



women

Department:
Women
REPUBLIC OF SOUTH AFRICA



BEIJING +25

SOUTH AFRICA'S REPORT ON THE PROGRESS MADE ON THE IMPLEMENTATION OF THE BEIJING PLATFORM FOR ACTION 2014-2019

Table of Contents

Introduction	4
Background	4
Part 1: Comprehensive National Level Review	7
Chapter 1: Context in South Africa	8
Chapter 2: National Review Process	10
Part 11: National Report on Beijing +25	13
Chapter 3: Priorities, achievements, challenges and gaps	14
Chapter 4: Progress Across the 12 Critical Areas of Concern	32
Chapter 5: National Institutional Processes	183
Chapter 6: Data and Statistics	185
References	192

ABBREVIATIONS

ABET	-	Adult Basic Education and Training
AIDS	-	Acquired Immune Deficiency Syndrome
AU	-	African Union
BPA	-	Beijing Platform for Action
CEDAW	-	Convention on Elimination of all Forms of Discrimination against Women
CODESA	-	Convention for a Democratic South Africa
CSE	-	Comprehensive Sexuality Education
CSW	-	Commission on the Status of Women
DoJ&CD	-	Department of Justice and Constitutional Development
DoW	-	Department of Women
DPW	-	Department of Public Works
DSD	-	Department of Social Development
DTI	-	Department of Trade and Industry
EPWP	-	Expanded Public Works Programme
GBV	-	Gender Based Violence
GHS	-	General Household Survey
GII	-	Gender Inequality Index
HCI	-	Human Capital Index
ICT	-	Information and Communication Technology
IEC	-	Independent Electoral Commission
ILO	-	International Labour Organisation
ISRDP	-	Integrated Sustainable Rural Development Programme
LGBTI	-	Lesbian, Gay, Bisexual, Transgender and Intersex
MDG	-	Millennium Development Goals
MIG	-	Municipal Infrastructure Grants
MTSF	-	Medium Term Strategic Framework
NCOP	-	National Council of Provinces
NDP	-	National Development Plan
NGM	-	National Gender Machinery
NGO	-	Non-governmental Organisations
NPA	-	National Prosecuting Agency
NPC	-	National Planning Commission
PMTCT	-	Prevention of Mother to Child Transmission
RDP	-	Reconstruction and Development Programme
SADC	-	Southern Africa Development Community
SALGA	-	South African Local Government Association
SANAC	-	South African National AIDS Council
SASSA	-	South African Social Security Agency
SCA	-	Supreme Court of Appeal
SBC	-	Social and Behaviour Change
SDG	-	Sustainable Development Goals
SIGI	-	Social Institutions and Gender Index
SMME	-	Small, medium and micro-enterprise
SRHR	-	Sexual and Reproductive Health and Rights
STI	-	Sexually Transmitted Infection
TRC	-	Truth and Reconciliation Commission
UIF	-	Unemployment Insurance Fund
UN	-	United Nations
UNDP	-	United Nations Development Programme
UNFPA	-	United Nations Population Fund
UNICEF	-	United Nations Children's Fund
VAT	-	Value Added Tax
VAW	-	Violence Against Women
WEF	-	World Economic Forum
WEGE	-	Women's Empowerment and Gender Equality
WHO	-	World Health Organisation
WNC	-	Women's National Coalition

INTRODUCTION

In 2020 the global community will mark the twenty-fifth anniversary of the United Nations (UN) Fourth World Conference on Women held in Beijing, China in 1995 as well as the adoption by world leaders of the Beijing Declaration and Platform for Action (1995). It will also assess five years of the adoption of the UN 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals (SDGs). It is the momentous occasion when the world will review the progress made on its accelerated realisation of women and girls' empowerment and the achievement of gender equality.

2019 also marks twenty five years of democracy in South Africa since 1994 when the country held its first democratic elections following the era of apartheid and colonialism. The timing of the Beijing+25 review coincides with the 25 year review of democracy in South Africa. The Government has undertaken its twenty-five year review process towards emerging with a set of priorities for the country going forward. In 2012 South Africa adopted its National Development Plan: Vision 2030 which serves as a blueprint for development in the country towards 2030. The country has also embarked on national elections in May 2019 and the 6th Administration of Government has just come into place. It is an extremely exciting moment in the country where a strong mandate has been given to the incoming 6th administration by the general electorate, responding to the call by the President of the Republic of South Africa, Mr Cyril Ramaphosa to his "Thuma Mina" (Send Me) rallying call, adding the tag line "Khawuleza ANC" meaning "move faster, ANC".

