

**UNDP SOUTH AFRICA
GENDER MAINSTREAMING PROJECT
KEY RESOURCES**

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SECTION ONE

KEY GENDER CONCEPTS

OVERALL OBJECTIVES

- To develop a shared understanding of what is meant by gender and how this impacts on our lives and in our work.
- To share information on the background to, and discuss the process envisaged for the Gender Mainstreaming Project (GMP).
- To gain a shared understanding of key gender planning concepts.
- To apply these to the work of the UNDP SA.
- To agree on a schedule for Phase Two (drafting of a gender policy and strategy) and Phase Three (action planning workshops in each department).

TIME	ITEM	OBJECTIVES	WHO
INTRODUCTION			
8.30-9.00	Ice breaker	Introduction to key gender issues and debates in a participatory forum.	GL
9.00-10.00	Gender in our every day lives <ul style="list-style-type: none"> ▪ Language and sayings ▪ Songs and popular culture ▪ Soap opera ▪ Religion ▪ Advertising ▪ IEC materials ▪ The media ▪ Education 	To gain an understanding of how gender stereotypes are embedded in every facet of our lives; how this impacts on attitudes and how this in turn impacts on policy.	Groups
10.00-10.30	Sex and gender	To ensure a clear understanding of the difference between biological and socially constructed roles	CLM
10.30-11.00	TEA		
PANEL PRESENTATION ON THE GENDER MAINSTREAMING PROJECT			
11.00-10.05	Why gender mainstreaming is an issue for the UNDP	To situate the gender mainstreaming exercise within the broader context of the UNDP goals and vision	DRR-P
11.05-11.10	Gender Thematic Trust Fund	To situate the UNDP SA gender mainstreaming exercise in the context of	Aloma Foster

TIME	ITEM	OBJECTIVES	WHO
		similar exercises by UNDP country offices.	
11.10- 11.15	Gender mainstreaming in the UNDP to date	To provide a brief background to gender mainstreaming in the UNDP to date; main challenges	Celine Mazar, GFP
11.15-11.20	Outline of GMP	To share the envisaged GMP process.	CLM
11.20-11.25	Expectations	To share a summary of expectations as contained in the questionnaires	AM
11.25-11.30	Questions	To clarify any questions from the presentations	
KEY GENDER PLANNING CONCEPTS			
11.30-12.15	<ul style="list-style-type: none"> ▪ Gender mainstreaming ▪ Internal versus external gender issues ▪ Gender aware/gender blind policies. ▪ Practical versus strategic ▪ Gender disaggregated data ▪ Gender indicators. ▪ Gender budgeting ▪ Gender management system 	To arrive at definitions of key gender planning concepts using case studies.	Groups
12.15-14.00	Report back	To share group findings	Groups
13.00-14.00	LUNCH		
KEY GENDER ISSUES FOR UNDP SA			
14.00-15.00	<ul style="list-style-type: none"> ▪ RC office ▪ Strategy, support, communication ▪ Business centre ▪ Social development ▪ Environment ▪ Governance ▪ Operations 	To identify the key internal and external gender issues within each organizational unit of UNDP SA.	
15.00-16.00	Report back		Groups
WAY FORWARD			
16.00- 16.30	Way forward	To agree on next steps	GL

INTRODUCTION

ICEBREAKER

The team will be asked to break into two groups: those who agree and those who disagree with the statements below. Each side will be asked to explain their position and try to persuade those in the opposite "camp" of their point of view.

1. Sex work should be decriminalized.
2. Women should be encouraged to join the SANDF.
3. Girls who fall pregnant during their studies should be allowed to proceed with their education normally.
4. Virginity testing should be encouraged as a way of preventing the spread of HIV AIDS.
5. Single sex schools should be encouraged, because girls tend to perform better at such schools.

Notes

EXERCISE: STEREOTYPES

The following tasks will be given to groups comprising a cross section of staff from different units.

Group one: Culture and language

1) Consider the following proverbs:

- Woman, the source of all evil (Benin, Senegal).
- Virtuous is the girl who suffers and dies without a sound (India).
- The hen knows when it is morning, but she looks at the mouth of the cock (Ghana).
- A good wife, an injured leg and a pair of torn trousers stay at home (Netherlands).
- Only a shameful woman takes her husband to court (Uganda).

a) Can you think of any others that convey distinct messages about women and men? List these.

b) What messages are conveyed?

Messages about women	Messages about men

2) Think of examples of ways in which assumed roles of women and men are reinforced by language, eg businessman.

3) What is a stereotype?

Group two: Songs and popular culture

1) Consider the lyrics of the Arthur Mafokate's controversial new song *Sika Lekhekhe*:

Bakuphi labo baby abangifunayo, abang'thandayo?
Bayazi sonibonis'umhlolo, sonibonis'inombolo ngoba ngiyavuvuzela,
Sika lekhekhe

(This can be loosely translated as: "Where are all the babes that want me, that like me? They know I'll show them something extraordinary, I'll show them who I am because I'm the hot shot ... cut the cake." In tsotsi taal, the word khekhe refers to women's genitalia and in other township slang sika refers to having sex.)

a) Can you think of any other songs that convey distinct messages about women and men? List these.

b) What messages are conveyed?

Messages about women	Messages about men

2) Do you believe that such songs should be banned? Why or why not?

3) What do you understand by the term stereotype?

Group three: Soap operas

1) Think of one foreign and one local soap opera (eg Dallas, and Generations). What is the main story line and who are the main characters.

2) What messages are conveyed about women and what messages are conveyed about men?

Messages about women	Messages about men

3) What do you understand by the term stereotype?

Group four: The media

1) Consider the following comment in the *Sun* newspaper about why Steve Nkone killed his wife:

Daily Sun 6 May

The front heading read: "Wife-killer calls Daily Sun to confess: Why I did it?" And the main article is Steve Nkone's explanation of why he killed his former wife. On the same page is a comment from the Daily Sun "Daily Sun says" which reads as follows: (emphases come directly from the text)

"ANY black man growing up in the time of apartheid will know all about feeling humiliated and insulted. That was what that cruel policy **REALLY** did.

So times have changed- and now woman power stares many men in the face!

One of the fruits of the revolution of 1994 has been that women are taking their rightful place in society, alongside men.

But for some men that can be very difficult - first the old Boers and now the women!

First they were chased and humiliated; **now** they must fit in again as the old male rules of society change completely.

Such men wonder when, if ever, **THEIR** good times will come!

And even as they wonder these things, there is nobody to really listen to them – because that is not the way the new country is.
 It's not easy. Much more is being asked of many men these days than is recognized. For the majority of people who welcome the new society it is also important to listen to those middle-aged men who feel left behind again.”

2) What messages are conveyed about women and what messages are conveyed about men?

Messages about women	Messages about men

3) What do you understand by the term stereotype?

Group five: Advertising



1) With reference to the image above, what messages are conveyed about women in advertising and how do these relate to the daily lives of the majority of women?

2) Think of other adverts you know of. What is said about women and what is said about men?

Messages about women	Messages about men

3) What do you understand by the term stereotype?

Group six: Religion

1) Consider the quotes below from various religious texts:

"Wives, submit unto your husbands, as unto the Lord, for the husband is the head of the wife, even as Christ is the head of the Church.. therefore as the Church is subject to Christ so let wives be subject to husbands in everything." – *the Bible*.

"Men have authority over women because Allah has made one superior to the other. Good women are obedient. They guard the unseen parts because Allah has guarded them. As for those of you who fear disobedience, admonish them and send them to beds apart and beat them." – *the Koran*.

"Learning the Torah is a paradox for women, as they will turn the words of the Torah into foolish words due to lack of understanding or interest." – *the Mishnah, a basic part of the Talmud, Judaism*.

"The drum, the village fool, the Shuras (lower classes) animals, women, all these are fit to be beaten." *Tulsidas, writing in the Ramayana, Hindu religion*.

2) What messages are conveyed about women and what messages are conveyed about men?

Messages about women	Messages about men

3) What do you understand by the term stereotype?

Group seven: IEC Materials

1) The SALGA magazine, *Voice* is an example of Information, Education and Communication (IEC) materials. Count the number of images of women and men in the magazine. What proportion of women and men are there? What roles are they portrayed in?

% images women	Roles	%images men	Roles

2) Think of other IEC materials you are familiar with. What messages are conveyed about women? What messages are conveyed about men?

Messages about women	Messages about men

3) What do you understand by the term stereotype?

Group eight: Education

- 1) Recently in a South African school a boy was punished for being late by being made to wear a dress. His mother was so upset that she wrote to the President, asking that the headmaster be fired for bringing such humiliation on her son. What do you think of this case and of the mother’s reaction? What would the reaction have been if a girl had been made to wear trousers? Why are the reactions likely to be so different?
- 2) Think of ways of ways in which gender roles are reinforced in schools. What is said about women and what is said about men?

Messages about women	Messages about men

3) What do you understand by the term stereotype?

In plenary: As examples are being given, categorise them using this framework:

EXAMPLE	SOURCE	WHAT IS SAID ABOUT MEN	WHAT IS SAID ABOUT WOMEN

Definitions

Stereotype Reducing an individual to a mere instance of a characteristic.

EXERCISE: SEX AND GENDER ROLES

In plenary, the group will fill out the following table of the biologically determined and socially determined roles of men and women.

SEX/ GENDER ROLE	WOMEN	MEN
REPRODUCTIVE WORK		
PRODUCTIVE WORK		
HOME		
WORK PLACE		
COMMUNITY WORK		
PERSONALITY TRAITS		

Questions

1. Is this not just a natural division of labour?

2. What is wrong with these assumptions?

3. What are the economic differences between the roles assigned to men and those assigned to women?

4. How do they lead to discrimination?

Notes: *The reproductive role is the only one that is biologically determined. The roles in the home, community and work place are "grafted" onto these biological roles eg women give birth to children, therefore they must care for them and for the home, offer voluntary "care" services in the community and in the work place, take on the "care" professions like being secretaries, nurses, domestic workers etc. Men on the other hand are assumed to provide and protect and they take on "control" work in the community and work place- they are the politicians, managers and decision makers; working in industry, business etc. Women's work in the home is most unremunerated. Women's work in the community is invariably of a voluntary nature. The kinds of profession that women go into- domestic work, nursing, teaching etc- the so called "care professions"- are generally less well remunerated than typically male professions.*

Definitions

Reproductive work comprises the child bearing/rearing responsibilities and domestic tasks undertaken by women, required to guarantee the maintenance and reproduction of the labour force. It includes not only biological reproduction but also the maintenance of the work force (husband and working children) and the future workforce (infants and school going children)

Productive work comprises work done by both women and men for payment in cash or kind. It includes both market place production with an exchange value, and subsistence/home production with an actual use value, but also a potential exchange value. For women in agricultural production this includes work as independent farmers, peasant's wives and waged workers.

Community managing comprises activities undertaken by women primarily at the community level, as an extension of their reproductive role. This is to ensure the provision and maintenance of scarce resources of collective consumption, such as water, health care and education. It is voluntary unpaid work, undertaken in free time.

Community politics: In contrast to community managing, community politics comprises activities undertaken by men at the community level organizing at the formal political level. It is usually paid work, either directly or indirectly, through wages or increases in status and power.

Source: *Gender Planning and Development: Theory Practice and Training, Caroline O.N. Moser*

EXERCISE: THE DIFFERENCE BETWEEN SEX AND GENDER

Tick whether the following are functions of sex and which are functions of gender.

FUNCTION	SEX	GENDER
Breastfeeding		
Cooking		
Menstruation		
Managing		
Growing a beard		
Boxing		
Voice breaking		
Knitting		
Decision-making		

How would you define the difference between gender and sex?

Definitions:

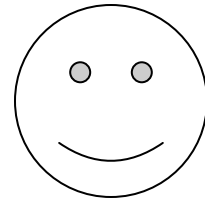
Sex- describes the biological difference between men and women. Men produce sperm; women become pregnant, bear and breastfeed children.

Gender- describes the socially constructed differences between men and women, which can change over time and which vary within a given society from one society to the next. Our gender identity determines how we are perceived and how we are expected to behave as men and women.

Gender relations- describes the social relationships between women and men. These are socially constituted and do not derive from biology. Biological differences are permanent- with the rare exception of those who undergo sex changes. Gender relations are dynamic. They are shaped through the history of social relations and interactions. They vary over time and place and between different groups of people. They may also be impacted by other factors, such as race, class, ethnicity and disability.

What I have learned so far:

1.



2.

3.

SECTION TWO: SOUTH AFRICAN GENDER CONTEXT

PROGRAMME UNDP GENDER POLICY AND STRATEGY WORKSHOP THE SOUTH AFRICAN CONTEXT

TIME	TOPIC	PROPOSED SPEAKER	SUGGESTED AREAS TO COVER
8.30-9.00	Welcome and background	Scholastica Kimaryo Resident Rep	New agreement between UNDP and GoSA; opportunities this presents
9.00- 10.30 PANEL ONE: TEN YEARS LATER- KEY GENDER ISSUES IN SA			
	Overview	Thuli Madonsela	Draw from paper prepared for the Common Country Assessment
	Women's rights	Likhapa Mbata, CALC	Contradictions between customary law and the constitutions; test cases; legal literacy; key challenges
	Gender violence	Mmatshilo Motsei	Legislation; practice; changing mindsets; challenges
	Sexual and reproductive rights and HIV/AIDS	Liesl Gerntholtz, AIDS Law Project	Constitutional framework; legal successes (eg Choice of Termination of Pregnancy); challenges posed by HIV/AIDS; MTCT; Pep etc
	Sustainable development	TBC	
	Governance and service delivery	Colleen Lowe Morna, GL; Sheila Meintjes, Wits	Women in decision-making; beyond numbers; gender and local gvt.
10.30-11	TEA		
11.00-12.30: PANEL TWO: NATIONAL MACHINERY AND THE WOMEN'S MOVEMENT			
	The Commission on Gender Equality	Chana Majake, CEO	Uniqueness of the CGE as a structure; successes and challenges
	The Office on the Status of Women	Susan Nkomo, CEO	Assessment of gender mainstreaming efforts in gvt; structures and systems established; capacity.
	SALGA	Ayanda Nabe, Head of Gender Unit	Assessment of gender mainstreaming efforts in local gvt.
	SAWID	Ms Mbeki or SAWID	Background and history of

		representative	SWAID; can SAWID help to resuscitate the women's movement?
	Independent perspective	Shireen Hassim, Wits University	Overall assessment of SA NWM; what has worked, what has not; why
12.30-1300: REGIONAL CONTEXT			
	SADC and Gender campaign:	Colleen Lowe Morna, GL	How can SA help to drive the agenda?

INTRODUCTION

This SA gender context emerges from the the UNDP gender policy and strategy retreat and workshop held on the 15th and 16th September during the second phase in the Gender Mainstreaming Project. The workshop involved programme staff and management as well as representatives from other UN agencies.

The workshop helped to foster greater understanding of and capacity for gender mainstreaming through a process of dialogue and exchange of experiences and ideas among different stake holders in South Africa on efforts to incorporate gender perspectives into their different areas of work. Participants exchanged ideas on innovative approaches and methodologies in relation to integrating gender perspectives in policy and programme development and intergovernmental processes as well as in developing mechanisms and tools to support gender mainstreaming not only within the UNDP, but in other South African institutions. The dialogue and exchange took place in the form of presentations and discussions during the first day of the workshop. The following were the proceedings.

Keynote address: Ms Scholastica Kimaryo, UNDP Resident Representative and coordinator of the UN system in South Africa

Ms Scholastica Kimaryo started by talking on the new agreement pending between the UNDP and the GSA; the opportunities and challenges this presents. She noted that there was much that the UNDP needed to do to make a difference within South Africa, as evidenced from the situation analysis and the needs assessment.

She noted that South Africa boasted a progressive Constitution and if the UNDP has to make a difference, it has to aim to do better. She also reiterated that the UNDP needed to use the UN policies and regulations on how to use gender as a planning construct, and act in compliance with the laws that govern the republic of SA. She was interested in the participants debating on how the UNDP can partner with different organizations to advance their goals and those of the GoSA. She asked them to think about how the UNDP can make a difference by making different citizens, and especially women, to know about their rights. For instance, how can it intervene in the local elections to ensure that both men and women not only vote but also for women candidates? She talked about the need to have champions to push forward the gender agenda at the UNDP. She hoped that the workshop would bring out a document that will be presented to the CCA in the November meeting.

OVERVIEW

Gender Links

"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 of our country has radically changed for the better, and that they have been empowered to intervene in all aspects of life as equals with any other member of society."

(Former President Nelson Mandela, opening the first sitting of parliament after the country's first democratic elections in April 1994.)

These words, spoken by one of the world's most revered leaders, inspire the "second revolution" in South Africa. In the years of the struggle against apartheid, the fight for equality between men and women took back seat. Today, armed with a constitution that outlaws discrimination of any form, South Africans are tackling the deep-seated legacies of racism and patriarchy simultaneously.

Apartheid was a system of legally entrenched discrimination in which black women suffered the triple burden of race, gender and class. Under this system, the allocation of state resources was skewed in favour of whites, with the result that black people received inferior education; inadequate social services and rural areas remained largely under-developed.

Black women living in rural areas suffered the most under apartheid. The migrant labour system, which drew able-bodied men away from rural areas to work in the gold and diamond mines, ensured that women had to take primary responsibility for maintaining the land. However, women could not own land because according to law, they were minors incapable of entering into contracts. Men had "marital powers" over their wives which meant that women could not transact any business or appear in court without their husbands, unless the couple had entered into an anti-nuptial agreement excluding the husband's marital power. Under customary law, which governs the lives of many black women, especially in rural areas, women are perpetual minors. They are placed under the guardianship of their fathers, then their husbands, and finally their sons or a male relative from the husband's family.

As men moved into urban areas for work, women in rural areas became primary breadwinners and caretakers. Until 1986, influx control regulations made it difficult for black women to work in the urban areas of South Africa. The apartheid government formed alliances with traditional leaders to ensure that female migration to urban areas

was restricted. This placed a heavy burden on women as they were forced to remain in the homelands. However some women moved to urban areas in search of work, but as a result of poor skill and high unemployment, very few options were available. The most common forms of work were domestic services and beer brewing. Today, black women make up the majority of those in the “survivalist” sector and the unemployed.

Legacies of the past

- African women were discriminated against through laws like the Black Administration Act that ensured minority status.
- African women are predominantly located in rural areas that are underdeveloped and serviced.
- Over 40% of African households are headed by women.
- African women constitute 75% of workers in the informal sector and 82% of these women are in elementary activities such as street vending, domestic work and other survivalist activities.
- Women, especially in rural areas, suffer more from poverty than men: overall 48% of women live in poverty, compared to 44% of men.
- Women and young girls in South Africa are at risk of high levels of domestic and sexual violence.

Source: Country Gender Profile of South Africa, commissioned by the Swedish International Development Co-operation Agency (SIDA)

The Political Context for Change

The African National Congress (ANC) Women’s League played an important part in ensuring that women’s issues featured on the national liberation agenda. The Women’s League and the multi-racial Federation of South African Women strongly resisted when the government tried to extend pass laws to women.

The 1956 Women’s Defiance Campaign marked an important event in the history of South Africa’s fight for liberation and freedom. On the 9 August 1956, twenty thousand women of all races marched to the Union Buildings in Pretoria to protest against the extension of pass laws to include black women. The women demanded to see the then prime minister, Johannes Strijdom, and chanted: Strijdom wa thint’ abafazi, wathint’ imbokodho uzokufa” (You strike a woman, you strike a rock, you will be crushed). Today, August 9 is a national holiday and is celebrated by South African women and men. It is a day when South Africans take stock of their commitment to women’s liberation.

In the early 1990s the Nationalist Party (NP)-lead government unbanned all major liberation movements. This, and the release of political detainees set in motion the process of handing over power from a white minority to a black majority government. The South African women’s movement played an important role in the negotiations, insisting that one in every three delegates had to be a woman.

The Women's National Coalition

The Women's National Coalition (WNC), an umbrella body that represented over 90 South African women's non-governmental organisations (NGOs) launched in 1992, conducted a nation wide participatory research campaign on the demands of women. In February 1994 the WNC adopted the "Women's Charter for Effective Equality" that was presented to political leaders negotiating the new constitution. The preamble declared that: "South Africa is the poorer politically, economically and socially for having prevented more than half of its people from contributing to its development."

