2008, which stipulates that for the purposes of the Divorce Act, a benefit is deemed to accrue to the principal member on the date of divorce, thus allowing a non-member spouse the right to claim her share of it. The non-member spouse can elect to have it transferred to another fund or paid to her in cash within 60 days of the date of her election. Section 28(e) of the Pension Funds Amendment Act stipulates that "for the purposes of section 7(e)(a) of the Divorce Act, 1979 (Act No. 70 of 1979), the pension benefit referred to in that section is deemed to accrue to the member on the date of the court order..."

Before the enactment of the Financial Services Laws General Amendment Act, academics and legal practitioners have argued about whether Pension Funds Amendment Act was applicable to a divorce order granted before 13 September 2007. The Adjudicator has found that it was her findings that did not constitute legal precedent. The debate was disposed of

by the enactment of the Financial Services Laws General Amendment Act, which makes it clear that former spouses of members of retirement funds who divorced those members before 13 September 2007 and to whom shares of the 'pension interests' of those members were awarded on divorce will be entitled to claim them from the funds even if no benefits have yet accrued to the members they divorced. The Pension Funds Amendment however does not provide a definition of a clean break principle. In line with its intended purpose, the clean-break principle can be described as a right or, at the very least, the entitlement of the non-member spouse who is married in community of property to receive immediate payment or transfer of the portion of the other spouse's pension interest allocated to him or her when the couple divorces. When introduced the clean break principle had a major relief to non-member spouses whose former spouse members were in the private sector. It meant that should one divorce they immediately have access to their share on date of divorce. This was indeed a relief to many women who lived in destitute pending the retirement of the member spouse. This however did not apply non-member spouses in the public sector in the same position because the amendment of the PFA had no impact on them.

## 3. The introduction of the clean break principle in the public sector

The non-member spouses of those members governed by the Government Employees Pension Fund (GEPF) recently got their relief when the clean break principle was introduced in the public sector. In the matter of *Wiese v Government Employees Pension Fund and Others* the applicant argued that the differential treatment of a non-member spouse under the Government Employees Pension Law member to that of a non-member spouse under the PFA violates section 9(1) of the Constitution, as both the latter and the former did not enjoy equal protection and benefit of the law. It was

further argued that the applicant's right of access to social security as entrenched in section 27 (1)(c) of the Constitution is violated. The parties conceded that the applicant's right to enjoy protection and benefit of the law was infringed; however the difference between the parties was with the type of remedy which the court must order.

The Court found that the GEP Law was indeed inconsistent with the Constitution insofar as it failed to afford to non-member spouses under the GEPF the same rights and advantages as those non-member spouses under PFA.

The government was directed to submit amending legislation to Parliament to bring the country's biggest retirement fund, the GEPF, in line with the clean-break principle that applies to the private sector. The implication was that non-member spouses in the GEPF would receive their portion of the pension interest similarly to those in the private sector shortly after divorce. Section 3 of the GEPL Amendment Act introduced a clean-break principle with effect from 1 April 2012 by incorporating section 24A after section 24 of the GEPL. Section 24A is, in effect, similar to section 37D of the PFA. Section 24A authorises the Government Pension Fund to make payment of a pension interest upon divorce.

Other public funds such as the Post Office Pension Fund (POPF) unfortunately did not amend their rules to include the Clean-break principle. In the premise this position was challenged in *Ngewu v Post Office Retirement Fund* and the matter addressed the anomaly arising from the failure to afford divorcees of members of the Post Office Retirement Fund (Fund) similar rights and advantages afforded to former spouses of member under PFA and the GEPL. As expected, the court found that the exclusion of the clean break principles did promote the founding values of the Constitution. According to Marumoagae the *Ngewu* case should not have been taken to Court in the first place. After the *Wiese* case, the Post Office Retirement Fund should have amended its law to follow the lead of the GEPF. I support this argument in that this would have saved costs and state resources.

#### 4. An interplay between a clean break principle and social security and retirement reforms.

The social security and reforms have a long history bearing this in mind, Government's proposals are based on two principal objectives:

- to ensure a basic standard of living and to prevent destitution in old age or in circumstances of unemployment or incapacity partly or wholly through redistributive measures; and
- to encourage savings to provide for the replacement of income on retirement, disablement or death through long-term insurance arrangements.

Whilst the clean break principle should be welcomed as it addresses the imbalances which non-member spouses faced upon divorce, what should be enquired into is the impact on the proposed social security and retirement reforms in South Africa. The proposed social security and retirement reforms aims to encourage South Africans to save their money in preparation for retirement. This is one of the measures that help to eradicate poverty and ensure that those who had the opportunity to work in their lifetime do not become fully dependent on the State.