It was during the election campaigning that the people of South Africa iterated very clearly to the ruling party their impatience for speedy implementation of the ruling party's manifesto as well as the country's plans, programmes and strategies – "a coherent and bold people's plan for a better life for all, addressing the persistent realities of unemployment, poverty and inequality... The campaign illustrated that the [country's] top 10 priorities are jobs, housing, water, roads, electricity, sanitation, crime, corruption, education and land."¹

The overview of the twenty-five year review indicated that South Africa was able to construct a new society based on a Constitution that guarantees political, social, economic and environmental rights. The commitment to a non-sexist society was written into the Constitution and the country has made advances in women's political, social and economic spheres as well as in attaining human rights and dignity, in particular women's rights and women's representation in parliament, government, the public service, and in the private sector.

As part of the country's review process, the Department of Women, under the stewardship of the Minister in the Presidency Responsible for Women conducted a twenty-five review of women's empowerment and gender equality, and produced a comprehensive, evidence-based report. Thus the 25 Year Review Report on Women's Empowerment and Gender Equality: 1994-2019 has been the base document chiefly informing this Beijing+25 national review report.

BACKGROUND

Following the adoption of the Beijing Declaration and its Platform for Action in 1995, the UN Commission on the Status of Women (CSW) have reviewed the progress made by Member States in implementing the Platform for Action on a five yearly basis. The initial review, called Beijing+5 occurred in 2000, followed by the Beijing+10 review in 2005 and the Beijing+15 review in 2010.

¹ African National Congress; June 2019: BULLETIN: NEC Lekgotla: Report and Outcomes of the NEC Lekgotla held on 1-3 June 2019 "A Five-Year Programme to Translate our Contract with the People of South Africa, Johannesburg

In 2015, the global entity of UN member states gathered together during the fifty-ninth session of the Commission on the Status of Women to review the 20th anniversary of the Beijing Declaration and Platform for Action. The main focus of the session was an assessment of the progress made on implementation of the Platform for Action, including current challenges that affect its implementation and the achievement of gender equality and the empowerment of women and girls. The session also addressed opportunities for achieving gender equality and the empowerment of women in the post-2015 development agenda. The session concluded with the adoption of a Political Declaration by Member States which highlighted a number of implementation strategies for the full, effective and accelerated implementation of the Beijing Platform for Action.

The Beijing+25 review is therefore an assessment of the **accelerated realisation** of the Platform for Action. The process is coordinated by UN Women who had issued a Guidance Note on how the review was expected to be conducted at national levels. These included: (i) all national reviews should speak to the progress made in attempting to accelerate implementation; (ii) such a review be comprehensive and involve all stakeholders at the national level; (iii) be championed by the leadership of the Head of State/Government; (iv) mobilise all levels of government, civil society organisations, the private sector and business, legislature/parliament, local government, academia, researchers, media and other relevant stakeholders; (v) include both men and women of all ages, including around a renewed dialogue for change, and actions to prevent and eliminate all forms of discrimination and violence against all women and girls. It is also envisaged that the 25th anniversary of the Platform for Action will be used as an occasion to bring together a younger generation of gender equality advocates and those who remain on the side lines into the centre of a whole-of-government, whole-of-society approach.

This joining of forces between government and society is deemed to provide the capacity required to overcome and eradicate the root causes of gender inequality and chart a new path forward for genuine, substantive equality, with equal rights and equal opportunities for women and girls. Furthermore, it is envisaged that this review provides the opportunity to strengthen gender-responsive action and implementation of other global commitments such as those under the Security Council resolution 1325 (2000) and subsequent resolutions on women, peace and security; the Addis Ababa Action Agenda of the Third International Conference on Financing for Development (2015); the Paris agreement on climate change (2015), among others.