Achievements

The Legal Framework

National

Since 1994, the new multi party democratic government has committed itself to addressing the racial and gender imbalances created by the apartheid system. The right to gender equality is seen as fundamental to the struggle for a more just and equitable society and is entrenched in Section 9 on the Constitution (Act 108 of 1996). Key provisions for women in the new Constitution include:

- The equality clause states that: the state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.
- Provision is made for affirmative action in the clause that states that "legislative and other measures" may be taken to "protect and advance" persons who have been disadvantaged.
- The clause on freedom and security of the person states that everyone has the right to "bodily and psychological integrity". This includes the right to make decisions concerning reproduction; and to security and control over one's body.
- Clause guaranteeing legal and other measures to promote land reform and equitable access to natural resources to re-dress the effect of past discrimination.
- Constitutional provision for socio-economic rights: such as right to adequate housing, health care services, food, water and social security.
- Bill of Rights provision for basic and further education.
- Statement that in cases where the Constitution conflicts with customary law, the Constitution will take precedence.

Key pieces of legislation affecting women

The new government has made significant legislative changes to ensure that women enjoy the rights and freedoms that they have struggled for. These include:

- **Laws pertaining to the family**

The Domestic Violence Act

The new Domestic Violence Act (DVA) of 1998 came into operation in December 1999, replacing the Prevention of Family Violence Act. The DVA provides for men, women and children in abusive domestic relationships to obtain protection from the law. It offers a broad definition of "abuse" that includes: verbal, physical, psychological, emotional and economic forms of abuse, and allows a victim to bring an interdict preventing any of these. The DVA also says that a man can be convicted of raping his wife and spells out the duties of the police and other law enforcement officials, when assisting survivors/ victims of domestic violence.

The Guardianship Act

This Act provides for shared guardianship of children between parents.

Maintenance Act

The new Maintenance Act states that parents are jointly responsible for maintaining their children. If a parent fails to comply with a maintenance order, a "Garnishee Order", may be brought against him/her. This allows the employer of the defaulter to deduct this amount from his/her salary.

Recognition of Customary Marriages Act

In the past, only certain marriages were considered valid under civil law. The denial of the validity of certain unions led to: illegitimate status of children and the absence of a legal duty of support between spouses. The Recognition of Customary Marriages Act recognises marriages performed according to African customary law, including polygynous marriages and regulates the consequences of these marriages.

- **Personal autonomy and reproductive choice**

The Choice on Termination of Pregnancy Act 92 of 1996

The Act ensures that a woman is able to access a termination of pregnancy without the consent of her partner, or in the case of a minor, her parents. This procedure has to be conducted at a designated institution and medical practitioners are obliged to inform women of their rights. Any obstruction or prevention of this right is considered unlawful.

- **Labour and employment related legislation**

The Labour Relations Act

The Labour Relations Act (LRA) protects workers from both direct and indirect unfair discrimination on the basis of sex, race, family responsibility or any other ground. It protects previously unprotected persons, such as farm and domestic workers.

The Basic Conditions of Employment Act

The Basic Conditions of Employment Act (BCEA) protects workers in "non-traditional employment". It provides protection from dismissal to pregnant, lactating or disabled women. The BCEA also provides for maternity (4 consecutive months), paternity (3 days paid) and family responsibility leave.

The Employment Equity Act

The Employment Equity Act (EEA) requires companies to have an equal opportunities plan and report regularly to government on race, gender and disability categories.

These pieces of legislation addressing past discriminatory laws, are particularly empowering for women, as they address the structural and systemic inequalities that prevent women from exercising their constitutional rights.

International

In addition to the Constitution and the Bill of Rights, the Government has signed and ratified many international agreements. Of particular importance to women, is the United Nations Convention on the Elimination of all Forms of Discrimination Against Women, or CEDAW that was signed in January 1993 by the National Party, and ratified in December 1995 by the then Government of National Unity (GNU). Under CEDAW, the Government has committed itself to ensuring that women participate equally in the economic, political and social development of the country and that they benefit from these changes.

The government has also signed other international conventions relevant to gender. These include:

- The Convention on the Political Rights of women of 1953
- The Convention on the Nationality of Married Women of 1957
- The International Convention on the Rights of a Child

National machinery

Many discussions and debates took place about the most appropriate mechanisms for advancing gender equality. South African women opted for a “package” or “web” of structures throughout government, the legislature and independent bodies. The establishment of national machinery aimed to provide a comprehensive system of ensuring that the concerns of women were not marginalised.

The South African national machinery consists of:

- *Commission on Gender Equality*
The Commission on Gender Equality (CGE) is an independent statutory body established in terms of the constitution. It monitors the implementation of government policy and commitments and has an investigative and public education role. The CGE has a watch-dog role, with extensive powers including the power of “search and subpoena”.
- *Office on the Status of Women*

The Office on the Status of Women (OSW) is based in the President's Office and has a number of provincial offices. It co-ordinate and facilitates the implementation of government policy on gender.

- *Multiparty Parliamentary Women's Group; and Committee on Improving the Quality of Life and Status of Women*
Housed in the national assembly, these two groups are responsible for monitoring the implementation of CEDAW and analysing the budget from a gender perspective.
- *Women's Empowerment Unit*
The Women's Empowerment Unit (WEU) has the responsibility for training and capacity building for women parliamentarians.

These bodies monitor Government (as well as civil society) to ensure that it complies with its various commitments to gender equality.

Women in Politics

Before 1994, women constituted 2.7% of members of parliament. In the 1994 elections, the ANC proposed a 30% quota for women. 111 out of 400 (27%) seats in the National Assembly were won by women, while in the provincial legislature women comprised 24% out of a total of 425 members. This meant that the combined total of women in government in South Africa was 26.2%, compared to 11% globally.

In the 1999 elections, these figures increased. Out of 400 members of the National Assembly, 119 (29.8%) are women, and in the provincial legislature, women constitute 27.67% of the members. Women now comprise 32% of members of parliament and 42% cabinet ministers. Women comprise 29% local councilors and the ANC has increased its quota for women councilors from 30% to 50%.

Gender Budgeting

South Africa has played a pioneering role in the developing the concept of gender budgeting, now drawing interest from all around the world. The South African Women's Budget Initiative (WBI), which was to some extent inspired by the Australian example, has its roots in civil society and in parliament. It began with detailed research into all sectors and government departments by a team of researchers in civil society, working closely with the parliamentary Committee on the Quality of Life and Status of Women. These findings have been published in four volumes of the "Women's Budget", and in the simplified version: "Money Matters."

The WBI found an entry point into government when South Africa became one of two Commonwealth countries participating in a pilot study on integrating gender into macroeconomic policy launched at the Fifth Meeting of Commonwealth Ministers Responsible for Women's Affairs in Trinidad and Tobago in 1995. The Central Statistical Services worked with the Ministry of Finance to incorporate gender considerations into budget reviews that raised significant analysis and questions on the gender impact of

specific expenditures. The initiative has assisted in highlighting ways in which the budget can be used more effectively to reduce gender disparities.

Challenges

Hidden discrimination

While the formal legal status of women may have improved, gender discrimination is still prevalent in South African society. Little has changed in the lives of ordinary women, many of whom are subject to customary law, tradition and other forms of patriarchal social and cultural practices. These include witch hunting, female circumcision, virginity testing and many others. While South African women have much to be proud of, many challenges remain. Women traditionally occupy an inferior status and this is reflected in all institutional spheres.

Economic status

Distribution of income in South Africa is one of the most unequal in the world. The richest 20% of households have 65% of all income, while the poorest 20% have only 3% of all income (Central Statistics, 1997:26). Women are particularly vulnerable to poverty as they are concentrated in low paid, low status jobs. In South Africa, almost a third of all households are female headed, either due to male migration or desertion. Of these:

- 49% are in the poor category
- 26% are in the ultra-poor category

By contrast:

- 31% male households are in the poor category
- 13% are in the ultra poor category.

Even though women are poorer than men, research suggests that they often spend more on food and other basic needs of the family.

The lack of access to basic services further exacerbates women's vulnerability to poverty, Women and young girls are forced to walk long distances to collect water and wood and are exposed to various diseases. Women's unpaid labour is not counted in South Africa's national accounting system. This means that they are considered economically unproductive, even though they are responsible for ensuring that the family's basic needs are taken care of.

Attitudes and stereotypes

In South Africa, men are regarded as heads of household even in their absence. Women are considered subordinate to men and this subordination is reinforced in the family, community and society. The media often plays an important role in perpetuating stereotypes by portraying women in domestic roles or as sex objects.

Violence against women

Statistically, South Africa has one of the highest rates of violence against women. Despite a sophisticated Constitution and Bill of Rights that guarantees women protection of the law, women continue to be beaten, raped, harassed, violated and brutalised. Violence against women and children remains one of the major threats to South Africa's fledgling democracy. It has the potential to role back the gains made by women thus far. Gender violence affects all women irrespective of race, class, location, religion and other constructs.

There are many forms of violence against women. These include: sexual violence (rape and indecent assault), domestic violence, femicide, violence related to custom and culture (female genital mutilation, virginity testing, seduction damages, wife inheritance, witchcraft violence), HIV/AIDS and many others.

Violence against women is an enormous burden to the state. The indirect cost of violence (in the form of law enforcement, health services, loss of production) is extremely high. It also impacts negatively on South Africa's socio-economic development. A study conducted by the Gender Advocacy Programme (GAP), an NGO in Cape Town, entitled: A Research Study into the Budget Allocations for the Implementation of the Domestic Violence Act, found that the cost of not preventing violence against women may be higher than the cost of preventing it:

Many of the costs of not [implementing] the DVA are borne by women and children who are already victims of abuse in the form of further physical, emotional and economic hardship. They are also borne by society in the form of lost work time, lower productivity, strain on health care resources and alternative childcare. The longer term impact of domestic violence on children who are victims or live in homes where it happens could even lead to further crime and strain on the justice system and other government resources as they become "youth in conflict with the law. (1999: 56)

HIV/AIDS

South Africa has one of the highest rates of HIV/AIDS infection in the world. The highest proportionate increase is amongst girls under 20 and women between 20 and 29 years (Albertyn, 2000: 2). There are a number of reasons for women's increased vulnerability to HIV/AIDS:

- Many women cannot insist that their partner uses a condom.
- Migrant partners increase the risk of transmission because they often have partners in town.
- Economic inequality: Women are generally poorer than men and do not have access to basic services (such as health care) when they become infected.
- Social and cultural practices, such as FGM and virginity testing that reinforce women's inferiority.
- Violence against women in the form of rape.
- Burden of caring for the sick usually falls on women.

WOMEN AND GENDER

Thuli Madonsela¹

Background and Social Context

South Africa has one of the most progressive policy and institutional frameworks for the advancement of women and promotion of gender equality. The Constitution of South Africa, which was ushered in by the first democratic elections about a decade ago, is one of the most progressive constitutions in the world. In addition to its broad commitment to the ending of discrimination and achievement of equality, the Constitution specifically entrenches non-sexism and non-racialism as part of the founding values of the democracy that is sought to be achieved (section 1(a)). Furthermore, the equality clause (section 9) that is entrenched in the Constitution highlights gender, sex discrimination and pregnancy discrimination amongst prohibited forms of discrimination and grounds upon which equality should be promoted.

The South African Constitution generally places the achievement of equality, with emphasis on non-racialism and non-sexism, at the centre of the new democracy. This was in recognition of the systemic and structural inequality that pervaded all aspects of South African life at the dawn of constitutional democracy.

The constitutional vision of equality is said to be a substantive notion of equality as it is concerned with impact as much as the process of treatment that a person or group may experience. The substantive understanding of equality is based on the appreciation of the fact that an act that appears neutral on the face may impact differently on differently situated persons, to the point of causing or exacerbating injustice against a person group who already suffer from accumulated disadvantage.

Having ratified CEDAW without reservations in 1995 and pledged its commitment to the Beijing Platform for Action in 1996, South Africa has in many ways sought to align its policies, institutions, systems and practices with its international obligations under these and related instruments and with its domestic Constitution.

One of the areas where South Africa has made enormous progress is with regard to elaborating a comprehensive legal and policy framework for promoting gender equality. This has involved abolishing discriminatory laws and practices while enacting new laws and introducing administrative measures to promote gender equality. Some of these are outlined very briefly in the following. South Africa has also developed and implemented an elaborate *National Gender Machinery* to support the advancement of women and achievement of gender equality. The key amongst these are the Commission for Gender Equality (CGE), an independent Constitutional Institution and the Office on the Status of Women (OSW) which is located in the Executive arm of government.

¹ Managing Director: Waweth Agency for Equality Law & Leadership Studies and Executive Chairperson: Centre for Reconciliation and Equality Studies (CRES).

With regard to practical improvement in women's lives, there has been some progress albeit, at pace that does not match advances made in the policy and institutional framework arenas. The one area that has seen unprecedented progress is the involvement of women in political decision-making.

Today South Africa boasts a Female Deputy President and has 9 women out of 27 Cabinet Ministers, 14 women Deputy Ministers, 4 women out of 9 Premiers. Women comprise more than a third of parliament and about a quarter of provincial and local government political structures. More than 12 % of Judges are women with two of them being at the Constitutional Court and three at the Supreme Court of Appeal. Women comprise more than 25% of magistrates with 5 of South Africa's 10 Regional Court Presidents being women. In the Public Service, women account for about 27% of all Senior Management Service (SMS) level positions and a number of Constitutional and Statutory Bodies, including the Independent Electoral Commission (IEC), CGE and South African Law Review Commission, are headed by women. In the State of the Nation Address of February 11, 2005, the President of South Africa announced 8 strategic goals to be the focus of government programmes in the next decade of democracy (2005-2015). Amongst this was transforming South Africa into a truly non-sexist society. The other seven goals also have enormous potential for the advancement of women in pursuit of gender equality, particularly if gender is consciously mainstreamed in their implementation. These are:

- The further entrenchment of Democracy.
- Transforming our country into a genuinely non-racial society.
- Eradicating poverty and underdevelopment, within the context of a thriving and growing first economy and the successful transformation of the second economy.
- Opening the vistas towards spiritual and material fulfilment of each and every South African.
- Safety and security for all South Africa people.
- Building a strong and democratic state that truly serves the interests of the people; and
- Contributing to the victory of the African renaissance and the achievement of the goal of a better life for all the people of South Africa and the rest of the world.

The South African political leadership, particularly at the level of the presidency, has displayed unwavering commitment to the advancement of women and the pursuit of non-sexism. This is evident in amongst others, appointment of women into political leadership positions and regular references, particularly by the President in State of the Nation Addresses and other public pronouncements, to the need for accelerating measures aimed at women empowerment and mainstreaming gender.

The following provides an overview of the South African policy and institutional framework for women empowerment and the promotion of gender equality, the impact of such policy and institutional framework on women's lives and pressing gender and women empowerment challenges that South Africa continues to face and which need to be given priority in UN and other international cooperation or assistance programmes.

Overview of Policy and Institutional Framework

A key component of the South African policy framework for women empowerment and the promotion of gender equality is the *South African National Policy Framework for Women Empowerment and Gender Equality (National Gender Policy Framework)*. The *National Gender Policy Framework* was the culmination of the National Gender Audit which was conducted towards the end of the first five years of democracy.

Using the 12 Critical Areas of Concern in the *Beijing Platform for Action*, main themes in CEDAW and the findings of the National Gender Audit, the *National Gender Policy Framework* outlines areas to be highlighted in the pursuit of women empowerment and gender equality in South Africa. The policy framework also entrenches gender mainstreaming as a national strategy of choice in the pursuit of gender equality, consolidates the country's *National Gender Machinery* and clarifies the role of each component of the machinery and the roles of the decision-makers at all levels of government in the implementation of women empowerment and gender mainstreaming.

The components of the *National Machinery* include the Minister in the Presidency, the OSW, including OSW components in the provinces and Gender Focal Points (GFPs) in Departments as the Executive component; the CGE, Parliamentary Joint Monitoring Committee (National and Provincial Level); Local Government structures, Constitutional Institutions; and Civil Society structures.

Equality laws also constitute a crucial component of the policy framework on women empowerment and gender equality. These include the *Promotion of Equality and Prevention of Unfair Discrimination Act, 2000*, the *Employment Equity Act, 1998*, *Preferential Procurement Policy Framework Act, 2000* and *Broad Based Black Economic Empowerment Act, 2003*.

According to the *South African Beijing + 10 Report*, gender equality considerations have been a driving factor in the development or review and implementation of family related laws such as the *Domestic Violence Act, Maintenance Act, Recognition of Customary Marriages Act* and Bills relating to Muslim Marriages and Customary Law of Succession. Gender considerations have also been integrated in law reform relating to access to, labour law, housing, education, health, including reproductive health and challenges relating to HIV and AIDS, mining and minerals law, land reform, immigration laws, development policy² and policies relating to transformation of the public sector³, policy on poverty alleviation and on addressing economic imbalances of the past.

² Particular reference to policies and laws relating to the development of Integrated Development Plans (IDPs).

³ This Includes *Batho Pele: White Paper on the Transformation of Public Service Delivery* and the White Paper on transforming the Public Service.

Pressing Gender and Women Empowerment Challenges

As indicated earlier many of the policy interventions have not been accompanied by matching results at the level of lived out lives of women particularly women whose disadvantage is compounded factors such as race, class, age and the urban-rural divide.

This is despite government declaration in reports such as the *Ten Year Review* that more focussed attention has been given to areas where most systemic disadvantage existed at the onset of democracy while some attention has also been paid to other critical areas of difference and disadvantage such as HIV and AIDS, which have emerged as comparably critical over the years. According to government pronouncements, special attention has been paid to the diversity of women and related needs with groups such as the Girl Child, elderly women, working women, rural women, small business women, poor, particularly unemployed women and women affected by HIV and AIDS being given priority. To some extent, attention has also been paid young women, women with disabilities and refugee women.⁴

The following outlines some of the critical areas where gender and women empowerment challenges persist and where measures need to be strengthened to accelerate the pace of progress towards achievement of gender equality in the next decade or so.

Health, including HIV and AIDS

While South Africa has seen an unprecedented overhaul of the health system with changes including free health care for pregnant women and small children, primary health care and a comprehensive response to HIV and AIDS which includes treatment, nutrition and care, health challenges such as teenage pregnancy, maternal and infant mortality, persist. South African women also continue to experience high risk levels in respect of diseases such as hypertension, cervical cancer and diabetes. The scourge of HIV and AIDS also continues to impact women, particularly black women, disproportionately. In addition to being personally affected, women especially girls and elderly women, are shouldering the burden of care, a matter that is having a serious negative impact on the education of the girl child and elderly care.

Violence Against Women

Despite law and administrative reform in areas such as domestic violence and sexual offences, the reporting of violence against women, particularly intimate femicide, rape and child abuse, continues to increase apparently unabated. (Stats to be confirmed with justice partners). Law reform in the area of trafficking in women and children has been rather slow despite undertakings as early as 1996.⁵ Assistance is clearly needed with regard to establishing the causes and influencing factors in respect of domestic violence, particularly intimate femicide and rape, especially the growing phenomenon of the rape of infants.

Poverty Eradication and Economic Empowerment

⁴ Beijing + 10 Report

⁵ National Conference of Commitments on the Implementation of the Beijing Platform for Action (Kempton Park 1996 and SA Country Report on CEDAW , 1998)

Poverty eradication and addressing inherited systemic racial and gender imbalances in economic participation and enjoyment of economic opportunities, have been a priority since the onset of democracy. However, women, particularly black women and rural women, continue to experience the brunt of poverty. This includes homelessness, landlessness, unemployment and involvement in poorly paying jobs and survivalist business. (Stats to be confirmed with Stats SA before inclusion) Access to finance remains a problem for women, including professional women and women trying to function in the mainstream economy. One of the needs that emerged in the preparation of *South Africa's Beijing +10 Report* was the need for a holistic gender responsive national poverty alleviation strategy and economic empowerment framework.

Education of the Girl Child

The Girl Child was included amongst South Africa's priorities with regard to the implementation of the *Beijing Platform for Action*. The National Programme of Action (NPA) for the implementation of the Convention on the Rights of the Child (CRC) also highlights responses to specific needs of the Girl Child. Programmes have also been initiated with a view to accelerated girl education in areas such as science, maths and technology. However, there is no integrated policy framework to help the country to respond to Girl Child challenges presented by HIV and AIDS. Education relating to the prevention of teenage pregnancy also appears to be ineffective.

Law Reform, Human Rights and Law Enforcement

While gender related law reform in general has been an area of success for South Africa there remains a number of critical gaps which need to be addressed urgently for South Africa to comply with its CEDAW obligations and to strengthen the emancipation of women in this country. Key amongst these is the need to finalise legislation relating to Customary Law of Succession⁶ and recognition of Muslim Marriages. There is also a chronic need for legal literacy on these laws and on the *Recognition of Customary Marriages Act*.

With regard to law enforcement, South Africa needs strengthened service provider training, particularly on gender mainstreaming, human rights and victim empowerment. The country also needs impact assessment know how and methods of keeping data that facilitates assessment of progress on the implementation of laws with critical gender dimensions such as maintenance laws, domestic violence laws and sexual offences laws.