Can it be inferred that the clean break principle promotes the objectives of the social security and retirement reforms in as far as addressing lack of income security which South Africa is struggling to curb? It is clear that the clean break principle conforms with the objectives of the government to ensure a basic standard of living to all South Africans. I submit that the clean break principle is a social security measure in this regard for non - member spouse to escape destitution. It may however be argued that the disadvantage of the clean break principle is that it has an adverse impact on the retirement savings of the member spouse which primarily would be minimised and consequently not be enough to sustain the member upon retirement. The ultimate impact therefore would be that the member would soon after be dependent on the State and this is what the State is trying to curb. The argument may be taken further and be submitted that the clean break principle discourages savings.

The yardstick to determine the above is to weigh the balance between the interest and protection of the non-member spouse against the future interest and income security of the member spouse. The difference between the two is that one is immediate and the other impact is in the future. The extent of the future impact again it is not known and therefore cannot be measured. In this respect that the immediate impact of lack of income security of the non-member spouse outweighs the future impact which the member spouse may probably have.

#### 5. Conclusion

The clean break principle protects the marginalized of which in most cases the majority of those are women and further it conforms to the Constitution by ensuring that everyone is equal before the eyes of the law and no one is unfairly discriminated either directly or indirectly on all grounds set out in section 9. The 2007, 2008 and 2011 amendments to the PFA and Government Employees Pension Law have been valuable in reducing the inequalities that former spouses of pension fund members face upon on divorce. We welcome these amendments since they promote fairness and reasonableness in our law.

The amendments of the GEP law and the POPF regarding the inclusion of the "clean break" principle are the right step towards addressing issues which affect both the pensioners and the beneficiaries. The clarification on the clean-break principle is long overdue. The payment of benefits to the former spouse on the date of divorce is a good thing as the non-member spouse will not have to wait for payment until the retirement, death or resignation of the member spouse who belongs to the GEPF or the POPF. Before the amendments indeed non-member spouses were placed in a difficult position, in some instances, after divorce is finalised women are left with the responsibility of being breadwinners in their families. The clean break principle has put non -member spouses of both private and public sector in the same position and thus promotes equality, dignity and ensures income security.

# Circumcision deaths: A national tragedy



**By: Mfanozelwe Shoji**

It is once again that time of the year when boys realize their coming of “age” through their rites of passage to become “men”. I am referring to the season for initiation schools. The practice of circumcision in the African context is one that remains timeless, and as such it is widely practiced in the African continent as well as the Mediterranean region, i.e. the Jewish and Muslim communities.

Initiation schools in South Africa, and also far and wide into other regions of the continent, were once held in high regard amongst the populace within which they have served since a timeless era. It was an institution that once produced warriors, intellectuals and great leaders. Some of the names that come to mind are *Masupha*, *Sekhukhune*, *Hintsa*, amongst others. *Lebollo* (initiation school), as they refer to it in Sesotho or *u-Kweluka/uKwaluka* in isi-Xhosa was an institution that made an immense contribution in shaping the lives and character of our past leaders. At a time when mainstream academia was non-existent in certain parts of the continent, initiation schools arguably became a common or singular institute through which boys received the adequate tutelage on “manhood” and “personhood”.

Fast-forward to present day South Africa, and therein lies a number of problems and challenges around initiation schools. The cultural practice of initiation has since sparked perpetual debates on its relevance whilst others continue to interrogate the institution of initiation schools in their entirety. These debates have come of the public fore (in most instances) for all the wrong reasons.

In the past week, it was reported in the media that young initiates perished in the Eastern Cape Province whilst attending initiation schools. Having had time to mull over the tragedy that befell these boys and their

families, I was forced to ask myself whether the media would have placed the topic of initiation schools in their agenda (at their own accord) if no death had occurred as a result of the circumcisions. The answer to the question is difficult to come by.

I think it’s important to note that in African communities and tribes, the custom of circumcision does not occur in isolation, but its exists within a time honoured frameworks that are accompanied by several rites, rituals, as well as the human centered tutelage that aim to transpose and /or transition “boyhood” to “manhood” in many forms. Those who have had an opportunity to attend an initiation school will know what I am referring to. It is a pity that the notion or concept of “initiation school” as an institution has been viewed with much aberration and discord as a result of the deaths and botched circumcisions. It is without doubt that the “cultural right” to attend any rite of passage be protected more than ever, especially under the conditions we find ourselves in. What we have seen in the last 15 years or so is the emergence of charlatans who open circumcision schools without any consultation with the relevant authorities, i.e. House Traditional Leaders, Department of Health and others who concern themselves about the state of initiation schools in South Africa. Those who establish initiation schools without due consideration of the regulations and systems that are in place to curb circumcision deaths are in one way or the other committing “cultural sabotage”, but more importantly, they rob young boys of their right to live and their rite of passage.