This national review report is developed out of the South African National twenty-five year review and in response to the issues raised in the Guidance Note provided by UN Women. It is therefore structured as follows:

PART 1: Comprehensive National Level Review

- **Chapter 1: Background:** outline of the context in South Africa - where we come from, what was inherited and the transition into democracy in 1994 and a broad overview of the progress made since 1994.
- **Chapter 2: National Review Process:** covers the process undertaken in the country, the institutional mechanism for the review, multi-stakeholder participation and preparation of the national report.

PART II: National Report on Beijing +25

- **Chapter 3: Priorities, achievements, challenges and gaps** - with a focus on the period 2014-2019, and emerging priorities for the future (short, medium and long term)

- **Chapter 4: Progress across the 12 Critical Areas of Concern:** Detailed analysis of measures taken to advance women's empowerment and gender equality across the 12 critical areas of the Platform for Action with a focus on the period 2014-2019. This chapter covers the following:
 - **Section 1: Inclusive Development, Shared Prosperity and Decent Work** – the section focuses on Critical Areas: A - Women and Poverty; F – Women and the economy; I – Human Rights of Women; and L- the girl child
 - **Section ii: Poverty Eradication, Social Protection and Social Services** – the section focuses on Critical Areas: A – Women and Poverty; B – Education and Training for Women; C – Women and Health; I – Human Rights of Women and L – The Girl Child
 - **Section iii: Freedom from Violence, Stigma and Stereotypes** – the section focuses on Critical Areas: D – Violence against Women; I – Human Rights of Women; J – Women and the Media; and L – The Girl Child
 - **Section iv: Participation, Accountability and Gender-Responsive Institutions** – the section focuses on Critical Areas: G – Women in Power and Decision-Making; H – Institutional Mechanisms for the Advancement of Women; I –Human Rights of Women; J – Women and the Media and L – The Girl Child
 - **Section v: Peace and Inclusive Societies** – the section focuses on Critical Areas: E – Women and Armed Conflict; I – Human Rights of Women and L – The Girl Child
 - **Section vi: Environmental Conservation, Protection and Rehabilitation** – this section focuses on Critical Areas: I – Human Rights of Women; K – Women and the Environment and L – The Girl Child
- **Chapter 5:** National processes and mechanisms, linked to the implementation and monitoring of the Beijing Declaration and Platform for Action; SDG 5 on women's empowerment and gender equality and the other SDGs as related.
- **Chapter 6:** Highlights the progress on the availability of data disaggregated by sex and gender statistics

PART 1
COMPREHENSIVE NATIONAL LEVEL REVIEW

CHAPTER 1

CONTEXT IN SOUTH AFRICA

In assessing progress on gender equality and women's empowerment it is critical to look at the historical background to the status of women, gender and development in South Africa, and to understand how the gendered colonial, segregationist and apartheid legacies continue to create barriers for the achievement of gender equality. Women demonstrated their activism from as early as 1913 when they initiated resistance against the pass laws, a struggle that culminated in 1956 in the "Women's March" when 20 000 women marched to the Union Building to protest against the abhorrent pass law system. In the post-World War 2 period women played a leading role in the Defiance Campaign as well the increasingly activist trade union movement.

The gendered vision of production and social reproduction pre-1994 faced continual resistance by mainly Black African women, and given the defiance and strong resilience of the women in the struggle against oppression, first the colonial and then the Apartheid agendas, ultimately "failed". The struggles waged by women over centuries have resulted in important strides towards the national goal of a non-sexist society. These struggles, led by heroines such as Charlotte Maxeke, Albertina Sisulu, Sophie de Bruyn, Winnie Madikizela-Mandela, Helen Joseph, Rahima Moosa, Phila Ndwandwe, Nomkhosi Mini, Dulcie September, Emma Mashinini, Nokuthula Simelane, and many others, ushered in the rights and freedoms of women. These rights are firmly entrenched in the country's Constitution and benefitted not only black women but also white Afrikaner and English speaking women, women with disabilities, women living in rural areas, domestic workers, young women, girl children and the LGBTQIA+ communities.