Governance and Development Management

Political decision making is clearly an area of unparalleled success for South Africa but there is still room for improvement. Capacity building focussing on leadership development for women is particularly important for enhancing their participation at all levels of governance and in development management. This is also ideal as a programme to support the 50-50 gender composition quest in respect of all decision-making structures in response to the Solemn

⁶ The current situation entails a gap between statutory law and constitutional jurisprudence

Declaration by African Heads of States which commits African governments to the achievement of complete gender parity in governance structures.

Measures aimed at enhancing women's effective participation in Local Government, the Judiciary and Traditional Leadership institutions also need further research and possible international cooperation.

Capacity is also required with regard to mainstreaming gender in the implementation of all of the millennium development goals. Capacity is also required with regard to the institutionalisation of human rights, especially as captured in international human rights instruments, within society, including the courts. The issue of constitutional development, possibly to consolidate most of the leadership gains that women currently enjoy, is also an area where South Africa may need support.

Participation in peace-keeping

South African women have been participating in global peace-keeping and post war reconstruction efforts particularly in the African continent. The government has where possible, stepped in to assist. The involvement of South African women in peace-keeping has mostly focussed on empowering women in post conflict situations to play a meaningful role in settlement negotiations and governance.

In line with the declaration by African Heads of states, more involvement in peace efforts and reconstruction is expected of women. The African union has also committed itself to more involvement of women in NEPAD and other processes that seek to facilitate the rebirth of the African continent. This requires some facilitation and UN and other international cooperation would add value in this area.

Concluding remarks

To consolidate gender transformation in South Africa, there is a need to mainstream gender in the 7 goals of the next decade while dedicating resources to a women empowerment programme that is tailored along the very same goals while being informed by the Beijing Platform for Action, CEDAW, the SADC Declaration on Gender and Development and Addendum on Violence against women and children, National Policies and research on practical experiences of diverse South African women. Current efforts to emerge with a National Women Empowerment and Gender Action Plan need to be supported as they will go a long way in advancing the ideals expressed above.

References

Constitution of the Republic of South Africa, 1996

South African Beijing + 10 Report, 2005

South African National Policy on Women Empowerment and Gender Equality

South African Ten Years of Freedom-Review, 2005

Putting Women's Empowerment @ the Heart of Africa's Reconstruction-
<http://www.gpg.gov.za/publications/w-empowerment.html>

The Commonwealth Plan of Action for Gender Equality 2005-2015⁷

SEXUAL AND REPRODUCTIVE RIGHTS AND HIV/AIDS

Liesl Gertholtz

Head: HIV Law and Policy Unit

AIDS Law Project

Centre for applied legal studies

Gender equality in SA

- Gender equality is both a founding value and a substantive right in the Constitution;
- Women may not be discriminated on the grounds of sex, gender, pregnancy, age, ethnicity;
- A range of legislation enacted during the decade of democracy that protects the rights of women:
 - Domestic Violence Act;
 - The Recognition of Customary Marriages Act;
 - The Choice on Termination of Pregnancy.

Reproductive rights in SA

Constitution provides the legal framework:

- Section 12 of the Constitution guarantees women the right to physical integrity, including reproductive autonomy – often used as a basis for the right to terminate pregnancy;
- Section 27 of the Constitution – gives women the right to access health care, including reproductive health care
- Other related rights that support these rights – the rights to equality, to access information.

Choice on the Termination of Pregnancy Act, 1993

- Key piece of national legislation;
- Guarantees to all women, regardless of age, the right to safe TOPs;
- Young women are entitled to access TOPs without the consent of their parents, if they are mature enough to give their informed consent to the procedure;
- The act has survived two constitutional challenges and has remained intact;
- Challenges with implementation?

Rights of the girl child and young women

- TOP Act – gives the right to all women regardless of age;
- Children's Act – recently enacted and not yet in force:
- Gives children above the age of 12 years the right to access contraceptives and information about contraception;
- Gives children above the age of 12 years the right to privacy about their medical information;
- Gives children above the age of 12 years the right to consent to HIV testing if they are mature enough to understand the risks and benefits of the test;
- Prohibits virginity testing.

HIV/AIDS

- Strong legal and policy framework to protect the rights, including the reproductive rights, of women and girl children;

- Clear however that gender and sexuality play key roles in determining vulnerability to HIV infection, with women at higher risk of infection – the law is not an effective tool in this struggle;
- Need to integrate gender into all HIV-related programmes.

Some key issues to consider

- The links between VAW and HIV –
- How women in violent relationships can be empowered to discuss and negotiate condom use and other preventive behaviour;
- How women in violent relationships can be supported to disclose their HIV status to their partners

GENDER VIOLENCE: LEGISLATION, PRACTICE, CHANGING MINDSETS, CHALLENGES

Mmashilo Motsei

In her presentation on gender violence, Mmatshilo Motsei started on the note made by Madonsela that although the South African constitution and policy framework presented great opportunities for the advancement of gender equality, a lot needed to be done. She quoted two Sotho proverbs: the one who eats last can become king; the first can become last to state the point that although there are progressive laws in place, these are not being implemented effectively. She talked about the challenge of education and culture with regard to gender violence. She paused the question, “how do you legislate and punish people for being inhuman when an environment is not created for people to be taught to be human?” she noted that violence against women does not occur in isolation, and it is a symptom of losing the plot on the value of being.

The main challenge in stopping violence against women is the changing of mindsets. She said that the family, the media and government departments are agents of socialization and therefore help to transform our society. She noted strongly that the media can play a critical role in advancing the status of women. The media has a responsibility to support transformation. However, she was of the view that the media has lately turned into big business, which is concerned with bottom line profits, numbers and circulation. Newspapers are becoming trashy and have not been practicing constructive journalism, the kind of journalism which should form the foundation of support towards transforming the South African society and thereby create a truly liberated society not only politically and economically, but also morally and spiritually.

The way forward on combating gender violence in South Africa also requires that we build on the positive aspects of culture to build a humanistic value. This can be achieved by having programmes that break barriers and show human values through joint and parallel approaches. She gave an example of the grandmothers and granddaughter programme and Men as Partner.

She noted that the government will only successfully deal with the increasing levels of gender violence if government departments are linked and if they work hand-in-hand with each

other. She said that the police, the health department and the justice system should cooperate to end gender violence.

GENDER & SUSTAINABLE DEVELOPMENT KEY ISSUES FOR GENDER AND SUSTAINABLE DEVELOPMENT IN SA

Bright Kamoto

Group for Environmental Monitoring (GEM)

Contents

- Gender & Sustainable Development
- Creating a balance
- Key issues
- Gender in policy development
- Gender and Trade
- Gender and Education/training & skills development
- Gender and Environmental development
- Gender and HIV Aids
- Mainstreaming Gender in water management
- Challenges to Gender & Sustainable development
- Success stories

Gender Mainstreaming is a globally accepted strategy for promoting gender equality.

Mainstreaming is not an end in itself but a strategy, an approach, a means to achieve the goal of gender equality.

Mainstreaming involves ensuring that gender perspectives and attention to the goal of gender equality are central to all activities - policy development, research, advocacy/dialogue, legislation, resource allocation, and planning, implementation and monitoring of programmes and projects.

Gender & sustainable development: Measures to review policies & establish plans to increase the proportion of women involved as decision makers, planners, managers, scientists and technical advisers in the design, development & implementation of policies and programs for sustainable development.

Measures to eliminate illiteracy among females and to expand the enrolment of women and girls in educational institutions and to increase educational and training for women and girls in sciences and technology. Programs to support & strengthen equal employment opportunities and equitable remuneration for women in the formal and informal sectors with adequate economic, political and social support systems and services including

- Child care
- Equal access to credit, land and other natural resources
- Programs to eliminate persistent negative images, stereotypes, attitudes and prejudices against women through
- Changes in socialization patterns,
- The media advertising
- Formal and non-formal education
- Involving more men in promoting gender equality through gender mainstreaming.

Creating a balance

Poverty Alleviation

- Targeting poor households headed by both men and women
- Promoting income-producing opportunities associated with equipment used by both men and women
- Financing opportunities to equipment used by both women and men

Gender equality & empowerment of women

- Promoting agricultural employment for women
- Increasing ownership of productive equipment by women
- Increases in decision-making power of women in household, community and government
- Literacy and skills training for women and men
- Reducing time & labor required for household chores

Key issues

Gender in Policy Development

Considers the development and issuing a strategy of changes necessary to eliminate Constitutional, Legal, Administrative, Cultural & behavioral, Social and economic obstacle to women's full participation in sustainable development and in public life.

Gender and Trade

- Gender-based inequalities in control over resources such as land, credit and skills hinder women's ability to take advantages of new opportunities created by trade liberalization and constrain the output side and export capacity of the whole economy.
- Trade agreements are largely gender insensitive and utterances in relation to gender are merely rhetoric.
- Women and women's voices are largely absent in trade policy-making institutions despite the numerous United Nations resolutions and agreements requiring gender mainstreaming in policies, programs and institutions.
- Most women are not aware of trade policies and agreements and of how they can exploit them to maximum benefit.

Gender and Education/training & skills development

- Promotion of equal access to education and, formal and informal training for men and women
- Promotion of equal access to education and training and of efforts to encourage more girls to study in areas generally selected by boys
- Education of women is considered the very foundation of their participation in the life of their community

Approach

- Bring out the major issues which act as obstacles to reducing disparities between girls and boys in the field of education.
- Introducing structures and programs that strengthens girls/ women attainment for basic literacy training.
- Political support on institutions that promotes gender issues in all fields of development.

Gender & Environmental Development

- Participation of women in environmental issues for sustainable development
- Strengthen international networking between women's and environmental groups
- Strengthen and empower women's non-governmental organizations and women's groups in enhancing capacity-building for sustainable environmental development

Gender and HIV/ AIDS

HIV/AIDS has decimated many families in the world

- This has affected the growth of many development programs
- Most HIV/AIDS victims are being discriminated from various social and economic activities (mostly women)
- Besides, female family members are burdened with nursing those who need care.
- Aside from being tasked with navigating sexual autonomy in a gender unequal world, women also have less access to information, literacy and consequently less access to affordable treatment.
- Even women who are financially independent often have very little room to negotiate safe sex.
- Women need to be freed from sexual and physical violence
- There is need to develop and address how new feminism in the South can assist poor and vulnerable women who are disproportionately affected by HIV/AIDS.

Mainstreaming Gender in water management

- The key features of the 2002 Draft White Paper on Water Services are.
- Everyone is entitled to a basic supply of 25 litres of clean water per day, or 6 000 litres per household per month.
- No one should be without a water supply for more than seven days per year if a public supply is interrupted for more than 24 hours, the municipality should liaise with residents and arrange for emergency supplies.
- Women suffer the burden of collecting water resources for domestic use during water crises (particularly in the rural areas).
- Their involvement in water resource management plans at a local and international level would strengthen issues of water and sanitation for sustainable human livelihoods.
- At the policy level, they should be empowered to play a major role in the policy development and decision making on case studies.

Challenges to Gender & Sustainable development

- To accelerate the integration of women and gender perspectives into all trade processes and activities
- To ensure full participation of women , at all levels, including policy and decision making in all development sector
- To ensure that women are fully protected from domestic violence, crime and environmental abuse.
- To ensure that men understand and accept the importance of gender mainstreaming in all development
- To ensure that girl children are safeguarded from cases of rape and child abuse in all communities
- To ensure that rural men and women are informed fully about gender issues using methods they can easily adopt.
- To ensure that women are given more opportunities to participate in social and economic development activities without being intimidated or inferiority complex.

Success stories

- Women have discovered ways and means of creating the voice to make world communities understand their needs.
- Country policies have began to change and promote gender issues with the support from world bodies (UN, EU, UNDP etc)
- Women are participating in decision making at the policy development level
- Women are given equal opportunities to higher education and participate fully in social political development.

GEM PROJECT

School Project for Renewable Energy

Objective

- Motivating and Promoting girl students into science and technology subject
- Promote Gender mainstreaming in Sustainable energy development.

Activities

- Feasibility study (Identifying potential energy resources for the project)
- Planning/designing and building renewable energy technology options
- Using the internet for sharing information with other institutions.
- Showcasing their product

Target groups

- School going individuals
- Science teachers
- Officials from the Local municipality (Mogale city)
- The surrounding communities

Impact area

Mogale local Municipality

Expected Output

- Learner's ability to understand climate change issues
- Learner's ability to like science and technology subjects
- Increased awareness on the effectiveness of renewable energy technology options.
- Increased level of gender mainstreaming in energy technologies

Available resources

- Information for capacity building
- Technical expertise
- Potential sources of RETs (the Sun, landfills, wind)

Challenges

- Lack of funding support

NATIONAL MACHINERY AND THE WOMEN'S MOVEMENT

Background and history of SWAID; can SAWID help to resuscitate the women's movement?

Thoko Mpumlwana

SAWID

Mpumlwana started her presentation by giving the background to SAWID, its vision and mission. Through dialogue, SAWID seeks to establish a common agenda for the development of women and to ensure that women's views are considered whenever decisions are taken on all issues that impact their lives. It is committed to work together to ensure that fundamental rights gained through our liberation are entrenched and protected, and that emergent challenges are addressed. She also talked about the objectives of the organization and its sub-programmes such as the SAWID National Intergenerational Forums; Pan African and Domestic Peace and Reconciliation Dialogues; SAWID Young Women in the 21st Century; Local Development Promotion and Support Programme and The Older Persons Support Programme. She noted that although SAWID has had a number of achievements, they face a number of challenges:

- Lack of permanent coordinating structures
- Information access and sharing: the need to develop systems and capacity to ensure Internet-based information sharing and access
- Lack of sustainable funding base in order to respond to ongoing interventions
- Further development and spread of current programmes and training
- Initiating innovative development projects (e.g. targeted Poverty Caravans for the poorest)

In conclusion, she responded to the important question of whether SAWID can help to resuscitate the women's movement, she said, "SAWID is a forum and not a formal organisation. SAWID simply offers platform or "safe" space for women to dialogue in their

diversity. SAWID is appropriated by women wherever they are provided they keep to the guidelines agreed upon. SAWID fully supports the idea of resuscitating the women's movement".

Commission on Gender Equality: Uniqueness of the CGE as a structure; successes and challenges

Chana Majake
CEO

Majake gave the background to CGE noting that the CGE was established through the provision in Section 9 of the constitution of South Africa. The CGE is part of the national gender machinery which includes:

- The office on the Status of Women.
- The Parliamentary Committee on the Improvement of quality of life and the Status of Women.

She went on to state the commission's mandate which is "to promote, protect and monitors gender equality" by promoting a society free from gender discrimination and all forms of oppression. She noted that CGE work is based on number of objectives. These include monitoring the policies and practices of public and private institutions to ensure gender equality. At local government level the CGE is primarily concerned with ensuring the equal representation of men and women, as well as their rights to participation in all areas of political life and decision-making. Obstacles that women have to overcome as political decision-makers are rooted in tradition, the gender-based division of labor, and access to and control of resources. She argued that despite the progress that has been made in terms of women's participation in decision-making processes, the political arena is still male dominated.

CGE works through a number of divisions: the Department of Public Education and Information; the Department of Policy and Research; the Department of Legal Services and the Joint monitoring Committee on the Improvement of the Quality of Life and Status of Women (JMC).

Assessment of gender mainstreaming efforts in government; structures and systems established

Susan Nkomo
Office on the Status of Women (OSW)

Nkomo shared her experiences of gender mainstreaming efforts in government, the structures and systems established and the challenges. The main challenge of the office was to ensure that gender is mainstreamed into all government ministries. However, very few ministries, about 9%, have appointed gender focal persons. She noted that in cases where GFPs have been appointed, they are at junior positions with many of them holding other major responsibilities in areas such as HIV/AIDS and human rights. Their performance agreements have nothing to do with performance on gender and since they are at junior levels, they do not carry sufficient authority to influence any decisions on gender mainstreaming in the organization. In addition, gender focal points lack the time, budgets and managerial skills to

comply with their tasks. This and the lack of professional career benefits make the position undesirable and pushed onto junior staff.

She noted that another challenge for gender focal persons is that they are expected to report to managers who often times do not understand what gender mainstreaming is. She strongly felt that if any achievements are to be made, the responsibility for gender mainstreaming has to be the responsibility of the accounting manager of the organization. To measure effective gender mainstreaming within departments, the focus has to shift from the GFPs to the managers within departments. She talked of the necessity to get buy-in from senior management in order for gender mainstreaming to be effective. To this extent, she urged that gender mainstreaming at the UNDP needed to be supported from the top.

Independent perspective: overall assessment of the South Africa National Women's Movement (NWM)

Prof. Sheila Meintjes
Wits University

Prof. Meintjes started by making the note that women in South Africa belong to various organizations and that over 70% of all women belong to a religious, cultural or other form of organisation. Further saying that women's movements rise up out of certain circumstances, Professor Meintjes noted that the problem with the Women's movement in South Africa is not lies with lack of an overarching women's organisation.

She was of the opinion that the main weakness with the NWM is lack of structures, mainly those dealing with communication and coordination. Warning that democracy will fail if women do not make sure that the issues that they struggled for during the apartheid era are still fought for, Meintjes recommended that a meeting of key stakeholders was needed in order to strategise. She talked about "time poverty" in the sense that many organizations do not spare time to attend the AGM, but noted that the important thing is to develop institutional mechanisms that are targeted at responsiveness, accountability and monitoring.

REGIONAL CONTEXT

SADC and gender campaign: how can South Africa help to drive the agenda?

Colleen Lowe Morna
Executive Director
Gender Links

The story goes that when President Thabo Mbeki meets his counterparts from the region, they grumble that he is putting pressure on them. With 42 % women in the South African cabinet (second only in the world to Sweden) the leaders of the Southern African Development Community (SADC) are finding it hard to justify why they still lag so far behind.

Their performance will come under scrutiny at the SADC Heads of State summit in Gaborone from 17-18 August where activists are mounting a campaign to get them to adopt a Protocol on Accelerating Gender Equality in SADC.

The proposal follows an audit of the 1997 SADC Declaration on Gender and Development conducted by a consortium of NGOs ahead of the summit. They argue that moral suasion has not worked. Legally binding measures are now being sought to move SADC from a “region of commitments to one of implementation.”

Mbeki, who has made gender equality a cornerstone of his legacy, will be looked to give strong backing to the idea of a regional instrument that incorporates all the existing global commitments into one comprehensive set of targets and indicators for achieving gender equality; and setting new targets where these do not exist.

An example of this is in the area of decision-making, where the African Union (AU) has come out in favour of gender parity, but has not set targets. Among the proposed measures is that the current SADC target of thirty percent women in decision-making by 2005 be raised to 50 percent by 2020 with different bench marks for each country, depending on their starting point.

Some argue that it's not useful to up the ante when the current target has not been achieved. The counter argument is that countries like South Africa, Mozambique and Tanzania that have achieved the thirty percent for women in parliament and Namibia with 42 percent women in local government should not be held back.

Experience has shown that even when they are not legally binding, targets of any kind have a dramatic mobilising effect. None of the club of 13 SADC countries wants to be shown up as the worst performer. For example Mauritius, which sat at the bottom of the list with 5.6 percent women in parliament, made a marked turnaround in the July elections when this proportion increased to 17 percent, with a remarkable three-quarters of the women who contested seats in the socially conservative island winning them.

In other recent elections, all SADC countries except Botswana (where the drop sparked a massive outcry) have increased the proportion of women in parliament. The increases have been especially marked in the most conservative countries such as Swaziland, Malawi and Mauritius.

Although only three countries have achieved the existing SADC target of thirty women in parliament, on average women comprise twenty percent of the region's legislators: second only to the Scandinavian countries where the average is 38%. And where it took the Scandinavians sixty years to achieve this, SADC has shown that rapid change is possible.

Nowhere is this more visible than in the cabinets of the region, where leaders have the most scope to bring about quick changes. Between 1997 and 2005, the proportion of women ministers has increased from 12 to 19 percent. The region now has a woman prime minister in Mozambique, and two women deputy presidents in Zimbabwe and South Africa. At both his recent cabinet reshuffles President Mbeki has made it a point to site these as opportunities for bridging the gender gap.

Although one of the most visible and easy to quantify areas of change, women in decision-making is but one of the gender gaps that needs bridging. The proposed Protocol seeks to

use the positive experience of having a target in this area to set several more strategic benchmarks.

These include requiring that all SADC countries amend their constitutions to include guarantees of gender equality (in line with the more recent constitutions in the region such as those in South Africa, Mozambique and Namibia) by 2010.

In doing so, countries would also be required to specify, as the South African constitution does, that should there be a conflict between customary and state law, the Constitution will take precedence.