I am of the view that more debates on initiation schools in present day, should center around matters that will give answers and meaning to the “ideal” character of men we would like to see graduate from initiation schools, as opposed to the perpetual deaths of young initiates. In essence, no child should perish at initiation schools.

The debates on initiation schools should rather dig deep into giving us socio-cultural solutions. We are living at a time when socio – cultural issues have spawned problems that are difficult to unpack, hence it is important to have public debates that seek to find solutions to current socio-cultural problems, using

indigenous knowledge systems (including initiation schools) as points of reference.

For example, South Africa has one of the highest rates of rape and gender based violence committed by men. It is therefore important to interrogate the role of men in present times, in relation to the social problems we find ourselves in. The role of men as well as their contribution to relational issues between themselves and others (particularly women and children) has become more important than ever. We have learnt from a timeless era, of the importance of rites of passage in shaping the character of an “ideal man” in society. So the cue for the ideal public debate should attempt to tap into the old age wisdom that emanates from various rites of passage, whilst taking into account the social realities of modern day times. It is in this vein that I wish that this discourse could find itself within the agenda of our national social cohesion platforms. Apart from my position as the Chairperson of the CGE, I also sit in various men’s forums where discussions are held about the role of men and their contribution to eradicating societal problems and it is my wish that the intimate discussions I had been part of can reach the rest of the country.

For as long as we continue seeing young initiates die during their initiation processes, we will continue seeing more of their stories in the media. This means that we will move farther away from drilling deep into the social problems which locate men and their role at the epicenter. The tragedies of young initiates will continue to make headlines for as long as we have illegal initiation schools emerging in various parts of the country. We will not see any progression in looking past what we see and know of initiation schools (i.e. tragedies) or at least their symbolism in African life. It would be a sad day if at one point in time we associate initiation schools with tragedies rather than what they stood for. Let us not “throw the baby with the bath-water”. It is important to strengthen our support for the House of Traditional Leaders, the CRL Commission (Commission for the Promotion and Protection of Rights of Cultural, Religious and Linguistic Communities), Department of Health, SA Police and civil society organizations who have since committed their time and resources into curbing the scourge of circumcision deaths.

## Mothers Killing Babies - A Shame or Cry for Help?



**By: Dr. Thabo Rapoo, Keketso Maema and Javu Baloyi**

Why do parents kill their children, especially newly born babies? On the face of it the killing of innocent and vulnerable newly born infants is a reprehensible act that deserves no mercy from society in general and law enforcement authorities in particular. Or is it that simple? Does society need to go beyond the surface appearance of this recent spate of barbaric killings of vulnerable and defenceless infants at the hands of those with the duty to nurture and care for them? Does the spate of killings reflect some deep-rooted and underlying societal circumstances that lead to the killing of babies? At first glance, it would appear that the country has the necessary Constitutional, legal and policy frameworks to provide the best tools to protect the lives of children, particularly infants. Yet every week the country's media is replete with shocking accounts of the killing of babies, in many cases by those with emotional, maternal and paternal ties to them.

Some countries have specific laws that mete out harsh punishments to perpetrators of infanticide while at the same time making provision for compassion and sensitivity towards under well defined circumstances. South Africa's Constitution entrenches the right to life in general as a fundamental human right. In particular, section 28 of the Constitution does refer to the rights of children. However, some experts have pointed out that, currently, there is no specific law that criminalises the killing of newly born or premature babies, and that that currently existing laws do not treat infanticide differently from murder as a crime. One piece of legislation that is often referenced by commentators, the Children's Act (38) of 2005, does offer legal protection for children. However some legal experts have pointed out that this Act does not provide the necessary focus on the protection of infants or newly born babies who appear to be the most vulnerable and predominantly at risk of death soon after birth. This is because Act defines a

'child' too broadly, as "a person under the age of eighteen years". The implication of this is that there is insufficient legal protection for newly born infants, including babies born prematurely.

Over the past year, the country has been subjected to a series of horrid reports about newly born babies left abandoned or brutally killed and flushed down toilets, dumped in forests or rivers. It would be fairly easy and most tempting for anyone, including the Commission for Gender Equality, to call on society and its entire social and law enforcement institutions to adopt an uncompromising stance of condemnation and demand immediate and harsh punishments for perpetrators. However this approach might not necessarily prevent the killing of babies. It would be important for society in general, and the government and law enforcement agencies in particular, to seek greater understanding through focussed social research to inform public policy debates not only about the underlying causes of what seems to be an increasing spate of infanticide in South Africa, and ways to combat it, but also if necessary to review the inadequacies of current policy and legislative frameworks relating to the welfare and protection of newly born babies.