In a region where customary law governs the daily lives of the majority of women, rendering them minors for all of their lives, this is possibly the most significant of all the proposed changes. Recent test cases pitting customary law against the Bill of Rights in South Africa have shown that while this area of change is painfully slow, Constitutional provisions for gender equality are vital if root causes are ever to be tackled.

The new measures would also include a target of 2010 for all countries in the region to adopt comprehensive legislation and to make budgetary allocations for ending gender violence: one of the most glaring reflections of the gap that exists between gender equality on paper and in reality. South Africa has yet to enact a Sexual Offences Bill, on the cards since 1996, despite having one of the highest levels of gender violence in the world.

The proposed Protocol comes with an annual reporting framework and an independent SADC Commission on the Status of Women that would monitor performance. As South Africa celebrates women's day on Tuesday, the country is well poised both to accelerate the pace of change in the region, as well as turn the spotlight on the gaps that still exist between policy and practice in this country.

SECTION THREE

GENDER PLANNING

GUIDING PRINCIPLES

There are a number of international, regional and national commitments to gender equality. These include the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW); the Beijing Platform for Action; the African Charter on Women's Rights; the SADC Declaration on Gender and Development; the Constitution of the Republic of South Africa and the National Policy Framework for Women's Empowerment and Gender Equality. The following key principles emerge from these instruments:

- ***Equality between women and men:*** This 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 the national, political, economic and cultural development and to benefit from the results.
- ***Recognition of differences and inequalities among women:*** Women differ according to such factors as race, disability, class, culture, religion, sexual orientation and geographic location.
- ***Women's rights are human rights:*** 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.
- ***Customary, cultural and religious practices are subject to the right to equality:*** This principle recognises the right of all persons to enjoy and practise their religious and cultural beliefs. However, these practices should not discriminate on the basis of gender.
- ***Affirmative action:*** This refers to corrective measures through programmes targeting women to redress the legacies of discrimination and subordination.
- ***Economic empowerment of women:*** The principle refers to the capacity of women to access and control economic resources and make decisions for improving their quality of life.
- ***Entitlement to the right of integrity and security of person:*** 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.
- ***Mainstreaming gender equality:*** This principle encourages municipalities to adopt a gender perspective in transforming themselves.

GENDER MAINSTREAMING

Read the following case study and answer the questions that follow:

Thoko is a twenty old who fell pregnant and contracted HIV after she was raped by a man she knew and forced to leave secondary school. She lives with her mother, a single parent, in a shack on the outskirts of Durban. Unable to get any other form of employment, Thoko turned to sex work. She is frequently beaten and harassed by her clients. Although she has

not yet developed full blown AIDS, her living circumstances are such that she has very few years left to live. She would like to start a small business to save money for her child, but has not been able to access finance. Her child does not attend nursery school and this makes it difficult for her to go out and look for work. The family mostly survives on Thoko's mother's old age grant. Recently their circumstances became even worse when the shack that they live in, where they had no electricity and relied on a paraffin stove, caught fire. The family could not put the fire out because they are not near running water. Thoko's child is ill and appears to be suffering from malnutrition. She has no contact with the father, against whom she never pressed charges, as she was afraid to do so.

Task

Devise a set of policies that would make a practical and strategic difference to the life of Thoko, noting which unit or any other government body you would involve.
 From this exercise, what do you understand by gender mainstreaming?

POLICIES/ ACTIONS	WHO RESPONSIBLE

Definition

Gender mainstreaming: "Taking account of gender equity concerns in all policy, programme, administrative and financial activities, and in organizational procedures, thereby contributing to a profound organizational transformation." (UNDP)

PRACTICAL AND STRATEGIC GENDER NEEDS

A grant has been allocated for a project to uplift women in rural area. As the responsible programme officer you call a meeting of the women in the village to consult on how best this money should be spent. Some women feel that the money should be spent in helping them acquire title to land and gaining access to credit for agricultural inputs. Others feel that the money should be used to start sewing and knitting clubs in order to generate immediate income to pay school fees for the children. School fees have just recently been increased. The community is desperately poor and many children, especially girls, have been dropping out of school. You know that there would be resistance by men to women gaining title to land and credit for agricultural inputs, even though the Constitution makes provision for this. If the grant is not spent this year, it will be forfeited.

1. Which of the options above meets the practical needs of the women in your constituency, and which meets their strategic needs? Why?
2. How would you opt to spend the money, and why?
3. What dilemmas would you face in each case, and how would you overcome these?

Notes: On the face of it, this is an every day dilemma of the short term versus long- term benefits of policy choices. Yet the case is more complex. Children, and especially girls, are dropping out of school because their parents do not have money to pay school fees. A project with quick cash returns could serve the strategic purpose of putting girl children back in school. This illustrates that choices between strategic and practical needs are not necessarily that simple, obvious or clear cut. A combination of strategies may be required. One of the risks with going for the land reform option is the resistance that will likely be faced from men. This is the essence of achieving gender equality as opposed to simply achieving women's empowerment. Unless the thinking of men is also transformed in the process, the empowerment of women may be a hollow victory. Transforming power relations between men and women must be the ultimate objective. But the process must be managed in a way that it does not simply backfire.

Definitions:

Practical gender needs are the needs that women identify in their socially accepted roles in society. Practical needs do not challenge the gender division of labour or women's subordinate position in society, although arising out of them. Practical gender needs are a response to immediate perceived necessity, identified within a specific context. They are practical in nature and are often concerned with inadequacies in living conditions such as water provision, health care and employment.

Strategic gender needs are the needs women identify because of their subordinate position to men in their society. Strategic gender needs vary according to specific contexts. They relate to gender division of labour, power and control and may include such issues as legal rights, domestic violence, equal wages and women's control over their bodies. Meeting strategic gender needs helps women to achieve greater equality. It also changes existing roles and therefore challenges women's subordinate position.

Source: Gender Planning and Development, Theory, Practice and Training, Caroline O.N. Moser

Women in Development (WID) vs. Gender and Development (GAD): In its reference manual on "Gender Mainstreaming in Development Planning", the Commonwealth Secretariat describes the shift as follows:

"In efforts to respond to the needs of women, the Women in Development (WID) policy framework emerged in the mid 1970's. This sought to add on women specific projects to existing activities. Failing to address the systemic causes of gender inequalities, this approach tended to view women as passive agents of development assistance, rather than as active agents of transforming their own economic, social, political and cultural realities... The Gender and Development Framework emerged in response to these flaws. It recognizes that improving the status of women is not a separate, isolated issue but needs to be addressed by taking into account the status of both men and women, their different life courses and the fact that equal treatment will not necessarily produce equal outcomes."

GENDER BLIND VERSUS GENDER AWARE POLICIES

The group will be provided with copies of the Country Co-operation Framework for South Africa 2002-2004 and asked

- 1) Is gender mentioned in this document? Where and in what context?

- 2) Is gender mentioned anywhere else in the Country Co-operation Framework document?

- 3) Would you regard gender as being sufficiently mainstreamed in this document?

4) How could this be achieved?

5) What is the difference between a gender blind and a gender aware policy document?

Gender-blind policies recognise no differences between the sexes. They mistakenly assume that men and male norms represent the norm for all human beings. As a result, they incorporate biases in favour of existing gender relations and therefore exclude women.

Gender aware policies recognise that women, as well as men, have an important role to play in society; that the nature of women's involvement is determined by gender relations, which make their involvement different and often unequal; and that consequently women have different needs, interests and priorities, which may sometimes conflict with those of men.

GENDER DISAGGREGATED DATA

As part of its effort to develop a gender policy, eThekweni municipality went back to its Consumer Satisfaction survey and disaggregated the data according to gender. These were some of the findings:

- **Household services**

Approximately 75% of the population is satisfied with their water supply system. A higher proportion of men (79%) are more satisfied than women (73%). Over 60% of the population is satisfied with their sanitation systems. However, a greater proportion of women (59%) were not as satisfied as men (65%), and conversely were more dissatisfied with men.

Over 70% of the population is satisfied with their electricity supply. A greater proportion of men (75%) are more satisfied than women (68%), and thus a greater proportion of women are not happy with it. Over 65% of the population is satisfied with their refuse removal systems. However, almost 10% more men than women are satisfied with this system, and conversely a larger proportion of women were unhappy.

- **Housing**

Although similar perceptions are apparent, a larger proportion of men (52%) than women (44%) were satisfied with their dwellings. Women and men gave similar reasons for their dissatisfaction with their housing. However, differences were expressed in the emphasis that men gave to access to dwelling and the absence of a garage (vehicle), and the priority women accorded to the poor quality of the structure and its need for renovation (physical structure).

- **Safety and security**

Safety is clearly an issue that concerns both men and women, but women feel strongly about the lack of safety in their area.

Significantly, 33% of women feel unsafe in their area during the day, and of this proportion, 13% feel very unsafe. 26% of men feel slightly or very unsafe in their areas. Perceptions about local safety decline dramatically during the evening. Just over 30% of the population feel safe walking in their area after dark. 68% of women feel a bit or very unsafe, and of this proportion 40% feel very unsafe. 63% of men feel unsafe walking at night in their areas, with over a third feeling very unsafe.

- Approximately two thirds of the population feel safe in their homes, with men (71%) feeling safer than women (64%). Almost a third of the population feel unsafe in their homes, with women feeling less safe in their homes (36%) than men, with 15% feeling very unsafe.
- **Family life**
A significant proportion of men are more satisfied with their marriage or intimate relationships (58%) than women (40%). Women are also not as happy as men with the time that they spend with their families. 72% of men are satisfied, compared with 62% of women.

Almost 60% of men are happy with the amount of time they have at their disposal and how they spend their leisure time. However, this is the situation for below 50% of women. Conversely, women are more dissatisfied than men with the amount of time at their disposal (41%) and the way in which they spend their leisure time (40%).

- **Social relations**
Gender-based patterns emerge in the membership of organisations. Women are more involved than men in burial societies, savings clubs, faith-based groups, civic associations, community service organisations, women's clubs and youth organisations. Men are more involved than women in neighbourhood watch activities, political parties, social/recreational clubs, and sports clubs.

Questions

- 1) Based on the above case study, what is meant by gender disaggregated data?
- 2) Why is it important?
- 3) What policy interventions could flow from the above gender analysis of the Customer Satisfaction Survey of the eThekweni municipality?

GENDER BUDGETING

Read the case study below and answer the questions that follow:

The following are some highlights of the budget of Country Y:

- ⇒ Spending on the gender ministry has been increasing by 200 percent to \$25 million. The country's overall budget is \$ 1 billion.
- ⇒ Defense spending stands at \$ 250 million.
- ⇒ Spending on health and education has been cut by 20 percent to \$100 million.
- ⇒ The two items in the education budget that received the largest cuts were nursery school and adult basic education.

- ⇒ The item that received the largest cut in health budget was hospital care. It is now expected that sick people will be cared for from home.
- ⇒ In line with the SADC Declaration on Gender and Development, the Minister of Finance announces that Country Y plans to achieve a 30 percent target of women in decision – making positions in the public service by 2005. However he also announces that due to budgetary constraints, the public service is to be cut by 20 percent; and that the staff development programme of the public service will be suspended.
- ⇒ Land reform is to be curtailed indefinitely due to budgetary constraints.

Questions:

1. Is the above budget a gender friendly budget? Why or why not?
2. What do you understand by gender specific budget lines versus mainstreaming gender considerations in the whole budget?
3. Using the budget lines above, re allocate the existing resources in a way that you feel would be more beneficial to advancing gender equality.
4. What do you understand by gender budgeting?

Notes: *The central plank of gender budgeting is that because of the different locations of men and women in society and in the economy, no budget line is neutral. To take the latter example, by obtaining gender disaggregated data on such issues as land tenure, credit, and agricultural extension, a picture emerges as to whether or not a budget line item on agriculture is actually addressing gender disparities in this sector; and by so doing contributing to the empowerment of women.*

Gender budgeting involves both an analysis of allocations between sectors (such as defense versus social allocations) and within sectors to determine their impact. A commonly used model for distinguishing between types of gender expenditure is that developed by the Australian economist Rhonda Sharp, who has played a leading role in gender budget initiatives in Australia, where the concept originated. Sharp distinguishes between:

Specifically identified gender-based expenditures, for example, women's health projects; typically less than one percent of the budget.

Equal employment opportunity expenditure (for example, re writing job descriptions to reflect equal employment opportunity principles). Typically less than 5 percent of the budget.

General or mainstream budget expenditure by government department and authority assessed for gender impact. For example does the education budget, less the above two considerations, reflect gender equity objectives? Are boys and girls equally represented in all categories of education? What proportion of the education budget goes towards educare and adult literacy? This category of questions is most critical for policy reform because the "mainstream" budget in Australia, as elsewhere, constitutes some 98 percent of government expenditure.

GENDER MANAGEMENT SYSTEMS

Study the framework below and answer the questions that follow.

ENABLING ENVIRONMENT

- Political will.
- Legislative and administrative framework.
- Executive management support and commitment.
- Active involvement of civil society.
- Adequate human and financial resources.
- Women in decision-making at all levels.

GMS PROCESS

- Setting up GMS structure and mechanisms.
- Mainstreaming gender in all key policies.
- Devising a gender mainstreaming action plan.
- Identifying gender indicators and mainstreaming these into the score card.
- Monitoring and evaluating progress.

GMS STRUCTURES

- Gender Coordinator in an office that has a cross cutting mandate.
- GFP in all units.

GMS Mechanisms

- Gender analysis.
- Gender training and education.
- Management Information Systems; indicators
- Performance Appraisal systems.

(Adapted from the Commonwealth GMS manual)

Questions

- 1) Based on the above framework, what are the core components of a Gender Management System (GMS)?
- 2) Which of these are present at the moment in the UNDP SA and which still need to be developed?
- 3) How would you define a GMS?

Definitions:

A ***Gender Management System (GMS)*** is a network of structures, mechanisms and processes put in place within an existing organizational framework, to guide, plan, monitor and evaluate the processes of mainstreaming gender into all areas of the organisation's work, in order to achieve greater gender equality and equity within the context of sustainable development.

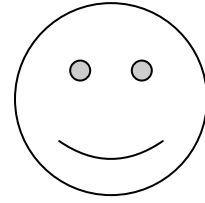
A GMS may be established at any level of government, or in institutions such as universities, inter-governmental or non governmental organisations, private sector organisations or trade unions.

The mission of a Gender Management System is to advance gender equality through promoting political will; forging a partnership of stakeholders including government, private sector and civil society, building capacity and sharing good practice.

Commonwealth Secretariat, Gender Management System Handbook

What I have learned so far:

1.



2.

3.

IDENTIFYING GENDER ISSUES IN THE FIELD

Case study

The MEC for Health has asked the UNDP to assist in identifying blockages to service delivery in rural hospitals in the province. Teams comprising three women and three men each from the UNDP, a consulting company, and the provincial department of health are set up to go and investigate the situation. The following is a description of the situation pertaining at one rural hospital:

Patients have been sleeping on the floor for up to two days awaiting medical attention. The majority of these are women and children. A man in the vicinity involved in a road accident died because the ambulance failed to pick him up on time. The ambulance is frequently seen parked outside the pub, and the driver is frequently drunk. He is a relative of the male clinic superintendent, and has not been disciplined. At the time he applied for the job, a female candidate was rejected on the grounds that "driving is a job for men." One of the reasons for congestion in the clinic is that the facilities are stretched. Over three quarters of the patients who are hospitalized are people living with HIV/AIDS. The numbers have increased dramatically since the roll out of ARVs. Most of the hospitalized patients are women. There is a system of home-based care in the area, but the female care givers are paid R500 a month or have to work on a voluntary basis and this system is overstretched. Another factor affecting patient flow is the antiquated systems in use. All records are kept manually. The majority of clerical staff are women, and they have not been trained in use of IT equipment. One male doctor services the clinic, but he does not live in the vicinity. Most of the health care is provided by female nurses who earn R3000 a month. They work long hours, do not receive compensation for overtime, and are unhappy about their conditions of service, but these have not been looked into. A case of sexual harassment involving the doctor and one nurse was reported to the provincial authorities but no action taken. This has added to the despondency among the female staff. When a rape survivor came to the clinic recently, after being violated by a well known businessman, the superintendent told her that the hospital did not treat such cases. Feeling powerless to act, the women nurses watched this humiliation in the packed waiting room but said nothing. Although by far the largest beneficiaries of clinic are women, all the members of the governing council are men, and the local chief is the chair. There has never been a customer survey of services provided, nor have the concerns of patients who wait for days on end for service every been taken up.

*What are the gender issues in this case study?
In what way are they affecting progress?*

Analyse this case study using the framework below:

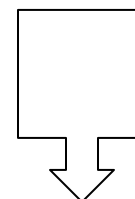
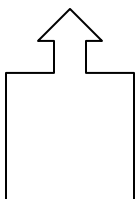
REASONS FOR POOR DELIVERY	GENDER DIMENSIONS	PROPOSED STRATEGIES	GENDER INDICATORS
Poor performance by staff	Nepotism and sexism in selection and employment	Gender sensitisation Putting in place policies that support women - Gender training of selection panelists	- Satisfaction rate amongst women. - Gender balance selection panels
Congestion	- Majority patients are women - Most patients are HIV positive - Home based care	- improve home based care - Provide incentives to providers of HBC	- Gender balance in the provision of HBC - Link HBC with primary health care - training of HBC providers
Systems and capacity	- Most clerical staff are women - Women clerks not trained - Manual record keeping - Customer survey satisfaction not done - One male doctor	- Conduct customer survey - Training in the use of IT - increasing number of doctors - Training opportunities for female nurses	- Number of people trained - Time for processing information - Customer survey - Satisfaction rate amongst women - Number of female doctors employed - Engendered recruitment policies
Conditions of service	- Female nurses working long hours - Female nurses are poorly paid - No compensation for over-time	- improve conditions of service - sexual harassment courses	- Family friendly practices, e.g. day-care facilities - Number of men and women attending sexual harassment courses
Workplace issues	- Sexual harassment - Confidentiality e.g. of rape victims	- Policy and procedures for dealing with sexual harassment - Workshops on sexual harassment	- An environment in which people can report instances of sexual harassment - Gender disaggregated data of workshop attendance
Governance	- All members of the governing council are men although women are the majority of beneficiaries of the clinic	- Women's representation on governing boards - engendering the process of electing council members - Conduct a gender survey of council members	- 50% representation in the governing council in 10 years - Keeping minutes and analyzing them - Gender disaggregation of how many people speak during meetings

SECTION FOUR: GENDER INDICATORS

Access, participation and transformation

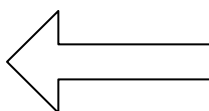
MTINTSO'S ACCESS-PARTICIPATION-TRANSFORMATION FRAMEWORK

ACCESS: The factors that bar women from entry into institutions



TRANSFORMATION: *Internal:* The administrative policies that are required to ensure equal representation of women at all levels as well as gender sensitive work environments.

External: The operational procedures necessary to ensure that gender equality is advanced through service delivery.



PARTICIPATION: The structural barriers to the effective participation by, and advancement of women within institutions

Access: There are several reasons why women may be inhibited from entering institutions. These often relate to the gender stereotypes concerning particular professions. Water and sanitation have traditionally been male dominated because of the dearth of women in engineering.

Participation: There are several potential barriers to women's effective participation in institutions such as:

Where women are located within the institution: This concerns both the vertical and the horizontal spread. *Vertically*, women are virtually absent from management positions and predominate in the secretarial and clerical positions. *Horizontally*, women tend to be concentrated in the human resource, rather than in the policy and planning divisions of institutions.

Gender insensitive work environments: Long, irregular hours; the absence of child care facilities, minimalist or non-existent policies on maternity, sexual harassment- to name a few- contribute to gender insensitive work hours and inhibit women's effective participation.

The old boys network: Men have a long established old boys network frequently nurtured at the bar in late- night drinking sessions that women are effectively excluded from because it is not a "seemly" thing to do; and/ or because of their dual domestic responsibilities.

Training and capacity building: To the extent that women, and especially black women have been historically disadvantaged through lack of training and on-the-job experience, training needs to be specifically targeted at overcoming this legacy. This is frequently not the case.

Transformation

Institutional transformation

This concerns the range of administrative measures that need to be taken to ensure that hiring and promotion policies do not discriminate against women directly or indirectly; the creation of work environments that are family friendly and free of sexual harassment; as well as the re-orientation of the culture of an institution- its language and practices- to ones that encourage the best in both men and women.

Service delivery and societal transformation

This concerns the operational procedures that must be adopted to ensure that a gender perspective informs all stages of the service that the institution delivers. In the case of government departments, this involves each stage from policy formulation, to project design, to project implementation including the allocation of resources, to the monitoring and evaluation of the project.