In some societies the killing of healthy infants or newly born babies (i.e. infanticide) is perpetrated for a number of reasons, including family planning/population control, selection of the baby's gender, socio economic/poverty related reasons, extra-marital affairs or even as a result of post-natal depression by the mothers. In other instances unhealthy (i.e. weak, malformed, AIDs infected, etc.) newly born babies are often killed (so-called 'mercy killing' or euthanasia) either for cultural reasons or in an attempt to avoid the socio-economic, financial or social/cultural burdens of looking after and caring for such babies during their lifetime. Some commentators have blamed the killing of newly born

babies on rapid urbanisation, the collapse of urban infrastructure and the pressures on families reeling under poverty and lack of employment. Others have pointed to the pernicious effects of cultural disapproval of abortions, limited demand for legal adoptions especially for the African child and the failures of social welfare service agencies to provide effective support and vital information on birth control and family planning to parents, especially unmarried mothers in desperate socio-economic and financial circumstances.

On the face of it, it would appear that the recent spate of infanticide across South Africa cuts across all these reasons, although more research is necessary to provide greater understanding for policy makers to make informed long term policy interventions. Yet recent media reports and commentary by experts in the child care sector appear to suggest that South Africa is experiencing a shift from mere child abandonment towards increasingly brutal killings of babies by those close to them. Activists and practitioners in the child welfare sector are reporting that while previously mothers would place unwanted babies on the door steps of their neighbours' houses or their local churches, recent trends appears to be a rise in the number of mothers who kill unwanted infants. Why this shift from mere abandonment to brutal killings of babies? Is this just a reflection of an increasing trend towards violent crimes in the country or are more families and parents, especially mothers, increasingly being exposed to intense levels of socio-economic deprivation and poverty in the face of dwindling family resources and disintegrating social and emotional support networks previously offered by extended families?

The Commission for Gender Equality is keen to call upon government, social welfare agencies, magistrates, the legal profession in general and other role players in the child welfare sector to bring their combined knowledge, expertise and financial resources together to support intensive research on this phenomenon of infanticide and the apparent increase in cases brutal infanticide in order to stimulate extensive public policy debates and appropriate policy interventions, including law reform to target infanticide as a specific form of crime. In addition government, social welfare service agencies and civil society organisations need to mount intensive information campaign to educate parents, but especially new mothers at risk of committing infanticide, on family planning and birth control.

# Gender Based Violence Campaigns: A losing battle?

By: Ntuthuko Manzini

Our country observes and raises awareness on gender based violence through various locally based and global campaigns. Some of the notable campaigns include *16 Days of Activism for No Violence on Women and Children*, *The Orange Campaign*, amongst others.

It is without doubt that these campaigns are critical for any nation including South Africa on efforts to eradicate violence on women and children. What we often see or hear prior and during the campaigns, year in and year out, are the perpetual condemnations of abuse on women and children. The common narrative includes, condemnation of any behavior which attempts or driven to dehumanize women and children and as such strip them off their constitutional rights to life, dignity and so forth. Outside of these campaigns are the ongoing reports (in the media) about violence on women and children.

We hear about a myriad of these cases on a daily basis, but the problem is that whilst we believe that gender based violence campaigns are disseminating information to the citizens, gender based violence continues to be on the rise on an annual basis. It then begs the questions as to whether, the “means” (or efforts) meet the “ends”. The common messaging, be it the harshest condemnation or even pronouncements made by those who hold the power to turn the situation around, cannot be made in isolation from a solution driven

stance which should include all sectors of society to get involved in solving the crisis that has befallen us as a nation. The recent National Gender Summit of 2014, in part calls for a more concerted effort in mobilizing resources in various forms (funding, human capital, strategies etc.).



The lack of “action” against perpetrators, beyond uttered words and pronouncements made by policy and decision-makers become detrimental to the citizens, in that public statements might lead to misconstrued expectations from the point of view of ordinary citizens. For example, there are many cases where perpetrators are acquitted in the law courts due to certain legal technicalities, which in turn lead to frustrations for victims and communities.

Contrary to the above is the fact that to a lesser extent people have heeded with a sense of ignorance in clearly articulating the intention behind gender based violence campaigns. This is based on evidence I have gathered over the years wherein there is gross misinterpretation of *16 Days of Activism*

*for No Violence on Women and Children* (for example), which is mainly influenced by circumstances such as the level of education, social environment, social preoccupation with imposed cultural beliefs and practices. Most men in rural areas have articulated the view that “they can only beat women on any day outside the *16 Days of Activism*”. Perhaps we need to revisit the *365 Days National Action Plan for No Violence Against Women and Children* (The Kopanong Declaration) and ensure that we tap into practical measures of addressing violence against women and children on a day to day basis.

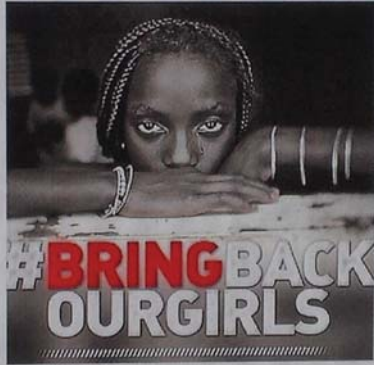
It is critical to determine and assess the extent to which institutions within the gender fraternity are able to refine their objectives and approach if violence against women and children is escalating at an exponential level. Some feel that the death sentence or “castration” should be considered and employed in mitigating the scourge of gender based violence. I doubt with a degree of authority that if such is effected, will positively yield the anticipated results in mitigating the scourge hence a deeper sense of reflection and assessment in implementing solutions is needed.

In conclusion violence on heterosexuals, homosexuals and bisexuals should be considered a human rights’ issue and should always be accorded the necessary attention throughout human life not only on days like “16 Days of Activism”.



# Youth Month: Reflection, Thoughts and Concerns about abducted girl children

## COMMISSION FOR GENDER EQUALITY SUPPORTS



By: Thoko Mpumlwana

In the past weeks I have been waking up in the middle of the night asking myself where our world is going to if human beings can take children away from schools in order to drive their message across to the powerful or their ideological opponents. I ask myself whether those who have done it care at all for all the protests and solidarity activities that poured out the world over. What pleases me and gives me hope are the millions of the world who came out to condemn this action even though I tell myself that those who have done this do not seem to care for those girls.

I am glad, though, that this time the world has not looked away.

20 years ago in April 1994 in our beloved continent "we looked away". In South Africa we were busy with our first democratic elections and consumed by our imminent freedom whilst about 2700 kilometers north of us in Rwanda 800 000 women, men and children were being killed for being different. Some may have called it a "just war" others dismissed it as a "domestic conflict". The end result is that the world will never recover from yet another shameful behavior of ignoring or denying a genocide. The truth is, we looked away.

It is worth acknowledging that this time, as the world, we are not looking away. Even though South Africa had elections again in 2014, we did not look away. The solidarity and concern that the world has displayed for the

missing Nigerian girls is moving. It shows that humanity still retains a lot of good. We have seen people coming out of their safe spaces and cocoons, and asking in desperation what they can do to make their voices heard, and for it to be known that they care. It is great to know that people do want a just and fair society even if they may not know what they may do to create such a world because "ubuntu" simply means, in the struggle slogan, "an injury to one is an injury to all".

Imagine, sleeping in your house and not knowing what your abducted daughter is eating, where she is sleeping, whether her body has not been violated and whether all her limbs are still there. You wonder if she will ever come back alive. It is not surprising that the world has registered its disgust and shock at this action. If this is war then a war has rules and the rules should be just. War is a battle

over power by those who wish to wrestle with each other. It cannot be that women and children should be used in these power struggles.

Having praised those who have not "looked away" at such injustice, I plead with those who justify such action and violations of the rights of schoolgirls, to reflect on their thoughts. Using force and power on the least powerful is simply an act of cowardice! Battles, if they are to be declared at all, should be openly fought in battlefields by people who choose to participate even though I believe times for violent wars are over.

People should seek humane methods of resolving their conflicts.

20 years on since Rwanda, I wonder if much has changed if we still have people justifying this act arguing that the situation in Northern Nigeria is complicated, ideological/political and historically understandable. This, for me, takes away hope for the world. How can we even justify such callous and inhuman action?

Fast forward, today we hear again that now mothers have been taken away! What cowardise!

I do, of course, believe that nation-states should be founded on values of tolerance, appreciation of diversity and the humanity of all, on sharing and caring. I believe nation-states should themselves reflect on what they should do make all their citizens feel that they belong. If they ignore this, then dogmatic fundamentalism creeps in, and tolerance of



## # Bring Back Our Girls

the other totally disappears, and citizens start to lose their humanity and “ubuntu” and do what Boko Haram does.

When intolerance persists, then bombs are let loose on citizens; villages are pillaged, women raped and maimed, children killed, innocent lives lost and fear abounds in these power games. Social cohesion is eroded, such that countries become shells and not homes.