Access

GENDER AND RACE REPRESENTATION DWAF, 2001

	BLACK		WHITE	
	Men	Women	Men	Women
Top management	28 %	10 %	57%	5%
Middle Management	34.6%	23.7%	40%	6%

Source: DWAF Transformation Unit

MALES= 73 %
 FEMALES= 26.2%

Women on PSCs in EU Funded Projects in Limpopo

Project No	Project name	No. of women	Total no.	Percentage of women
CENTRAL				
NP013	Chuene Maja			
NP 015	Glen Alpine	19	39	48.7%
NP 016	Batlokwa	5	11	45.4%
NP096	Sanitation-Central			
LOWVELD				
NP008	Bolabedu			
NP018	Siluwana/Nondweni			35 %
NP056	Greater Letaba			
NP058	Greater Giyani			
NP094	Sanitation-Lowveld			
NORTHERN				
NP036	Levubvu/Shingwezi	6	13	46%
NP078d	Damani-Phase 1	8	20	40%
NP035	Vondo	6	13	46%
NP093	Sanitation-Southern			
SOUTHERN				
NP095	Sanitation-Southern			
WESTERN				
NP 017	Mokerong 1	12	25	48%
NP 038	Mapela Regional Water Scheme	9	17	53%
NP064				
NP 068	Mokoreng 2	8	16	50%
NP097	Sanitation-Western			
TOTAL		73	154	47 %

Source: Metsico

CHANGE IN GENDER BALANCE OF PWCs LIMPOPO

AREA	PAST			PRESENT		
	Women	Total	% women	Women	Total	% women

Chuene Maja	3	13	23 %	14	29	48 %
Glen Alpine	2	14	14 %	5	13	38 %

FOCUS GROUP RESPONSES

Why is it important for women to be equally represented on water and sanitation committees?

Male respondents

- Women are the ones who use water the most. It is proper that they should be there.
- Women are the ones who come to pay. They feel more at ease making their payments to other women. They can empathise with each other if there are problems paying. Men are by nature harsh people. They say, "I want my money back and that is that".
- It is the responsibility of women to make sure that the family is healthy, so they must be on these committees.
- Women are the ones who are at home. The men are in Johannesburg.

Female respondents

- Men are not concerned about the details of the projects, because they are not the ones who have to carry the water.
- Men are not prepared to do the work. That is why there are more women. Most of them are not working.

Proportion of women employed, EU funded projects, Limpopo

Project	No. of women	Total no.	Percentage
NP 015	29	65	44.6%
NP 016	10	20	50%
NP 017	0	1	0%
NP 038	20	40	50%
NP 068	-	-	-
TOTAL	59	126	46%

Participation

BAROMETER FOR LEVEL OF INFLUENCE BY WOMEN IN WATER AND SANITATION

NO RIGHT TO HAVE A SAY	RIGHT TO EXPRESS AN OPINION	RIGHT TO PARTICIPATE In A GROUP DISCUSSION	RIGHT TO MAKE A DECISION, SUBJECT TO REVIEW	RIGHT TO VETO A DECISION MADE BY OTHERS	FINAL UNQUESTIONED AUTHORITY OVER DECISIONS
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Leadership: Although exact figures for the number of female chairpersons of VWC, PSCs and PWCs could not be obtained, this is clearly still well below the fifty percent mark. For example, of the ten VWCs represented in the focus group meeting in Mapela, only three had women

chairpersons and in other focus groups the number was even lower. To the extent that women sit on executive committees, they are vice chairpersons, and they predominate in the secretary category. Proportionately more women appeared to be treasurers than chairpersons, with an interesting tension between the stereotypes that women are honest, as against the one that money is power and therefore a male domain.

FOCUS GROUP RESPONSES

Why are women not in leadership positions in the structures set up to ensure community participation in water and sanitation?

Male respondents:

- ❑ *Its not a matter of just electing anyone, but someone with the right qualifications and experience. Some women are lacking in experience.*
- ❑ *It is not in our culture that women should lead.*

Female respondents

- ❑ *Being able to chair a meeting is a great advantage. You have access to information that you otherwise would not have. You can steer the course of events.*
- ❑ *If I were in the chair I could speak more. I could challenge the minutes. Now I never challenge anything.*
- ❑ *Women are afraid to take leadership positions. Their husbands tell them you cannot go to workshops with other men.*
- ❑ *As a vice chairperson I have had to chair a few meetings. But when I do so I am shy. I talk like this, I look down. I can't face the men.*

Transformation

Anecdotal evidence provided during the focus group meetings suggests that:

- ❑ The agendas of meetings have changed dramatically since women started participating. According to one DWAF official, in the past when men predominated discussion centered largely on the job creation possibilities of water and sanitation projects. Now that women are involved, the discussion has broadened to include details of design, implementation, monitoring and evaluation (interview, Mojapelo).
- ❑ Greater cost recovery and financial viability-albeit precarious in some cases- appeared to be associated in the minds of communities with greater participation by women.
- ❑ Conflict resolution has improved now that both men and women are taking responsibility, and explaining constraints to the communities that they serve.
- ❑ Women also appear to have been influential in certain site determinations, for example the requirement now that potable water be provided near all schools in the province.

FOCUS GROUP RESPONSES

What difference has your presence (for women), or the presence of women (for men) on these committees made to your personal growth and development?

Women

- ❑ *I used not to feel free in meetings. Now I can talk, say anything, even at home.*

- ❑ The first time I went for training with men, I did not feel free. I was shy to talk. I could not even make one suggestion. But the second time I felt empowered.
- ❑ One day when an MEC came late for a meeting, we complained. We would never have done that in the past.
- ❑ We want to be able to run and operate the machines, to learn how to tender. But these opportunities do not exist.
- ❑ We have not really discussed how to use the time we save from not spending so much time fetching water. Now it just gets taken up with more cleaning. We want to be involved in income generating projects.
- ❑ I am confident enough to look for a job, but there are no job possibilities. There is no income generation programme, no credit, no farming. I would like to start as small businesses.

Men

- ❑ I prefer to be led by women. Women are more interested in development. Men spend their time in the beer hall and shabeen. I think its high time women become traditional leaders as well.
- ❑ I realize that when you work with women things become a lot easier. When men talk to men we get nowhere. I like it when men and women pull together.
- ❑ There are some husbands who resist their wives being on committees, we try to talk with them and convince them.
- ❑ When women are empowered, then we as men feel confident to share ideas.
- ❑ There has been a change of attitude by traditional leaders. They understand that women must be involved because they are the end users of water.
- ❑ We realize that women form part of the universe. So they should be involved in all aspects of development.

Transformation at a personal level

Alina Ntsane, Chair Kobetsoane PSC, Alfred Nzo District, Eastern Cape

Alina Ntsane has been Chair since of the Kobetsoane PSC since 1996. She began as vice chairperson, and took over from her male chair colleague. Some 60 % of those on the PSC are women.

As chair, Ntsane has confronted some complex tasks including mediating conflicts over tariffs, employment and cattle thefts across the Maluti Mountaints – “I learned to be braver than a man. I succeeded due to support from committee,” she reflects. Ntsane had the full support of late husband: “he did not mind me going to workshops; even sleeping overnight. My husband was retrenched from the mines. He was on the school governing board. I chaired the PSC”.

Ntsane took advantage of training courses, including technical training: “I did not need to fix the pipes, but I needed to understand how it is done to provide effective guidance”.

She kept a tight rein on the committee: “There was discipline in the committee; for example when men came in drunk, we held them accountable through the disciplinary code”.

She says her own personal growth has been immense: “when I listen to the radio and hear the news, I think: maybe they should be doing it this way. I understand how to solve problems, how to relate to people.” She has applied the management skills learned to running a chicken business.

INDICATORS AT EVERY STAGE OF THE PROJECT CYCLE

PROJECT STAGE	ACCESS	PARTICIPATION	TRANSFORMA TION
PROBLEM IDENTIFICATION Mapping Needs analysis Targets			
PROJECT DESIGN <ul style="list-style-type: none"> ▪ Consultation ▪ Approach ▪ Partners, linkages 			
IMPLEMENTATION <ul style="list-style-type: none"> ▪ Human resources ▪ Financial resources ▪ Technology ▪ Documentation ▪ Media/profile 			
MAINTENANCE/ SUSTAINABILITY <ul style="list-style-type: none"> • Governance structure • Management • Technical skills • Capacity building 			
MONITORING AND EVALUATION <ul style="list-style-type: none"> • Fixing of targets and indicators • Data gathering • Reporting and review systems/ donor partners meetings • Criteria for evaluation 			

Types of indicators

- Input indicators

- Process indicators
- Output indicators
- Outcome indicators
- Quantitative indicators
- Qualitative indicators

GENDER AND THE MDGs

Goals and targets	Indicators	Gender dimensions
Eradicate extreme poverty and hunger		
<i>Target 1:</i> Halve, between 1990 and 2015, the proportion of people whose income is less than US\$1 a day	<ul style="list-style-type: none"> • Proportion of the population below US\$ 1 a day • Poverty gap ratio (incidence, times, depth of poverty) • Share of poorest quintile in national consumption 	
<i>Target 2:</i> Halve, between 1990 and 2015, the proportion of people who suffer from hunger	<ul style="list-style-type: none"> • Prevalence of underweight children (under five years) • Proportion of the population below minimum level of dietary consumption 	
Achieve universal primary education		
<i>Target 3:</i> Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling	<ul style="list-style-type: none"> • Net enrolment rate in primary education • Proportion of pupils starting Grade 1 who reach Grade 7 • Literacy rate of 15- to 24-year-olds 	
Promote gender equality and empower women		
<i>Target 4:</i> Eliminate gender disparity in primary and secondary education preferably by 2005 and in all levels of education no later than 2015	<ul style="list-style-type: none"> • Ratio of boys to girls in primary, secondary and tertiary education • Ratio of literate females to males among 15- to 24-year olds • Share of women in wage employment in the non-agricultural sector • Proportion of seats held by women in the national parliament 	
Reduce child mortality		
<i>Target 5:</i> Reduce by two-thirds, between 1990 and 2015, the under-five mortality rate	<ul style="list-style-type: none"> • Under-five mortality rate • Infant mortality rate • Proportion of one-year-old children immunised against measles 	
Improve maternal health		

<i>Target 6:</i> Reduce by three-quarters, between 1990 and 2015, the maternal mortality rate	<ul style="list-style-type: none"> • Maternal mortality ratio • Proportion of births attended by skilled health personnel 	
Combat HIV/ AIDS, malaria and other diseases		
<i>Target 7:</i> Have halted by 2015, and begin to reverse the spread of HIV and AIDS	<ul style="list-style-type: none"> • HIV prevalence among 15- to 24-year-old pregnant women • Contraceptive prevalence rate • Number of children orphaned by HIV and AIDS 	
<i>Target 8:</i> Have halted by 2015, and begin to reverse the incidence of malaria and other major diseases	<ul style="list-style-type: none"> • Prevalence and death rates associated with malaria • Proportion of the population in malaria-risk areas using effective malaria prevention and treatment measures • Prevalence and death rates associated with tuberculosis • Proportion of tuberculosis cases detected and cured under directly observed treatment, short-course (DOTS) 	
Ensure environmental sustainability		
<i>Target 9:</i> Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources	<ul style="list-style-type: none"> • Change in land area covered by forest • Land area protected to maintain biological diversity • GDP per unit of energy use • Carbon dioxide emissions (per capita) 	
<i>Target 10:</i> Halve, by 2015, the proportion of people without sustainable access to safe drinking water	<ul style="list-style-type: none"> • Proportion of the population with sustainable access to an improved water source 	
<i>Target 11:</i> Have achieved, by 2020, a significant improvement in the lives of at least 100 million slum dwellers	<ul style="list-style-type: none"> • Proportion of the population with access to improved sanitation • Proportion of the population with access to secure tenure 	
Develop a global partnership for development		
<i>Target 12:</i> Develop further an open, rule-based, predictable, non-discriminatory trading and financial system (includes commitment to good governance, development and poverty reduction – both nationally and internationally)	<ul style="list-style-type: none"> • Target and indicators are not presently being measured in South Africa 	
<i>Target 13:</i> Address the special needs of the least developed countries	<ul style="list-style-type: none"> • Official development assistance (ODA) 	

<i>Target 14:</i> Address the special needs of landlocked countries and small island developing states	<ul style="list-style-type: none"> • Target and indicators do not apply to South Africa 	
<i>Target 15:</i> Deal comprehensively with debt problems of developing countries through national and international measures in order to make debt sustainable in the long run	<ul style="list-style-type: none"> • Debt service as a percentage of exports of goods and services 	
<i>Target 16:</i> In cooperation with developing countries, develop and implement strategies for decent and productive work for youth	<ul style="list-style-type: none"> • Unemployment rate of 15 – 24 year olds, by each sex and in total 	
<i>Target 17:</i> In cooperation with pharmaceutical companies, provide access to affordable drugs in developing countries	<ul style="list-style-type: none"> • Measurement of target not available for South Africa (free primary health care for all) 	
<i>Target 18:</i> In cooperation with the private sector, make available the benefits of new technologies, especially information and communications	<ul style="list-style-type: none"> • Telephone lines and cellular subscribers • Personal computers in use per 100 of the population 	

**Excerpt from Finding Gender in the MDGs
By Janine Moolman and Colleen Lowe Morna**

Since the adoption of the Millennium Declaration in 2000, the Millennium Development Goals, or MDGs as they are commonly known, have taken centre stage in the development arena. Progress in every sector is measured against the eight world targets to reduce poverty and hunger; disease; child mortality; maternal mortality; HIV/AIDS, malaria and other diseases while promoting gender equality, education and sustainable development.

The inter-connected world we live in demands a standard set of measures to keep us focused on the common goal of humanity.

In his report, *In larger freedom: towards development, security and human rights for all*, UN Secretary General Kofi Annan argues that the “world must advance the causes of security, development and human rights together, otherwise none will succeed. Humanity will not enjoy security without development; it will not enjoy development without security; and it will not enjoy either without respect for human rights.”

Gender equality is intrinsic to all these lofty ideals. Unless women are able to exercise their human rights freely in societies in which they are equal, true development will not take place.

From the world conferences on women in Mexico, Copenhagen, Nairobi, and Beijing women have articulated their vision for a future in which they take their rightful place as equal global citizens. They have initiated and participated in processes that have resulted in targets, measures and practical indicators and instruments being put in place – long before the MDGs.

The Beijing Platform for Action (BPFA) and the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW), are two but examples of these global instruments.

What has been particularly important about these global efforts is the increasing emphasis placed on women's rights being at the core of any strategy to achieve equality between women and men: in other words prioritising the strategic over the practical. Thus, for example, it is pointless talking about women's empowerment, when women do not have access to land, property and credit.

Similarly, there is little point talking about an ABC – abstain, be faithful and use condoms- strategy to overcoming HIV/AIDS when women often do not have the choice to abstain; may be faithful in their relationships but their partners are not; and have no power to get male partners to use condoms. Clearly, as we have learned at great cost in the uphill fight against HIV/AIDS, the core issue here is unequal power relations in decisions concerning sex. Superficial solutions simply don't stick.

Where is gender in the MDGs?

Against this background, the concern among gender activists about where and how to find gender in the MDGs - the title of this book - is understandable.

As a response to the immediate crises facing the globe, the MDGs focus on the immediate; the practical and the tangible. Many of these targets (health, education) etc ring of the earlier days of the Women in Development (WID) as opposed to Gender and Development (GAD) discourse.

Thus the only target under promoting gender equality and empowering women is eliminating gender disparity in primary and secondary education preferably by 2005 and in all levels of education no later than 2015.

This is a laudable goal, but hardly one that on its own will ensure "gender equality and the empowerment of women"! For a start, reducing gender disparities in primary and secondary education is no longer such a major issue; in many countries this has been achieved or is close to being achieved. In Southern Africa anyway, the issues are far more around girls poorer performance at secondary level as a result of teenage pregnancies; dual roles at home and at school; as well as glaring disparities at vocational and tertiary level.

Second, while education is a key factor in the empowerment of women, it is not the only factor. For example, there is no correlation between levels of education of women and their representation in decision-making. In Southern Africa, Mozambique – with the lowest levels of education- has among the highest percentage of women in decision-making while Mauritius, with the highest levels of education, has among the lowest levels of women in decision-making.

The difference between the two countries is that while one has a progressive constitution and history of struggle, the other is steeped in conservative religious and traditional practices. It is not possible to talk of gender equality anywhere without examining these deeply embedded, structural causes of inequality.

The other pitfall of the MDGs is the classic catch 22 of whether to make gender equality a stand alone goal, or to mainstream it in all the goals, or to do both. World leaders opted for the former a bit of both, but with many gaps in the mainstreaming effort.

Other than goal eight (women's empowerment and gender equality) the only gender-specific indicators relate to maternal mortality. Gender dimensions of the other goals are not mentioned, and therefore not likely to be measured. For example, there is no requirement that there be gender balance in the halving of the proportion of people whose income is less than \$1 per day; or in ensuring equal access to secure tenure for the 100 million slum dwellers to be assisted.

The narrow, time-bound goals are matched with 18 targets and 48 indicators and are located within a framework that does not recognise women's rights as a development goal. The MDGs are not informed by a rights-based approach to development and as such, there are concerns that women's strategic gender concerns are being sacrificed.

A glaring shortcoming for example is the absence of specific targets and indicators on gender violence – which has reached epidemic proportions in Southern Africa and which is fueling the spread of HIV/AIDS. Another example, is the lack of discussion on the need to guarantee women' sexual and reproductive health and rights in the context of reducing maternal mortality.

In an interview, weeks before the Millennium Summit with Inter Press Service, Salma Khan, a member of the UN CEDAW Committee stressed the need for incorporating a broader range of gender-sensitive targets and strategies, and for making gender-equality a cross cutting issue across the goals. Her view is echoed by many women's activists who argue that the women's agenda is being buried in the MDGs.

Gender concerns in Southern Africa and throughout the developing world go far beyond health and education. Many educated women lack access to employment, political participation and experience gender violence. How is it possible to adequately address maternal mortality without looking at the impediments to the realisation of women's sexual and reproductive health and rights? What are the structural and cultural barriers to women's equal and effective participation in public life? How are women being pushed deeper into poverty by trade liberalisation and global economic policies?

Unless the "G" is centrally located across all of the MDGs they will have no meaning for women. Similarly, unless the MDGs and all regional and international commitments are given meaning and made binding in regional, sub-regional and national contexts, they will just add to the growing pile of words that have little meaning where it matters most: on the ground.

SADC and gender

Southern African women have long taken to heart the axiom think globally, act locally. The Southern African Development Community (SADC) Declaration on Gender and Development is proof of this. Adopted in 1997, soon after the Fourth World Conference on Women in Beijing,

the Declaration sought to “regionalise” the international commitments that had been made. Heads of State committed, amongst others, to:

- Achieving at least 30 percent women in political and decision-making structures by 2005.
- Promoting women's full access to and control over productive resources to reduce the level of poverty among women.
- Repealing and reforming all laws, amending the constitutions and changing social practices which still subject women to discrimination.
- Taking urgent measures to prevent and deal with the increasing level of violence against women and children.

This was followed, in 1998, by the adoption of an Addendum to the Declaration on the Eradication of Violence Against Women and Children that sets out in detail how the latter objective is to be achieved.

The SADC Gender Campaign

The campaign to give gender equality meaning on the ground gathered momentum in 2005 for a number of reasons:

- This year is the 25th anniversary of SADC.
- It is the tenth anniversary of the Fourth World Conference on Women in Beijing.
- It is the deadline set in the SDGD for the achievement of 30 % women in all areas of decision-making.
- In September, leaders from around the world will review progress towards the implementation of the Millennium Development Goals (MDGs) five years after their adoption. There is need to ensure that gender concerns are firmly embedded in this global process that has become the main focus of UN efforts following the various global conferences.

With a focus on the 2005 Heads of State summit in Gaborone, Botswana, a consortium of NGOs, encouraged and supported by regional and other inter-governmental agencies, undertook an audit on the provisions for gender equality in key regional and international instruments for advancing gender equality and the extent to which these have been implemented.⁸

The audit compared existing provisions and gaps in the key instruments for achieving gender equality including the SADC Declaration on Gender and Development, the Beijing Declaration and Platform for Action (BPFA); the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW); the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (the African Protocol) as well as the Millennium Development Goals (MDGs). It then analysed strengths and gaps in the existing commitments as well as in the extent to which these have been implemented.

⁸ The SADC Parliamentary Forum, International Ideas, UNIFEM, HIVOS and CREDO support the audit. Organisations that contributed to the audit include: Gender Links, the Gender and Media Southern Africa (GEMSA) Network, the Media Institute of Southern Africa (MISA), Women in Law in Development in Africa (WILDAF), SARDC/WIDSAA, and SAFAIDS.