Our girls in Nigeria are caught up in this situation and the reason given is that they dared to exercise their right to education.

Many weeks later, the girls are not back! I hope the world will keep on being in solidarity with them and their families and that, hopefully, a lasting solution will be found.



Let us not look away, especially those of us who live in the continent of Africa. As Martin Niemoeller, a German Christian said in his famous address to the United Nations:

*“When Hitler attacked the Jews I was not a Jew, therefore, I was not concerned.  
And when Hitler attacked Catholics, I was not a Catholic, and therefore, I was not concerned,  
And when Hitler attacked unions and industrialists, I was not a member of the unions and I was not concerned.  
Then Hitler attacked me and the Protestant Church-  
And there was nobody left to be concerned.”*

As South Africans we should care when evil befalls others in our own country, and also



outside our borders. Leaders of the continent please stand up! Human Rights activists speak out; parents or human beings of the

continent make it known that you do not belong to the league of abductors and killers of people for being different. One’s diversity of views, gender, sex, religion, belief, culture, birth ethnic and social origin disability, age and so on has no bearing on the humanity of the other. Our

frustration should not allow us to default to abuse and discrimination.

We want an Africa that cares and we will ensure that the next generation finds Africa a home worth living in. The African Union has put out many charters and protocols that

paint a picture of a good Africa. Our leaders should abide by these, and as citizens we should cooperate towards building such an Africa where dignities, rights and freedoms will be protected and exercised; an Africa where women and men will help build communities. Bombs and violence will not take us anywhere! Undoing the emotional and physical damage caused by war is a mammoth task. We want peace and peaceful co-existence not war.





## Calendar of events: Women's month 2014

Eastern Cape		
Activity	Date	Venue and Stakeholders
Eastern Cape Provincial Gender Machinery Launch of Women's Month	01 August 2014	Steve Biko Foundation in Ginsberg - BCMM
Information session with Mthatha LGBTI	03 August 2014	Lusikisiki
Dialogue with Ndlambe stakeholders on gender equality and access to sexual and reproductive health rights	07 August 2014	Alexandria Town Hall in Ndlambe Local Municipality
Dialogue with Peddie stakeholders on gender discrimination that impact on sexual and reproductive health rights	06 August 2014	Peddie Town Hall in Ngqushwa Local Municipality
Presentation on gender equality gender and forced/early marriages in church	09 August 2014	Bisho
Information session with Ncerha village looking at gender stereotypes that become a barrier in empowering, protection and safe-guarding wellness of a girl child	11 August 2014	Ncerha Villages – Community Hall
C9 collaboration workshops on women's month activities	19 August 2014	Elliotdale
Workshop by C9s	20 August 2014	Willowvale
Workshop by C9s	21 August 2014	Idutywa
Provincial Gender Machinery's main event in Cala- Sakhisizwe Local Municipality	22 August 2014	Cala Town Hall in Sakhisiziwe
PGM Closure of the Women's Month	29 August 2014	Alfred Nzo District Municipality

Free State		
Activity	Date	Venue and Stakeholders
Dialogue on the promotion and advancement of women's sexual, reproductive and health rights with specific reference to culture, child spacing , fertility and infant mortality (Commissioners presence) Keynote address or opening remarks	19 August 2014	Botshabelo
Information session on access to sexual and reproductive health rights including refugees(family planning) (Commissioners Presence) Keynote address or opening remarks	20 August 2014	Qwaqwa
Access to justice week: CGE to make presentations on its work and constitutional mandate to community members	25 – 29 August 2014	Phillipolis Zastron Smithfield Kofffontein Petrusburg
Youth dialogue on contraception, delaying sexual activity (Girls and Boys) and Termination of Pregnancy	28 August 2014	Welkom
2 Community Radio Stations on Reproductive Health	TBC	Provincial

## Calendar of events: Women's month 2014

Mpumalanga		
Activity	Date	Venue and Stakeholders
Court monitoring	05 August 2014	CGE: Ngodwana
Court monitoring	05 August 2014	CGE: Waterval Boven
Court monitoring	05 August 2014	CGE: Belfast
Seminar of Reproductive Health	06 August 2014	Department of Health/Madadeni (Nkomazi Municipality)
Dialogue of Reproductive Health	12 August 2014	NGO/Skwahlane (Nkomazi Municipality)
Information session on the access to reproductive health rights	26 August 2014	NGO/The Gem (Gert Sibande Municipality) School Hall
Access to justice law week in promotion of women and the right to wills : drafting wills for free	18 -22 August 2014	Law Society of the Northern Province/Nelspruit (Mbombela Municipality)
Access to Justice week event	18-22 August 2014	Department of Justice and Correctional Services/ Delmas (Victor Khanye Municipality)
Access to Justice week event	18 -22 August 2014	Department of Justice and Correctional Services/ Delmas (Victor Khanye Municipality)
National Access to Justice week event	22 August 2014	Department of Justice and Correctional Services/ Nelspruit (Mbombela Municipality)
Court monitoring	28 August 2014	CGE Sabie (Thaba Chweu Municipality)
Court monitoring	28 August 2014	CGE Graskop (Thaba Chweu Municipality)
Women Month Celebration	30 August 2014	Dept of Sports, Culture & Recreation, CGE & govt departments: Masoyi stadium

Gauteng		
Activity	Date	Venue and Stakeholders
Discuss measures in the promotion and advancement of women's reproductive and health rights	18 August 2014	Department of Education, Department of health, SAHRC, FAMSASAFIDS/Gauteng Provincial Office
Accessibility of reproductive health Services to Women	26 August 2014	Health, SAFAIDS/ TBC
How can backstreet abortion be curbed particularly amongst the youth	31 August 2014	Youth Organisations/ TBC
Awareness on reproductive Health Rights and CGE Mandate	20 August 2014	Community/ Jozi FM
Awareness on reproductive Health Rights and CGE Mandate	25 August 2014	Community/TUT/or Kasie FM or Theta FM

## Calendar of events: Women's month 2014

Limpopo		
Activity	Date	Venue and Stakeholders
Information Sharing Session on with doctors on Women's Health	01 August 2014	Polokwane (Provincial hospital Management and Doctors, SAHRC)
Provincial Dialogue on Women's Access to Reproductive Health Services	06 August 2014	Polokwane ( Dept of Health, SAHRC, NGOs, CBOs)
Information Sharing Session on Access to Reproductive Health Services (Community Women)	22 August 2014	Lebowakgomo( Dept of Health, CBOs, and Women Organizations)
Information Sharing Session on Access to Health in general (Community Women)	29 August 2014	Mopani (Tzaneen) (Dept of Health, SAHRC, CBOs, and Women Organizations)
Engagement with youth organizations on Reproductive Health and Safe Abortion	14 August 2014	Mokgopong(Naboomspruit) Dept of Health, SAHRC, Youth Organization, NYDA
Dialogue on Health Rights	27 August 2014	Waterberg( Mokopane)( dept of Health, CBOs, and Women Organizations)

Northern Cape		
Activity	Date	Venue and Stakeholders
Gender Rights & 20 years of Military Health in Democracy (PC & Commissioner)	31 July 2014	Kimberley
Community dialogues Gender Equality and Access to reproductive health.	01 August 2014	Frances Baard (Kimberley -Phuthanang) Clinic visit
Radio slot. CGE Powers and Functions and Gender Rights	04 August 2014	Kimberley Radio Teemanaeng
Gender Equality and Access to reproductive health.	04 August 2014	Jan Kempdorp
Health Clinics visits and data collection: questionnaire	11 August 2014	Platfontein and Ritchie Clinic visit
Gender Equality and Access to reproductive health	13 August 2014	Petrusville
Programme on Early Child and Forced Marriages (Ukutwala)	15 August 2014	Frances Baard District Kimberley
Dialogue on Gender Rights and Women Empowerment, health and GBV.	14 August 2014	JTG District Deurward Village
Radio Slot. CGE Role & Women's Rights to Healthy	15 August 2014	JTG Kurara fm
Access to Justice Week including Information sessions, clinics & Courts monitoring	18 – 22 August 2014	JTG, Zf Mcgawu & Frances Baard Districts
Role & functions of the CGE information session & Legal Clinic	27 August 2014	Z.F. Mcgawu District (Postmasburg)
Court monitoring (Equality & Maintenance Courts)	28 August 2014	ZF Mcgawu District Postmasburg

## Calendar of events: Women's month 2014

Western Cape		
Activity	Date	Venue and Stakeholders
Information session on CGE Mandate	05 August 2014	South African Faith and Family Institution / Khayelitsha
Artscape Women's Festival CGE to have an exhibition stand and Advice Desk	06 August 2014	Artsapes, Government departments, City of Cape Town and NGOs/Artscape
Artscape Women's Festival CGE to have an exhibition stand and Advice Desk	07 August 2014	Artsapes, Government departments, City of Cape Town and NGOs/Plettenberg/ Knysna
Launch of Women's Month Dialogue with Dept of Health and Dept of Education	08 August 2014	Plettenberg/Knysna
Information session	13 August 2014	Khayelitsha/Delft
Service Delivery Imbizo	15 August 2014	Department of Justice
Information session	20 August 2014	Worcester
Access to Justice Week	25-26 August 2014	Department of Justice and JCPS Cluster/ De Doorns, UWC Legal Aid
Access to Justice Week	25-26 August 2014	Department of Justice and JCPS Cluster/ Stellenbosch University
Women's Month event Kamraj will be the Keynote Speaker: WEGE BILL presentation	27 August 2014	City of Cape Town/ Goodwood Civic Centre
Dialogue with Department of Health and Department of Education	28 August 2014	Langville. West Coast