Key findings of the Southern African audit

The key findings of the audit are:

- Despite several elections in SADC countries over the past two years, the average representation of women in the parliaments of the region stands at 20 percent. Only two countries (South Africa and Mozambique) have achieved the 30 percent target and only one other (Tanzania) is likely to achieve the target before the end of the year.
- Laws, systems and services for addressing gender violence are inadequate. New forms of gender violence, such as trafficking, are on the rise.
- In virtually every country there are contradictions between customary law and codified law when it comes to women's rights. These contradictions are not addressed in Constitutions.
- Women, and especially young women, are the majority of those living with HIV/AIDS, the pandemic which more than any other has preyed on the gender disparities in the region and added to the already huge burden of care that women shoulder.
- In most countries, poverty is on the rise and increasingly has a feminine face.
- While there has been some progress in raising awareness and challenging gender stereotypes in the media and popular culture, as well as engaging men as partners, the battle to change mindsets is still far from won.
- Effective implementation, monitoring and evaluation of gender policies, programmes and activities continue to elude those charged with the responsibility of accounting to the public as the gap between policy and practice seems to widen.

Based on these findings, the single greatest challenge identified in the audit is to move the SADC region from an era of commitments to an era of implementation. The audit recommended that as a first measure, Heads of State adopt a Protocol to Accelerate Gender Equality in SADC. This would entail elevating the SADC Declaration on Gender and Development into a Protocol, as contemplated in Article 26 of the Addendum to the Declaration on the Prevention and Eradication of Violence Against Women and Children which makes provision for the adoption of legally binding instruments.

Why a Sub-regional Protocol

According to the audit, the Protocol would:

- Break new ground globally by incorporating and enhancing all existing commitments, thus creating synergy and harmonising the various reporting processes. The proposed Protocol would take account of *all* the commitments made by member countries in the various continental and international instruments; but also enhance these by taking account of gaps that have been identified in the existing instruments and in their implementation.
- Incorporate all existing targets and also sets realistic, achievable targets where these do not exist: These targets include raising the current target of 30 percent women in decision-making by 2005 to gender parity in *all* areas of decision-making by 2020, in line with the African Union (AU) position, through a phased and incremental approach.
- Be accompanied by an action planning framework and institutional structures that would ensure regular and effective reporting, benchmarking, monitoring and evaluation, and appropriate sanctions for non-compliance.

Lobbying on the home front

The Southern Africa Gender Protocol Alliance– a group of NGOs and activists that participated in the audit and coalesced during a Civil Society Summit held on the eve of the August Heads of State meeting –lobbied for leaders to:

- Raise the current target of at least thirty percent women in decision-making by 2005 to fifty percent by 2020, in line with the African Union (AU) position.
- Elevate the SADC Declaration on Gender and Development to a Protocol.

Speaking at the opening of the summit, Botswana Minister of Health Sheila Tlou said that “the difference between a Declaration and a Protocol is that “whereas a Declaration is a nice to do, a Protocol is a have to do.”

“What is particularly unique about the recommendation to adopt a Protocol is that this would bring together all the existing commitments into one comprehensive instrument of all the existing targets, and enhance these where need be,” she added. This, she noted, “would be a global first.”

An example of how this would work is in the area of decision-making, where the AU has come out in favour of gender parity, but has not set targets for when this is to be achieved. The SADC proposal is to set a target of 2020 with different bench marks for each country, depending on their starting point.

The proposed Protocol seeks to set several more strategic benchmarks. These include requiring that all SADC countries amend their constitutions to include guarantees of gender equality (in line with the more recent constitutions in the region such as those in South Africa, Mozambique and Namibia) by 2010. They would also be required to specify that should there be a conflict between customary and state law, the Constitution will take precedence.

The new measures would also include a target of 2010 for all countries in the region to adopt comprehensive legislation and to make budgetary allocations for ending gender violence: one of the most glaring reflections of the gap that exists between gender equality on paper and in reality.

The arguments put forward in a document entitled “Rationale for a Protocol of Advancing Gender Equality in SADC” persuaded both senior officials and the Council of Ministers to recommend to Heads of State that the Declaration be elevated to a Protocol.

Heads of State agreed to raise the target of women in decision-making from 30 percent to 50 percent in line with the AU position. On the issue of the Protocol:

“Summit noted that in order to further facilitate Member States that are lagging behind in meeting the targets and commitments for gender equality and the advancement of women, and to enable Member States move at the same pace, there is need to upgrade the SADC Gender and Development Declaration into a more binding Protocol on Gender and Development (**SADC/SM/1/2005/8.3b**). Summit indicated that this was not an opportune time to review the SADC Declaration on

Gender and Development in a holistic manner and to up-grade it into a Protocol on Gender and Development.”⁹

Various interpretations have been given to the position taken by Heads of State. One is that leaders of the region are shying away from making binding and measurable commitments to achieving gender equality. Another is that the fact that leaders have indicated that the issue of the Protocol requires greater consideration is in fact a mark of the seriousness with which they regard the matter.

Either way, what is clear is that far more canvassing of this far reaching idea of a sub-regional protocol that brings together and enhances all existing commitments for achieving gender equality requires further canvassing.

The MDGs: Making the link

The MDG summit provides yet another opportunity to take the campaign forward and to make essential links. Globally, in the funding community, and in home countries, the MDGs now take centre stage. Government’s are writing reports, and gleefully ticking off which of the eighteen targets they have achieved or are close to achieving. But to what extent have we really achieved goal three: promoting gender equality and empowering women? Are the existing targets adequate? If not how can they be enriched?

To assist in this process, Gender Links, which has been designated lead agency in the Southern African Protocol Alliance, has constructed the table at Annex A. This consists of:

- In the extreme left column, the list of ten strategic areas, and within these, action points identified in the composite audit of the key instruments.
- A column identifying where and how similar objectives are reflected in the MDGs generally.
- A column identifying where and how similar objectives are identified in Goal three of the MDGs that specifically addresses women’s empowerment and gender equality.
- A column listing the targets and indicators proposed in the new Protocol that would incorporate and enhance all existing targets.

By locating the targets and indicators of the MDGs in the framework of what needs to be done to advance gender equality, it is possible to see the gaps in the MDGs more clearly; as well as show how the SADC Protocol would help to address these. This thus constitutes another powerful argument for the adoption of the Protocol.

⁹ Official record of the 2005 SADC Heads of State Summit.

GENDER INDICATORS IN THE WORK OF THE UNDP

- 1) Study the gender score card for UNDP SA. In what way are gender indicators a) explicitly stated and b) implicitly stated in the current score card?
- 2) Suggest how gender indicators could be made more visible in the score card?

South Africa

1. UNDP contribution to development results

Goal 1. Achieving the MDGs & reducing human poverty

- 1.1 MDG country reporting and poverty monitoring
- 1.2 Pro-poor policy reform to achieve MDG targets
- 1.3 Local poverty initiatives, including micro-finance
- 1.4 Globalization benefiting the poor
- 1.5 Private sector development
- 1.6 Gender mainstreaming
- 1.7 Civil society empowerment
- 1.8 Making ICTD work for the poor

Goal 2. Fostering democratic governance

- 2.1 Policy support for democratic governance
- 2.2 Parliamentary development
- 2.3 Electoral systems and processes
- 2.4 Justice and human rights
- 2.5 E-governance and access to information
- 2.6 Decentralization, local governance and urban/rural devel...
- 2.7 Public administration reform and anti-corruption

Goal 3. Energy & environment for sustainable development

- 3.1 Frameworks and strategies for sustainable development
- 3.2 Effective water governance
- 3.3 Access to sustainable energy services
- 3.4 Sustainable land management to combat desertification an...
- 3.5 Conservation and sustainable use of biodiversity
- 3.6 National/sectoral policy and planning to control emission...

Goal 4. Crisis prevention & recovery

- 4.1 Conflict prevention and peace building
- 4.2 Recovery
- 4.3 Small arms reduction, disarmament and demobilization
- 4.4 Mine action
- 4.5 Natural disaster reduction
- 4.6 Special initiatives for countries in transition

Goal 5. Responding to HIV/AIDS

- 5.1 Leadership and capacity development to address HIV/AIDS
- 5.2 Development planning, implementation and HIV/AIDS response...
- 5.3 Advocacy and communication to address HIV/AIDS

2. Stakeholders perception

Improve partner perception
Programme Country Government Perception
UN, IFI, Donor & Other Partner Perception
Raise UNDP profile Q1 2005 0.00 Pts.
Website Updated and Reflects Key UNDP Priorities

3. Organisational effectiveness

Improve flexibility, client service & productivity
Administrative to Total Expenditure Ratio
Plan and manage the workforce
Female/Male Ratio in Professional Positions
Staff Perception
Strengthen and support UN coordination & reform
Joint Programmes
Strengthening policy & substantive support services

4. Learning & growth

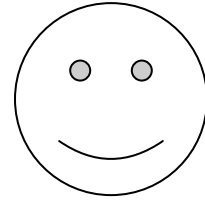
Foster a culture of practice & knowledge sharing
Knowledge Network Participation
Knowledge Sharing between Country Offices
Maintain a substantive knowledge in the MDGs & practice area...

5. Financial

Achieve targeted resource mobilization efforts.
Non-core Resources Mobilized
Increase cost-recovery
Cost Recovered From Non-core Resources
Optimize utilization of resources
Delivery Volume

What I have learned so far:

1.



2.

3.

SECTION FIVE: SECTOR RESOURCES

Developed by Gender Links

GENDER AND SUSTAINABLE DEVELOPMENT IN SOUTHERN AFRICA

Background

Women in Southern Africa are still largely viewed as part of the problem, rather than of the solution to sustainable development (WIDSAA, 2000). They produce three quarters of the continent's food; store, process, market and process food and cash crops and are often in charge of small livestock. Yet they do not own land and are frequently denied access to credit.

Women work in the large and growing informal sectors in both rural and urban areas; care for children and the elderly; and spend several hours each day fetching household water and wood. Because most of this subsistence, informal sector, and domestic work takes place outside the economy, it is not recognised in statistics or by policy makers.

The ways in which women manage and interact with the environment greatly depends on their social relationships, especially with men. They need to have legal rights to natural resources including land, water, trees, crops and livestock, as well as control over how these are managed. Secure land tenure would facilitate women's access to capital and credit. Women need to be able to choose family size, and to be relieved of the conflicting demands of labour if sustainable development is to be achieved (Commonwealth Secretariat, 1991).

The SADC Declaration on Gender and development signed by all Heads of State of the regional institution in 1997 commits them to mainstreaming gender in all policies and programmes. But equality of opportunity for women in Southern Africa is yet to translate into equality of outcomes.

Mainstreaming gender considerations into environmental policies

Chapter 24 of Agenda 21 lays out the "Global Action Plan for Women: Towards Sustainable and Equitable Development" that aims to:

- ❑ Increase the proportion of women decision-makers, planners, technical advisers and managers and extension workers in environment and development fields.
- ❑ Implement the Nairobi Forward Looking Strategies in national ecosystem management and control of environmental degradation.
- ❑ Establish mechanisms at the national, regional and international level to assess the implementation and impact of development and environmental policies and programmes on women and to ensure their contributions and benefits.
- ❑ Formulate and implement clear government policies and national guidelines, strategies and plans for the achievement of equality in all aspects of society, including the promotion of women's nutrition and health and their participation in key decision making positions and in management of the environment.

Some SADC countries have made genuine efforts to incorporate gender into their sustainable development strategies. Mozambique has produced and disseminated audio visual material on gender, women and environment. In Malawi and Tanzania, women's knowledge has been used to identify suitable water sources and to form groups for shared water and sanitation facilities.

What is still lacking is a consistent and systemized approach to gender mainstreaming in sustainable development. The SADC Policy and Strategy for Environment and Sustainable Development itself makes no mention of gender.

Key issues

Key environmental concerns for the region, and their gendered dimensions, include:

Land degradation

Except for South Africa and Zambia, where over fifty percent of the population live in towns, the majority of people in Southern Africa live in rural areas, where population pressure, skew land distribution (most politicized and publicized in Zimbabwe) as well as poverty are leading to a rapid increase in demand for agricultural land. Large forest areas are being cleared, and cultivation of steep and dry lands is common. Traditional cropping systems, such as slash and burn shifting cultivation, which were well adapted to the local ecology, have been abandoned. Degradation is caused by overgrazing (the most extensive form of land use in Southern Africa) and intensive cropping, often without the use of fertilizers as poor farmers cannot afford this. It is further estimated that a significant amount of coastal land could disappear as a result of sea level rise due to global warming (SARDC, 1994: 9). To meet the food requirements of a growing population production will need to increase by 4-5 percent; compared to a decline in per capita production over the last decade. Land tenure reform and better soil husbandry are essential. Women, Southern Africa's key food producers, also need to be placed at the center, rather than the current periphery, of policy initiatives that provide access to tenure, credit, extension and advice services.

Biodiversity

Africa is one of the world's last treasure houses of biodiversity with some of the greatest tropical forests, savannahs, deserts, wetlands and wildlife populations in the world. To a greater extent than most other continents in the world, Africa is dependent on its biological resources for its livelihood: agriculture, livestock, logging and fisheries account for most of subsistence survival, export earnings and economic outputs (Chakraborty,2001). Biodiversity is essential to food security. One casualty of rapid agricultural expansion is that biological resources outside protected areas are likely to suffer. Expansion of cultivation into rangelands and uncultivated woodlots is cutting dramatically into available wildlife habitats. Large areas of relatively untouched vegetation are being cleared and replaced with crops.

Another concern is the attention being paid by developed countries to developing countries, such as those in Southern Africa, because much of their own ecosystems were destroyed long ago. This has been brought to a head with the controversy over the TRIPS agreement in the WTO that gives multinational companies access to indigenous knowledge and biological resources of poor countries. "The globalisation of patents and commodification of products developed through modern biotechnological applications is leading to the loss of biodiversity

worldwide" (Mushita, 2001). Loss of biodiversity is increasing even as knowledge of the issue increases.

This complex area is one that Southern African governments are only just beginning to address. It also has critical gender dimensions in that a) women are often the repository of knowledge and information on the region's biodiversity b) they are the least likely to be consulted and to participate meaningfully in conservation efforts.

Energy and deforestation

On an aggregate basis, the energy foundation of the SADC region is strong. The surpluses of electricity, coal and petroleum would more than cope with the region's energy needs. But these aggregate figures mask problems within individual countries in the region to a) develop distribution networks and infrastructure b) link to other SADC countries where they have deficits. Angola has large deposits of oil; and sizeable deposits of natural gas have been found off the coasts of Tanzania, Angola, Namibia and South Africa. Eskom's nuclear power station has illustrated the high costs and dependency on external sources for technology and expertise associated with nuclear power- even without counting the environmental costs.

Most Southern African countries promote electrification through hydroelectric power generation and /or coal power stations to meet their long term demands. But the inability to extend such electrification to rural areas, and/or of poor people to afford electricity both in rural and peri urban areas means that the majority of Southern Africans still rely on wood and charcoal for their fuel.

Although energy consumption in Southern Africa is quite low by global standards, per capita fuel consumption is among the highest in the world (SARDC, 1994: 12). In Sub Saharan Africa, 70 percent of total energy, consumed and 90 percent of household energy are derived from fuelwood.

The upshot is rapid deforestation, which also contributes to the growing loss of biodiversity. Deforestation disproportionately affects women who use trees as sources of firewood, timber, handicraft materials, traditional medicine, animal fodder and food. An immediate practical effect is the longer and longer distances, and hence time that women must spend collecting firewood.

Renewable energy resources, such as wind or power, could provide a long- term answer to the region's energy needs. Southern Africa has abundant sunlight all year around. Ironically, electricity production from renewable energy sources has received comparatively little research and development funds worldwide. But there have been several pilot projects in the region, notably Botswana where solar water heating has been in use for a number of years. There are also some experiments in the region with biogas, produced by fermenting animal dung and vegetable waste, but these too have not been widely replicated.

Water

The availability of water in Southern Africa is highly variable both in space and time. By world standards, per capita water consumption in Southern Africa is low. But inadequate supply of water, needed for domestic, industrial and agricultural use and flushing away waste, could be a limiting factor on development in southern Africa.

Consumption is expected to double in the next twenty- six years, with water deficits projected in Botswana, Namibia and South Africa by 2020. A further twenty- six years would see Malawi and Zimbabwe with water shortages and Swaziland tottering on the brink.

A worrying upshot of this is that many more dams and associated water supply schemes will be built in the region, especially in the water poor countries. At one time, Mozambique indicated its intention to dam virtually all the Zambezi river inside its territory for irrigation schemes (SARDC, 1994). Dams seriously disrupt downstream ecosystems; cause sedimentation and lose storage capacity through eroded soil carried by rivers and deposited in the dam bottom.

The recent vacillation between droughts and floods in Southern Africa has been cause for some reflection. Several experts believe that the flooding in Mozambique that virtually brought the country to its knees last year has been exacerbated by the management of the Kariba and Cahora Bassa Dams (NAWISA report, 2001).

Freshwater is South Africa's most limiting natural resource due to a) low rainfall and high evaporation rates b) rapid population growth and the imperatives of meeting basic needs and c) national management of water resources and d) pollution of the surface and groundwater resources. The scarcity of water resources has led to every major river in South Africa being regulated to ensure adequate water supply for development. South Africa has also entered into a multi billion rand project with Lesotho for the supply of water to its thirsty industrial heartland (the Lesotho Highland Water Project).

According to the Environmental Monitoring Group: "water allocation in South and Southern Africa has been characterised by injustice with South Africa consuming 80 percent of the region's water supply, and national injustices with a wide disparity between urban and rural access to water, and between rich and poor people's access to water."

The EMG argues in its Programme Framework document on Water (2000) that South Africa has proceeded on the basis of greed- without seeing water as a constraint. It has concentrated on technical solutions in the form of large scale inter basin transfer schemes.

This is beginning to change, under pressure from civil society, notably the establishment of the Network for Advocacy of Water Issues in Southern Africa and impetus from the World Commission on Dams process (see programme review). There is also a growing recognition of the importance of regional co-operation in water management: the SADC Protocol on Shared Watercourse Systems went into force in 1998.

While the role of women in water management is recognized in principle, studies have indicated that in practise no country in the region has properly considered gender when devising such strategies. Greater emphasis needs to be placed on the part that women play in managing water resources and household water budgets (IUCN, 2000: 45). Studies also show that where women have been able to save time as a result of greater access to water resources, this time tends to be consumed with other household chores, rather than assist in empowering women in other ways.

Pollution and waste

By global standards, the level of air and water pollution in most Southern African countries is low, due to the relatively low levels of industrialization. South Africa, with its relatively high level of industrialization and the central economic role of gold mining, is a notable exception. Even where legislation is in place, systematic monitoring of environmental quality is lacking, above the basic level of testing drinking water.

Most industries in Southern Africa do not treat their waste properly. Although the quantity of pollutants may be lower than in developed countries, some of the most poisonous wastes often make their way into drinking water, air and land.

A related area of concern is international trade in toxic waste, with lax controls in the region making it an attractive destination for companies managing toxic waste; some such cases have been revealed through investigative media reports. The health hazards of pollution are also a growing concern, even though these are still largely confined to cities or mine sites; or the improper use of agro chemicals.

Mining, especially in South Africa whose economy is built on the gold mines, is associated with numerous forms of pollution including:

- ❑ Dust pollution in the air.
- ❑ Liquid poisoning that enters the water supply.
- ❑ Mine tailing dumped on what was once valuable farmland.
- ❑ Greenhouse gas, or methane, from the coal industry
- ❑ Acid rain from coal dump fires.
- ❑ Radioactive pollution from ores that contain radio active minerals
- ❑ Toxic waste
- ❑ Aesthetic degradation

Women, who are barred by law, custom and tradition, from working in mines, suffer from pollutants that they have no part or benefit in creating. Some studies have shown that women and children suffer more than other members of the family from hazardous emissions, including carbon monoxide, carbon dioxide, sulphur dioxide and particulate exposure. The health effects include chronic respiratory and eye infections, as well as cancer of the lungs (WIDSAA 2000:121)

GENDER MAINSTREAMING IN HIV/AIDS

Introduction

- HIV/ AIDS is one of the most daunting challenges faced by Southern African countries that have amongst the highest infection rates in the world. A key factor fuelling this pandemic is the inequality between men and women that makes it difficult for women to negotiate for safer sex and places various expectations on men with regard to their sexual behaviour and ability to provide for their families.
- Many countries are seeking to take a multi sector approach towards prevention, treatment and care for HIV/AIDS. They are also committed to mainstreaming gender in all their areas of work. The responses to HIV/ AIDS and the promotion of gender equality thus present an opportunity for comprehensive, multi-sector, mutually reinforcing campaigns and partnerships that will provide long-term and sustainable solutions as well as help to ensure justice and equity.

Key policy/legal issues

Prevention

The main means by which HIV/AIDS is transmitted in Southern Africa is through unprotected sexual activity. Unequal power relationships result in women, for the most part, being unable to negotiate for safer sex. Men, on the other hand, are socialized to believe that they have the right to decide when, where and how sex takes place, and that they are entitled to have multiple sexual relationship. Among the most vulnerable group are married women who remain faithful in their relationships while their husbands do not. Short of abstinence and faithfulness, the male condom remains the main means promoted for preventing the spread of HIV/AIDS. The female condom is not well known, marketed or used in most SADC countries and is beyond the reach of most women due to its high cost. Southern Africa has extremely high rates of gender violence. Rape is no longer just a violation of bodily integrity but carries with it a high risk of HIV/AIDS infection. Sex work is a crime in all SADC countries, and this limits the ability of policy makers to work effectively with this sector. Another way in which HIV/AIDS is transmitted is during pregnancy, typically referred to as "mother-to-child-transmission" which contributes to the blame often assigned to women for a pandemic that is societal in nature, but in which the role of men in prevention campaigns is still not centre stage. This calls for a number of legal and policy approaches, including:

- Campaigns and public debates that emphasise responsible sexual behaviour and that are appropriately targeted at men, women, young men and young women;
- Campaigns that address male sexuality and put men at the forefront of prevention efforts;
- Progressive legislation on sexual offences, including rape and marital rape;
- Policy, legislation and regulations governing sex work;
- Reconsideration of legislation on abortion, that is illegal in all SADC countries except South Africa, except in certain medical situations that currently exclude HIV/AIDS.
- Provision of free anti retroviral drugs to pregnant women to lessen the likelihood of the unborn baby being infected by HIV/AIDS.
- Provision of free milk to HIV/AIDS pregnant women to decrease the likelihood of the baby being infected through breastfeeding.

Treatment

There is still no cure for HIV/AIDS. Access to anti retroviral drugs that can considerably enhance the life expectancy and productivity of those living with HIV/AIDS is extremely limited, except in one SADC country, Botswana, where the government is providing these drugs free for those living with HIV/AIDS. Good nutrition and health practices can also help to delay the onset of full blown AIDS. There are no gender- disaggregated statistics available in the region on treatment. However as women predominate among those who are most economically disadvantaged, it is likely that they have less access than men to the limited treatment that is available. Women are also socialized to place men and children first in access to scarce resources and traditionally bear the brunt of care (see below). The role of traditional healers and medicines in treatment of HIV/AIDS has not been well explored. While there are various research projects underway in the region on treatment of HIV/AIDS there is limited regional co-operation and sharing of findings in this field. Measures that should be considered include gender sensitive and targeted:

- Dissemination of information on alternatives and treatment;
- Access to social services, water, sanitation, housing and nutrition;
- Availability of laboratory tools, research and resources for treatment;
- Domestication of international treaties on (health) treatment;
- Promotion of linkages and resource sharing for treatment in the region;
- Exchange of information and collaboration on research.

Care/support

- Fragile and overstretched health systems in all SADC countries are unable to cope with care for those in the stage of full-blown AIDS. "Home-based care" is thus the preferred option. In effect, however, this transfers the burden and cost of care to women and is yet another example in our societies of the unwaged work of women and poor households. This calls for:
- Appropriate state support, including financial assistance, to care givers;
- Targeted intervention and support for orphans, child headed households, elderly women and the destitute among whom girls and women are often in the majority;
- Programmes for providing anti retroviral drugs to HIV positive women to be accompanied by provision of such drugs for the mothers and fathers of these children so that they are not protected from the virus only to become orphans in a few years time.

Legal/human rights

HIV/AIDS has raised critical legal and human rights issues that often have a gender bias. Women suffer worse stigma than men; are subjected to gender violence and harmful traditional practices such as older men having sex with virgins, female genital mutilation, widow marriages and property grabbing. Men are socialized not to show emotion and often have limited coping mechanisms that may fuel violent behaviour. Not being able to provide for their families also places a huge psychological burden on men. These factors call for:

- Ratification and domestication of international and regional human rights instruments that concern gender.

- Legal reviews to adopt more human rights and gender sensitive approaches to issues such as inheritance and harmful practices;
- Policy/legislation and victim support systems in instances of rape, Female Genital Mutilation (FGM) etc.
- Policy/legislation on the provision of anti retroviral drugs for survivors of rape and medical personnel.
- Maximum sentence for sexual offenders who knowingly spread HIV/AIDS.
- Further debate on the issue of whether or not sexual offenders should be allowed bail.

Gender management system-structures and institutional capacity

To ensure that the above measures are followed through, it is important to ensure that:

- There is gender balance in all decision-making bodies addressing HIV AIDS, such as National AIDS Councils;
- Strategic partnerships with Community-based organizations and gender activist groups are enhanced;
- Gender Focal Points/Units within coordinating structures at national and local levels are strengthened;
- Individual and institutional capacity on gender and its relationship to HIV/AIDS is enhanced;
- Gender disaggregated data is generated and used for planning, monitoring and accountability;
- Innovative and sustainable strategies for expanding the funding base on HIV/AIDS (such as the national levy on all wage earners in Zimbabwe for the HIV/AIDS fund there) are adopted;
- Review of all HIV/AIDS budget allocations from a gender perspective.

Process

This should include:

- Reviews of policies and legal frameworks on HIV/AIDS;
- Gender audits;
- Amendments of laws as appropriate;
- Integration of gender considerations in all new policies and legislation;
- Coalition building and linkages between countries and within committees.

GENDER, DEMOCRACY AND GOVERNANCE

Excerpts from Ringing up the Changes: Gender in Southern African Politics

Gender equality and good governance have been two of the most pervasive themes in development debates in recent times. They come together in the growing body of literature and thought around gender, democracy and good governance.

The gendered nature of politics and governance

Politics and governance tend to be simply associated with institutions such as parliament and government. This hides the fact that as Klein (1984) says, politics is actually a complex, aggregation of relations of people in society especially those relationships involving authority and power. Governance on the other hand, she says, is the science of directing states or the control and exercise of political authority over the actions and affairs of a people or a political unit.

Through socialisation, not nature, women and men are allocated different and unequal roles in society. Women are assigned the private sphere, taking care of the home and family while men are assigned the public sphere running the affairs of society. Where women venture into the public spaces they are expected to play roles similar to the home – i.e. nurturing. Also grafted onto the gendered “division of labour” is a difference in power relations. Whether in the home, in the community, or in national life, men occupy the decision-making roles. Patriarchy is the system that defines these power relations between women and men, allocating a dominant role to men and a subordinate role to women.

Politics and governance as said are about power - who has power, what power relations exist, how is power exercised, what institutions of power exist, how do they operate and what policies and laws are churned out from those institutions and what impact those have on people and the power relations amongst them. By the powers vested upon themselves by patriarchy, men occupy these institutions of decision-making and are thus the directors of society. Thus in the main, politics and governance are represented by men.

Nowhere, says a report of the United Nations (UN) to the Fifth World Conference on Women in Beijing in 1995 “...is the gap between *de jure* and *de facto* equality among men and women greater than in the area of decision-making.” (UN Report, 1995, p. 12).

As can be seen from table five in the prologue, there are wide variations in these figures across the globe - from 39.7 percent in the Nordic countries, to 5.9 percent in the Arab states. Again as noted in this earlier section, Southern Africa, with 19.4 percent women in national assemblies, comes second to the Nordic countries, but it is a far removed second, and there are wide variations between countries in the region.

Globally, according to the IPU, there are only six women heads of state. The proportion of women cabinet ministers is almost always lower than that of parliamentarians. There are no African women head of state (only one Vice President- in Uganda).

But politics is not only about institutions of power and who occupies them, it is also about how that power is exercised and the outcomes. The qualitative characteristics of politics are an important ingredient especially for democracy and equality. Studies show that women are not only rendered non-citizens by their minimal or non-participation in decision making spheres, the outcomes of policies reinforce their inferior status. The negative impact on women of policies and programmes for instance include the feminisation of poverty especially in Africa, skewed developmental programmes that do not change their lowly status, abuse of and violence against women. Politics and governance, that seem to be neutral and in the interest of all in society are actually gendered in their character thus discriminating against and oppressing women.

Enter “good governance”

Over the last decade, Africa has been in the grips of a major social, economic and political change. Following the “lost decade” of the eighties when a combination of stumbling commodity prices, conflict, war, political instability and mismanagement witnessed major economic decline, the continent is slowly but surely on an upward swing.

According to a concept paper of the African Governance Forum, led by the Economic Commission for Africa (ECA) and United Nations Development Programme (UNDP), the end of the Cold War had three major impacts on Africa.

First, it highlighted democracy as the preferred system of government, putting pressure on African one party states and military regimes to commence democratization. Between 1989 and 1995, 35 presidential and parliamentary elections took place on the continent, prompting reference to Africa as “the world’s most democratically contested continent.” Although in very few cases did these elections actually lead to a change of government, the wave of democratization opened the door to political dissent and debate; a mushrooming of civil society organizations and a new lease of life for the continent’s beleaguered media.

Second, economic liberalization became the order of the day. The painful medicine of IMF and World Bank - sponsored structural adjustment programmes has led to more stable macroeconomic environments, investment and growth, but exacted harsh cuts in social spending that have often had to be absorbed by the invisible and unpaid “care economy” of women.

Third, by promoting a linkage between democracy, economic and social progress, the end of the Cold War obliged Africa and the international community to focus on governance. As the African Governance concept paper puts it: “The continent’s economic crisis was seen not just as resulting from faulty economic strategies, but linked to more fundamental causes relating to peace, security and stability.”¹⁰

The pillars of “good governance” are now generally agreed to include the responsibility of the government (i.e. the executive and administration) to manage; the role of the judiciary, statutory bodies, the media and civil society to provide checks and balances; and the of the private sector, working in a conducive macroeconomic environment, to create wealth and jobs.

¹⁰ UNDP, 1997: “The African Governance Forum Conceptual Framework” p3.

The hallmarks of “good governance” are accountability, transparency, openness and the rule of law. “Good governance” entails a vast set of democratic processes and institutions at every level of society, from local councils to the regional, national and international institutions, that allow the voices of people to be heard, conflicting interests to be peacefully resolved and the forging of consensus towards greater social progress (Wijkman 1998:2). Good governance is about engendering not only the spheres of governance but also the processes, power relations and policies.

Why a “woman’s place is in politics”

Women’s participation is an imperative for Democracy, politics and good governance. Democracy is about the fair representation of all interest groups in society. But it is also about outcomes and agency of individuals, that is, citizens have to be agents of their own destiny.

Democracy stands on two pillars. Representative democracy focuses on the quantitative representation of all groups in society – giving opportunity to all to access decision-making. Participatory democracy allows for qualitative participation that benefits from the centred experiences, aspirations and the sum total of which makes a positive impact on the outcomes from the political spheres.

The Quantitative **equity** set of argument make the case that as a distinct group in society women have a *right* to share in decision-making in proportion to their numbers. The Qualitative efficacy arguments- interests, perspectives, performance, - relate to the difference and impact that women make.

Equity arguments

The fundamental principle of representivity under democracy is violated if women are not represented in proportion to their numbers in society. Participation of women in politics is a fundamental human right. Phillips (1991), Cooper and Lybrand (1994) maintain that parliaments should be “mirror images” of each country.

As the IPU Plan of Action to Correct Imbalances in the Participation of Men and Women in Political Life (1994) put it: “The concept of democracy will only assume true and dynamic significance when political policies and national legislation are decided upon jointly by men and women with equitable regard for the interests and aptitudes of both halves of the population.”

Similar views have repeatedly been expressed in recent times at the highest political levels in SADC. Speaking at the SADC Gender Unit Conference on Women in Politics and Decision-making in Gaborone in March 1999, Botswana President Festus Mogae echoed a similar view: “Equality of access to positions of power and decision-making is a matter of fundamental human rights, and a prerequisite for democracy.”

At the same conference the then SADC Executive Secretary Kaire Mbuende said it is an indictment of democracy that women, who constitute the majority of the population and “who do most of the backbreaking work at the grassroots in most political parties in the region, remain under-represented in leadership... No country can claim to have reached full

democracy until women participate, not only as voters, as is presently the case, but also as leaders in at least the same number as men.”

In the foreword to “Into the Future”, the then South African president Nelson Mandela added: “As leaders of SADC we recognize that freedom cannot truly be achieved unless women attain equality, respect and dignity through their full participation in every aspect of our regional endeavour.”

Many of those interviewed for this research echoed similar views. Ossufu Muze Quitine, the parliamentary head of RENAMO said that women’s participation is especially important as they are the majority in Mozambique, plus democracy should not exclude anyone. He said that women are “very strong and they often do more than the men.” He said if there is a meeting for two people, one should be always be a woman.

The **efficacy or impact** approach raises the more complex questions concerning the benefits to democracy and governance of equal participation by women.

As the BPFA puts it (paragraph 181): “Women’s equal participation in decision making is not only a demand for simple justice or democracy but can also be seen as a necessary condition for women’s interests to be taken into account. Achieving the goal of equal participation of women and men in decision- making will provide a balance that more accurately reflects the composition of society and is needed in order to strengthen democracy and promote its proper functioning.”

In her foreword to “Beyond Numbers”, Frene Ginwala, the Speaker of the South African National Assembly, and one of the few women speakers globally, noted: “While the debate about the enfranchisement of women and participation of women in decision-making often focuses on issues of justice, equity and human rights, the representation of women and the inclusion of their perspectives and experience into the decision-making process will inevitably lead to solutions that are more viable and satisfy a broader range of society.”¹¹

A related but more controversial set of arguments concerns whether or not women bring greater integrity and **perform** better than men in public office. Although generalisations always run the risk of being flawed, there is certainly a perception among women decision-makers that they have to be “twice as good to get half as recognised”. These concepts will be explored and tested in greater depth throughout the book and especially in Chapter five that on how women respond in positions of power.

As long as women are in the periphery democracy is undermined in both its quantitative and qualitative form. (Phillips, 1991).

¹¹ International Idea, 1998: “Women in Parliament: Beyond Numbers” p2

SEXUAL HARASSMENT TRAINING MATERIAL

Developed by Pat Khumalo

Executive Director, SHEP

AMENDED CODE OF GOOD PRATICE ON THE HANDLING OF SEXUAL HARASSMENT CASES

Objectives of the Code – Retained

- To eliminate sexual harassment in the workplace
- To provide appropriate procedures to deal with sexual harassment and prevent its recurrence
- To encourage and promote the development and implementation of policies and procedures that will lad to the creation of workplaces that are free of sexual harassment where employers and employees respect one another’s integrity, dignity, privacy and their right to equity in the workplace.

Application of the Code – Retained

Although this code applies to the working environment, as a guide to employers, employees and applicants for employment, te perpetrators and victims of sexual harassment may include:

- Owners
- Employers
- Managers
- Supervisors
- Employees
- Jon applicants
- Clients
- Suppliers
- Contractors
- Others having business dealings

Nothing above confers the authority or obligation on employers to take disciplinary action in respect of non-employees.

A non employee who is a victim of sexual harassment may lodge a grievance with the employer of the harasser, where the harassment has taken place (workplace) or in the course of the harasser’s employment (retained).

Defining Sexual Harassment

Sexual harassment in the working environment is a form of unfair discrimination and is prohibited on the grounds of sex and/or gender and/or sexual orientation.

Test for sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature that violates the rights of an employee and constitutes a barrier to equity in the workplace.

Factors that should be taken into account as a test for sexual harassment cases are as follows:

- Whether the harassment is on the of sex and /or gender and/or sexual orientation;
- Whether the sexual conduct was unwelcome;
- The nature and extent of the sexual conduct'
- The impact of the sexual conduct on the employee (victim)

Factors to establish sexual harassment

- Harassment on a prohibited ground
- The grounds of discrimination to establish sexual harassment are sex, gender, and sexual orientation
- Same sex harassment can amount to discrimination on tea sis of sex, gender and sexual orientation.

Unwelcome conduct

- There are different ways in which an employee may indicate that the sexual conduct is unwelcome, including non-verbal conduct such as walking away or not responding to the perpetrator,
- Previous consensual participation in sexual conduct does not necessarily mean that the conduct continues to be welcome
- Where a complainant has difficulty indicating to the perpetrator that the conduct is unwelcome, such complainant may seek the assistance and intervention of another person such as a co-worker, superior, HR official, family member friend, counsellor.

Nature and extent of the sexual conduct

The unwelcome conduct includes but not limited to the listed examples:

Physical Conduct (Retained)

- Touching
- Fondling
- Groping/grabbing of private parts
- Brushing against someone's body
- Kissing
- Strip search by or in the presence of the opposite/same sex
- Sexual assault
- Rape

Verbal Conduct

- Innuendos
- Suggestions
- Hints
- Comments with sexual overtones
- Sex-related jokes or insults
- Graphic comments about a person's body made in their presence or to them
- Inappropriate enquiries about the person's sex life
- Whistling of a sexual nature
- Sending by electronic means or otherwise of sexually explicit text

Non-verbal Conduct

- Unwelcome gestures
- Indecent exposure
- Display or sending by electronic means or otherwise of sexually explicit pictures or objects

Victimization

- Victimization occurs where an employee is victimized or intimidated for failing to submit to sexual advances

Quid pro quo/coercive harassment

Quid pro quo/coercive harassment occurs where a person, an employer, owner, management (all levels of management) or co-employee influences or attempts to influence an employee's employment circumstances such as engagement, promotion, training, discipline, dismissal, salary increments or other benefits by coercing or attempting to coerce an employee to surrender to sexual advances through the application of sexual favouritism

Sexual favouritism

Sexual favouritism occurs where a person of authority rewards only those who respond to his or her sexual advances

A single incident of unwelcome sexual conduct may constitute sexual harassment

Impact of the conduct

The conduct should constitute an impairment of the employee's dignity if the following is taken into account:

- The circumstances of the employee and
- The respective positions of the employee and the perpetrator in the workplace

Guiding Principles (Retained)

Employers should create and maintain a working environment in which the dignity of employees is respected

A safe working environment should be created and maintained in which complainants of Sexual harassment will not feel that their grievances are ignored or trivialized, or fear Reprisals

The following guidelines can assist in achieving these ends:

- Employers/management and employees are required to refrain from committing acts of sexual harassment
- All employers/management and employees have a role to play in contributing towards creating and maintaining a working environment in which sexual harassment is unacceptable
- Employers/management and employees should attempt to ensure that the employer or its employees do not subject persons such as customers, suppliers, job applicants and other who have business dealings with the employer to sexual harassment

- Employers/management should take appropriate action in accordance with this code where instances of sexual harassment occur in the workplace.

Employer's responsibilities

- Employers/management must adopt a sexual harassment policy, which should take into cognizance the provisions of the sexual harassment code.
- Employers/management must effectively communicate the policy to all employees including all levels of management.
- Employers/management and employees are required to refrain from committing acts of sexual harassment.
- Employers/management must create and maintain a working environment in which the dignity of employees is respected.
- A climate in the workplace must be created and maintained in which complainants of sexual harassment will not feel that their grievances are ignored or trivialized or fear reprisal.
- Employers/management must take appropriate action in accordance with this code where instances of sexual harassment occur in the working environment.

Sexual Harassment Policies

Employers should, subject to any existing collective agreements and applicable statutory provisions in respect of sexual harassment, adopt a sexual policy, which should take cognizance of and be guided by the provisions of this code.

The contents of sexual harassment policies should be communicated effectively to all employees.

The adoption of a sexual harassment policy and the communication of the contents of the policy to employees, should amongst other factors, be taken into consideration in determining whether the employer has discharged its obligations in accordance with the provisions of Section 60 (2) of the Employment Equity Act (EEA).

In line with the EEA provisions, the sexual harassment policies should include at least the following statements, that:

Sexual harassment is a form of unfair discrimination on the basis of sexual and/or gender and/or sexual orientation which infringes the rights of the complainant and constitutes a barrier to equity in the workplace

Sexual harassment in the workplace will not be permitted or condoned (retained)

Complainants in sexual harassment matters have the right to follow the procedures in the policy and appropriate action must be taken by the employer

It will be a disciplinary offence to victimize or retaliate against an employee who in good faith lodges a grievance of sexual harassment

The procedures to be followed by a complainant of sexual harassment and by an employer when sexual harassment has occurred should be outlined in the policy.

Procedures

In terms of the Code, employers are expected to:

Develop clear procedures to deal with sexual harassment

These procedures should enable the resolution of problems in a sensitive, efficient and effective way.

Reporting Sexual Harassment

- Section 60 (1) of the EEA provides that conduct in contravention of the EEA must immediately be brought to the attention of the employer.
- The word immediately (in the context of the sexual harassment cases) shall mean the Incident of sexual harassment must be reported as soon as is reasonably possible, without undue delay taking into consideration the power dynamics between the harasser and the victim, and the trauma that is involved in sexual harassment cases.