KwaZulu-Natal		
Activity	Date	Venue and Stakeholders
Early marriages and forced marriages.	06 August 2014	Mfekanyi Tribal Court( Mpukunyoni)
Dialogue to discuss measures in the promotion and advancement of women's reproductive health rights.	12 August 2014	Nseleni Community Hall (Greytown)
Gender Workshop	14 August 2014	PACSA(Pietermaritzburg)
Dialogue to discuss measures in the promotion and advancement of women's reproductive health rights.	19 August 2014	Dondotha (Empangeni)
Information session with community members on access to sexual reproductive health rights	20 August 2014	Zwathini( Vryheid)
Information session with community members on access to sexual reproductive health rights	21 August 2014	Amantungwa Traditional Court (Utrecht)
<b>Tentative:</b> Law Clinic with Department of Education (in collaboration with Tshwaranang Legal Advocacy Centre)	TBC	To be confirmed
Gender Workshop: (Legal and Education joint collaboration)	PACSA (Pietermaritzburg)	PACSA (Pietermaritzburg)
<b>Tentative:</b> Law Clinic with SAWLA	KZN	KZN
<b>Tentative:</b> Law Clinic with SAHRC	KZN	KZN
EE Follow up Consultation with entities	Durban	Durban
August Month: monitoring of maintenance courts	Durban, PMB, Umlazi, Ntuzuma Magistrates Courts	Durban, PMB, Umlazi, Ntuzuma Magistrates Courts
Women's Rights talk to Omama Bomhlanga	31 July 2014	Nongoma
Rural Women's Network workshop	12 – 13 August 2014	TBC
PGM strategic plan	14-15 August 2014	Pietermaritzburg

## Calendar of events: Women's month 2014

North West		
Activity	Date	Venue and Stakeholders
Exhibition at the mall	09 August 2014	Mafikeng Mall (Ngaka Modiri Municipality)
Information sharing on access to reproductive health rights and services	12 August 2014	CDWs, FBOs, UNIWEST, Department of Health, Traditional Affairs/Lehurutshe (Ramotshere Moilwa Municipality)
Information sharing with youth on safe termination of pregnancy (abortion)	13 August 2014	CDWs, FBOs, UNIWEST, Department of Health and Department of education/Lehurutshe (Ramotshere Moilwa Municipality)
Information sharing on access to reproductive health rights and services	15 August 2014	CDWs, FBOs, UNIWEST, Department of Health, Traditional Affairs /Moretele (Madibeng Municipality)
Dialogues with relevant stakeholders on the measures on the promotion and advancement of women and reproductive health rights and services	19 August 2014	CDWs, FBOs, UNIWEST, Department of Health, Social development/Macquassi Hills. Dr Kenneth Kaunda Municipality
Information sharing on access to reproductive health rights and services	20 August 2014	CDWs, FBOs, UNIWEST, Department of Health, Social development/Khuma (Dr Kenneth Kaunda)
Dialogues with relevant stakeholders on the measures on the promotion and advancement of women and reproductive health rights and services	26 August 2014	CDWs, FBOs, UNIWEST, Department of Health, Traditional Affairs /Ganyesa (Dr Ruth Segomotsi Mompoti Municipality)
Information sharing on access to reproductive health rights and services	27 August 2014	CDWs, FBOs, UNIWEST, Department of Health, Traditional Affairs /Taung(Dr Ruth Segomotsi Mompoti Municipality)
Information sharing on access to reproductive health rights and services	28 August 2014	CDWs, FBOs, UNIWEST, Department of Health, / Taung(Dr Ruth Segomotsi Mompoti Municipality)

**NELSON MANDELA DAY**

MAKE EVERY DAY A MANDELA DAY

18 July 2014



**Site Visit**  
17-18 July 2014



# Gender Summit

**NATIONAL GENDER SUMMIT**

Date: 9-11 April 2014

Reflecting on 20 years of democracy in South Africa:  
Celebrating gains and strategising on challenges to  
attaining gender equality

*In Association with*





Commission for Gender Equality  
A society free from gender oppression and inequality

# Commissioners Farewell Function





## Commission for Gender Equality

A society free from gender oppression and inequality

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