Sexual harassment may be reported to the employer by the following people:

- By the complainant
- By any other person aware of the sexual harassment: a friend, colleague, HR official
- acting on the request of the complainant – where the complainant has indicated that she/ he wishes the employer to be made aware of the conduct.
- Where the sexual harassment is of a particularly serious nature, the complainant should
- Be encouraged to inform the employer.

Obligations of the Employer (Retained)

Where the sexual harassment has been brought to the attention of the employer, the following steps must be taken:

- Consult all relevant parties
- Take the necessary steps to address the complainant in accordance with this Code and the employer's policy and
- Take the necessary steps to eliminate sexual harassment

Steps to take on receipt of a complaint should include but not be limited to the following:

- Advise the complainant of the informal and formal procedures available to deal with sexual harassment
- Where reasonably practicable, offer the complainant with advice, assistance and counselling, including during any disciplinary enquiry that may be instituted

Advice and Assistance

- A complainant of sexual harassment may require advice and assistance (processes) including counselling
- As far as practicable, employers should designate a person outside the management who complainants may approach for confidential advice and/or counselling such as:
 - An employee who performs such a function
 - A trade union representative
 - A co-employee
 - A professional engaged to perform such activity
- The designated employee should have appropriate skills and experience including counselling and labour relational skills
- The designated employee should properly be trained and given adequate resources.

Steps to be taken when advising the complainant on how to deal with a sexual harassment case:

- Advise the complainant that there are formal and informal procedures which could be followed to deal with the problem
- Explain the formal and informal procedures to the complainant
- Advise the complainant that she/he may choose which procedure should be followed by the employer, except that in certain limited circumstances, the employer may choose to follow either the formal or informal procedure
- Advise the complainant that the matter will be dealt with confidentially if the complainant so chooses.

Informal Procedure

- The complainant or another appropriate person explain to the perpetrator that the conduct in question is not welcome
- That the conduct offends her/him
- That the conduct makes her/him feel uncomfortable
- That it interferes with her or his work

Or

- An appropriate person approaches the perpetrator, without revealing the identity of the complainant, explains to the perpetrator that certain forms of conduct constitutes sexual harassment
- That the behaviour is offensive and unwelcome
- -That the behaviour also makes other employees feel uncomfortable, and interferes with their work (indirect harassment)
- An employer should consider any further steps which can be taken to assist in dealing with the complainant

Formal Procedure

A complainant may choose to follow a formal procedure, either with or without first following an informal procedure

In the event that the complainant chooses not to follow a formal procedure, the employer should still assess the risk to other persons in the workplace (not only

confined to employees – as per the scope of the Code) where formal steps have not been taken against the perpetrator

In assessing the risk, the employer must take into account all relevant factors including the severity of the sexual harassment and whether the perpetrator has a history of sexual harassment

If it appears to the employer after a proper investigation that there is a significant risk of harm to other persons in the workplace, the employer may follow a formal procedure, irrespective of the wishes of the complainant, and advise the complainant accordingly.

The employer's sexual harassment policy and/or collective agreement should outline the following in respect of a formal procedure:

- With whom the employee should lodge a grievance.
- The internal grievance procedures to be followed, including provision for the
- Complainant's desired outcome of the procedures.
- Time frames which will allow the grievance to be dealt with expeditiously
- That should the matter not be satisfactorily resolved by the internal procedures
 - outlined above, a complainant of sexual harassment may refer the dispute to the
 - CCMA
- Similarly, an alleged perpetrator of sexual harassment may refer a dispute
- arising from disciplinary action taken by the employer to the CCMA
- That it will be a disciplinary offence to victimize or retaliate against a
- Complainant who in good faith lodges a grievance.

Disciplinary Sanctions

The sanctions must be appropriate to the seriousness of the SH in question.

The employer may consider the following disciplinary sanctions:

- Warning (and/or counselling) may be issued for minor instances of sexual harassment
- Dismissal may ensue for continued minor instances of sexual harassment after warnings, as well as serious instances of sexual harassment
- Upon being found guilty of sexual harassment, a perpetrator may be transferred to another position in the workplace
- Transferring the perpetrator to another position in the workplace

Confidentiality

Cases of sexual harassment must be handled in a manner that ensures that identities of the persons involved in the case are kept confidential – how? :

- By ensuring that only appropriate members of management, aggrieved person (victim), representatives, accused, witnesses and interpreter (if required) should be present in the disciplinary inquiry.
- Only appropriate members of management as well as the grievant, representatives, accused, witnesses and interpreter (if required) should be present in the disciplinary inquiry.

- Employers are required to disclose to the complainant, accused and/or their representatives, such information as may be reasonably necessary to enable the parties to prepare for the proceedings in terms of the Code.

Additional sick leave (exhaustion paid sick leave)

- Where the victim's existing sick leave entitlement has been exhausted, the employer should give due consideration to the granting of additional paid sick leave in cases of serious sexual harassment if medical advice requires trauma counselling
- Where applicable, employers may give consideration to assisting with the cost of the medical advice and trauma counselling, where such amounts are not covered by any applicable medical aid scheme.

Information and Education

- Where feasible, the DOL should endeavour to ensure that copies of this code are accessible and available in the official languages
- Employers, and where applicable, employer organizations should include the issue of sexual harassment in their orientation, education and training programmes
- Trade unions should include the issue of sexual harassment in their education and training programmes for shop stewards and employees
- CCMA commissioners should receive specialized training to deal with sexual harassment cases.

ADDITIONAL RESOURCES

Title	Description	Available at	Author	Date	Language
Checklists for building gender equity into projects	Checklists for building gender equity into al aspects of development projects including preparation; objectives and activities; project personnel; operations and maintenance; monitoring and evaluation	Download from GMCS	Kalyani Menon Sen, Email kalyani@jagori.org	July 2005	English
How to recognize and address gender issues in development	This gender manual is designed to help non-gender specialists in recognizing and addressing gender issues in their work. The intention is to demystify gender, make the concept and practice of gender “mainstreaming” accessible to a wide audience, clarify when to call in specialist help and is intended to be enabling rather than prescriptive.	http://www.Dfid.gov.uk/pubs/files/gendermanual.pdf	Helen Derbyshire, Social Development Division, DFID, 1 Paace street, London SW1E 5EH	DFID, 2002	English
Gender mainstreaming in practice: a handbook	Part 1 of this handbook provides practical guidance for gender mainstreaming in any policy area or sector. The gender mainstreaming process is divided into 10 stages and each stage is described with the help of various tools, checklists, and exercises. Part II id divided into a series of gender briefs, organized according to sector or policy area. These briefs highlight the main gender issues in each area, the main arguments for gender mainstreaming in this area, as well as indicators of progress and entry points for action	http://gender.undp.sk/index.cfm?module=database&page=document&documentID=6275		Regional Gender programme Of the united nations development programmes regional bureau for Europe and the CIS (UNDP RBEC) 2004	English
The gender toolkit book	Easily accessible guide explaining why and how to mainstream gender that includes checklists for gender sensitive and mainstreamed publications, evaluations and consultancy agreements as well as hints for how to approach gender issues with staff and exercises	http://www.nepaldemocracy.org/gender/gender_toolbook.pdf	Email info@fesny.org or info@fes.or.tz	Friedrich Ebert Stiftung, 2001	English
A toolkit for mainstreaming gender equality: environment, peace & unity, poverty reduction &	Toolkit designed specifically for Philippine local government agencies for use in mainstreaming gender into areas of political participation, environment and sustainable development, poverty reduction, peace and conflict issues. Provides useful checklists for project planning and evaluation in each of these	http://www.igsp.org.ph/pdf/CCT%20Tools.pdf	Canadian international development agendy 200 promede du portage gatineau, Quebec, KIA	ACDI-CIDA, 2003	English

Title	Description	Available at	Author	Date	Language
participatory governance Philippines Canada local government support program	areas and evaluation in each of these areas and trouble shooting suggestions.		OG4 Tel (819)9975006 Email info@asdicida.gc.ca		
Introductory gender analysis & gender planning training module for UNDP staff	The content is designed to provide staff with the necessary knowledge and tools to integrate gender issues into their work. Gender training is an attempt to change perceptions, attitudes and behaviours that have been acquired over a very long period of time in a variety of cultural contexts. The training aims to present the key aspects of gender analysis and gender planning but it is also designed to initiate discussion and provide a context for staff to develop future planning in the area of gender mainstreaming	http://www.undp.org/ender/docs/GenderAnalysisTrainingModule.pdf		UNDP/ UNIFEM/ UNV, 2001	English
Gender integration checklists	13 separate sheets divided by topic with brief exercises and questions related to gender mainstreaming and gender analysis	http://www.generation.net/article.php?id=222	IFAID Aquitane 17, Cours des Aubiers 333000 Bordeaux Tel 0556500867 Email maitre@ifaid.org	IFAID	French
The how and why of gender sensitive indicators: a project level handbook	This handbook for practitioners outlines why gender-sensitive indicators are important for development work. The handbook also outlines an indicators work plan, which includes the steps involved to ensure that the indicators used follow the objectives of the development project, provides guidelines and examples, and a checklist for developing gender sensitive indicators	http://www.acdi_cida.gc.ca/INET/IMAGES/Policy/FILE/WID-HAND-E.pdf	CIDA	ACDI-CIDA 1997	English
Gender and energy for sustainable development: a toolkit and resource guide	This toolkit and resource guide outlines the linkages between gender and energy in the context of sustainable development and provides suggestions and materials on how to address energy poverty by integrating gender and energy sensitivity	http://www.undt.org/energy/genenergykit/genderengtoolkit.pdf	UNDT, Bureau for development, policy energy and environment	UNDP, 2004	English

Title	Description	Available at	Author	Date	Language
	into development programmes, projects and policies		group 304 East 45 th Street, 9 th floor, NY 10017, USA		
Training manual to increase understanding of gender aspects of energy use and planning	This manual is designed to support training of development planners and project managers to increase their capacity to bring gender aspects of energy into planning cycle. It includes a set of gender tools specially designed to help the user identify gender aspects of energy problems.	http://www.energia.org/resources/manual/concepts.pdf	ENERGIA secretariat, C/o ETC Netherlands p.o.box 3830 AB Leusden 31 33 432 6044 energia@etc.nl.nl	Energia 2005	English
Integrating gender into HIV/AIDS programmes	A paper reviewing and explaining various rationales, approaches and strategies for integrating gender sensitivity into HIV/AIDS –related health program design.	http://www.who.int/hivpub/prev_care/gen/en/	Department of gender and women's health family and community health, WHO, Switzerland Genderandhealth.who.int	WHO	English
Gender and the involvement of women in local governance: a handbook of concepts, training and action tools	Includes a series of tools for trainers to train local leaders on gender and local governance issues as well as a resource guide for local leaders to involve men and women equally in municipal planning	http://www.unhabitat.org/programmes/rdmu/documents/Somalia_gender.pdf	Office of the Executive director, UN_HABITAT Box30030, Nairobi, Kenya 254 20623120 infohabitat@unhabitat.org	UNHABITAT 2004	English
Gender and local governance	Manual on issues pertaining to women politicians at the local level with tips for development workers on how to increase and strengthen female political participation and case studies.	http://www.snvworld.org/cds/rglgp/Handbook%20LGP/Chapter%203/Manual_gender_And_LGP.doc	Annette Evertzen SNV- Netherlands Development Organization	SNV 2001	English

Title	Description	Available at	Author	Date	Language
Gender and budgets: cutting edge pack	A report that describes what gender budgeting is, why it is needed, how it can be implemented in practice, which advocacy approaches are most effective, and what remains to be done in this area.	http://www.bridge.ids.ac.uk/reports_gend_CEP.html Or http://www.undp.org/gender/CD-Gender-and-Budgets-2004/	BRIDGE institute of development studies university of Sussex Brighton, BN1 (RE UK 44 1273621202 bridge@ids.ac.uk	BRIDGE institute of development studies 2004	Overview available in English and Spanish and some materials are available in French
Millennium development goals: National reports, a look through a gender lens	A review of 13 MDG national reports looking at the degree to which gender concerns and perspectives have been addressed, particularly in goals that do not specifically target women	http://www.undp.org/gender/docs.mdgs-genderlens.pdf	UNDP, 1 United nations plaza, NY 10017, USA	UNDP, May 2003	English
Gender mainstreaming in poverty eradication and the millennium development goals	This book brings together arguments, findings and lessons from development literature that are relevant to the achievement of the millennium development goals (MDGs) from the standpoint of gender equality	http://www.thecommonwealth.org/shared_upload_files/uploadfiles/{EEEE4F53-90DF-4498-9C58-#F273F1E5EE}_PovertyEradication.pdf	Naila Kabeer, Gender section Commonwealth Secretariat Marlborough House, Pall Mall London SW1Y 5HX, United Kingdom gad@commonwealth.int	Commonwealth Secretariat, 2003	English
Human development report office national Human development report series-gender thematic guidance note	This thematic guidance note draws on the conceptual framework of human development and gender outlined in global human development reports, UNDP's strategy and policy papers, and global commitments regarding gender equality. Most importantly. It examines a number of NHDR's addressing the issue of gender equality within the human development perspective	http://www.undp.org/Docs/nhdr/thematic_Reviews/Gender_Guidance_Note.pdf	hdro@undp.org	UNDP Human Development report office 2003	English

KEY GENDER CONCEPTS

Diversity – means that each person brings individual characteristics of 'race', gender, nationality, religion, age, physical disability, sexual orientation, ethnicity, language, and professional skill to the workplace. In order to effectively use diversity, the organisation does not merely recognise, manage or accept the individual differences of each person. The organisation encourages and values diversity.

Gender- describes the socially constructed differences between men and women, which can change over time and which vary within a given society from one society to the next. Our gender identity determines how we are perceived and how we are expected to behave as men and women. Thus while the fact that women give birth to children is biologically determined, the fact they perform the majority of household chores, predominate in the informal survivalist sector and in the lower paid "care" work in the formal sector are all socially constructed. What is important to stress is that gender relations are dynamic. They are shaped through the history of social relations and interactions. They vary over time and place and between different groups of people. They may also be impacted by other factors, such as race, class, ethnicity and disability.

Gender analysis refers to an analysis of the relationships between women and men in society, as individuals, as groups and within institutions. It identifies and understands the different social, cultural and economic realities, needs and interests of women and men and the inequalities of their relationship. It is an important tool for identifying barriers and opportunities for the advancement of women and reduction of gender inequities. It is intended to identify the gendered components of the problem, which is under consideration, whether at the level of international or national policy, or of micro-level interventions. Such problem identification would then be used to inform the process of planning interventions, whether in policy or programmes or systems of monitoring. Gender analysis alerts the user to further questions, which need to be asked, and issues, which need to be addressed. Gender analysis is best done in conjunction with other tools of social analysis to ensure that all forms of social relations that contribute towards inequity are considered and that gender relations are not seen in isolation.

Gender aware policies recognise that women, as well as men, have an important role to play in society; that the nature of women's involvement is determined by gender relations, which make their involvement different and often unequal; and that consequently women have different needs, interests and priorities, which may sometimes conflict with those of men.

Gender-blind policies recognise no differences between the sexes. They mistakenly assume that men and male norms represent the norm for all human beings. As a result, they incorporate biases in favour of existing gender relations and therefore exclude women. Thus for example, although no policy of the DTI sets out to discriminate against women, the fact that these policies fail to specifically highlight the different access that women and men have to resources, and consciously make an effort to redress this imbalance, will inadvertently lead to the status quo being perpetuated.

Gender budgeting or accounting: Because of the different locations of men and women in society and in the economy, no budget line is neutral. Gender budgeting involves both an analysis

of allocations between sectors (such as defense versus social allocations) and within sectors to determine their impact.

Gender disaggregated data: This is the statistical information that breaks down the base information for the activity under analysis by providing the numbers of men and women affected.

Gender equality: Women and men are respected and valued as equals. This means that any differences between women and men are not used to justify a power hierarchy favouring one group over another. It would require:

- That decisions are based on the needs and or interests of both women and men
- Balanced representations and participation of women and men within policy and governance and
- A reallocation of power and redistribution of resources from men to women.
- For gender equality to be a reality for all women and all women, other social inequalities would also have to be addressed.

A **Gender Management System (GMS)** is the network of structures, mechanisms and processes put in place within an existing organizational framework, to guide, plan, monitor and evaluate the mainstreaming of gender into all areas of the organisation's work, in order to achieve greater gender equality and equity within the context of sustainable development. A GMS may be established at any level of government, or in institutions such as universities, inter-governmental or non- governmental organisations, private sector organisations or trade unions. The mission of a Gender Management System is to advance gender equality through promoting political will; forging a partnership of stakeholders including government, private sector and civil society, building capacity and sharing good practice. (Commonwealth Secretariat, Gender Management System Handbook, June 1999).

The key components of the GMS in South Africa are:

- The Office for the Status of Women (OSW) is housed in the Deputy President's Office. Its key functions are the co-ordination and provision of guidance to gender units within national departments and provinces and the initiation of policy-oriented research.
- The Commission on Gender Equality (CGE) monitors and reviews legislation and the gender policies of publicly funded bodies to ensure that the equality of women is promoted.
- The Parliamentary Committee on the Improvement of the Quality of Life and Status of Women was set up late in 1996 to monitor and oversee progress with respect to the implementation of CEDAW and the Beijing POA. It has also played an important facilitating role in relation to the development of the women's budget within Parliament

Unofficial structures include:

- The ANC Women's Caucus is a party structure operating at national parliament level and deals with general legislative issues as they impact on gender equality as well as internal ANC issues.
- The Parliamentary Women's Group, is a multi-party structure, which seeks to stimulate debate about gender equality issues related to both the institution and operations of Parliament. It thus provides a central point of access for advocacy by civil society and a means for women parliamentarians to communicate across party lines and with women's organisations within civil society.

Gender mainstreaming: Is the sum of all the above processes, defined by the UNDP as: "Taking account of gender equity concerns in all policy, programme, administrative and financial activities, and in organizational procedures, thereby contributing to a profound organizational transformation."

Gender Policy – usually developed by particular organisations to provide a guiding framework and strategy, which intends to disrupt existing processes of gendering in relation to that organisation's work and practices.

Institutional barriers refer to the ways in which the rules, norms and practices of institutions can create and perpetuate inequalities. They can be legal - for instance a law that says women can't inherit land in their own name or that you can only access credit if you have land as collateral. They can also be based in practice and include socio-cultural behaviours, which restrict or inhibit women's opportunities. For instance, an organisation that expects its workers' to routinely work overtime will discriminate against parents with responsibility for young children.

Practical gender needs are the needs that women identify in their socially accepted roles in society. Practical needs do not challenge the gender division of labour or women's subordinate position in society, although arising out of them. Practical gender needs are a response to immediate perceived necessity, identified within a specific context. They are practical in nature and are often concerned with inadequacies in living conditions such as water provision, health care and employment. Thus, for example, when poor women are given the option of loans and opt for sewing machines rather than purchasing land and starting an agro business, this option satisfies an immediate practical need to generate income within a safe space. But it does not challenge the status quo or start to address the strategic needs of women to start to share control over economic resources that have traditionally been in the hands of men, and upon which greater wealth creation is based (Moser, 1995).

Sex describes the biological difference between men and women. Men produce sperm; women become pregnant, bear and breastfeed children.

Strategic gender needs are the needs women identify because of their subordinate position to men in their society. Strategic gender needs vary according to specific contexts. They relate to gender division of labour, power and control and may include such issues as legal rights, domestic violence, equal wages and women's control over their bodies. Meeting strategic gender needs helps women to achieve greater equality. It also changes existing roles and therefore challenges women's subordinate position (Moser, 1995)

Unequal power relations- A relationship in which one party (group or individual), based on its structural position in society, has more authority, status, privilege or rights than the second party. At an individual level, any one person is likely to have intersecting identities, so one's relationship to structural power can be complicated. For instance, in a work context a 'white woman boss' might have more power than a 'black man' worker. But in a context of rape, a 'black man' might have more power than a 'white woman'.

Structural inequalities: Inequalities in society based on the way the society is structured and affecting large groups of people. For example, in a society (like Apartheid SA), where it was legislated that only 'white' people could be political leaders it would not matter what the level of

skill or education of a black person, they could never achieve equal status. When economic rules and practices assume that activities which can earn a wage are more valuable than activities which are unpaid but are equally necessary to a society's survival, then automatically the people performing the unpaid labour are structurally unequal to the people performing the paid labour.

References used for the glossary include:

Bennett, (2000); Elson (1998), Friedman (1999), Klugman (2000a), Meer (1999), Preston-Whyte E and Rogerson C (1991)