The decade of the 1990s presented a new dawn for South African politics in general, and for the women's movement activism in particular. In January 1990, the African National Congress (ANC) Women's League convened a unifying conference in Holland called the Malibongwe Conference. The aim of the conference was "to provide a forum for an authentic dialogue among South African women of all races, from all progressive/democratic women's organisations, trade unions, community organisations, youth, students, religious bodies, professional associations, as well as individuals, on all aspects of women's conditions in racist South Africa, and their participation in the struggle for democratic transformation in South Africa. It was during this conference that women reached consensus on the formation of a national women's structure as a priority for building unity, and that there was on-going discussion about the relationship between national liberation, women's liberation and working-class victory.

Women played a central role during the process of negotiations in the Convention for a Democratic South Africa (CODESA) in the development of the country's constitution. In April 1992, the Women's National Coalition was formed to organise a Charter Campaign in order to consult with women throughout South Africa about their problems, needs and hopes for the new democratic dispensation. The campaigning process prioritised community engagements on five issues, namely women's legal status, women and land, women and violence, women and health, and women and work, and identified two main conditions for the inclusion of women's equality concerns in the new state, namely the increased presence of women in decision-making bodies and positions, as well as the establishment of state structures to monitor the gendered impact of public policies. Through the Charter Campaign the Women's National Coalition drafted and presented the Women's Charter for Effective Equality to CODESA for inclusion in the Bill of Rights². This Charter was adopted in 1994 and served as the basis on which the gender agenda was premised.

The ANC-led government inherited in 1994 a situation where the majority of women were systematically subjugated and excluded from the social, political and economic spheres under a racist, sexist and violent colonial and Apartheid regime. Women's lived experiences differed according to race, geography, economic

² Hassim, S. and Gouws, A.: 1998: Redefining the Public Space: Women's Organisations, Gender Consciousness and Civil Society in South Africa

status and educational levels, with black women and African women in particular facing the worst forms of oppression and exploitation.

Women constitute a significant proportion of the South African population. Government inherited an apartheid system that had institutionalised racial oppression, discriminatory laws and policies. Women in general, and African women in particular, were marginalised from national and local political and decision-making positions and denied equitable health care, social services, educational opportunities and opportunities for economic participation.

As a result of its international isolation during the apartheid years South Africa was also excluded from participation in key UN and African conventions that protected the rights and entitlements of women. The South African economy had been shaped by a century of patriarchal, segregationist and exclusionary policies that marginalized most women from meaningful economic participation. A major legacy of apartheid has been the feminisation of poverty and gendered inequalities that continue to impact on the lives of many South African women.

The twenty-five years since 1994 have been characterized by government efforts to effect political, economic and social transformation and to overcome the barriers to gender equality and women's empowerment, with a clear intent to transform historical gender imbalances.

South Africa has travelled a long road since 1994 in its efforts to secure, promote and sustain gender equality and women's empowerment. Government came into power in 1994 on the back of a commitment to a progressive legislative programme and a human rights agenda that were strongly informed by the principles of gender equality, women's emancipation and empowerment. From the outset government was committed to creating a non-racist, non-sexist developmental state built on the priorities outlined in the Reconstruction and Development Programme (RDP: 1994).

In addition, the White Paper on Reconstruction and Development (1994), section 3.2.7, stated that gender equality is a major objective of economic policy as market failures often exacerbate discrimination in society and in government in general. This leads to rampant discrimination against women; artificial notions of "women's work" and "men's work"; employment discrimination; unpaid labour by women; credit constraints for women; inadequate early child care and education, among others. In addition, the White Paper pointed out that women also suffer the social consequences of discrimination such as gender discrimination in law enforcement and treatment of offenders; discriminatory treatment on the basis of marital status or pregnancy; and insufficient public health services³. Thus the policy objectives outlined in the RDP and the White Paper espoused the need to identify and address gender-biased aspects of government practice and economic management; and in particular to increase training opportunities for women; establish parental rights; improve credit subsidies and innovative credit schemes; ensure the public provision of child care; and improve opportunities to benefit women. This thus serves as the foundational objectives for transformation towards women's empowerment and gender equality in the country.

The immediate challenge for the new government in 1994, therefore, was to begin the laborious process of dismantling a panoply of racially determined legislation, policies and regulations and to replace them with statutes that manifested the vision of non-sexism and the empowerment of women. The Founding Provisions and the Bill of Rights, as enshrined in Chapters 1 and 2 of the Constitution of the Republic (Act 108 of 1996), establish the rights of women in South Africa. In the first ten years after 1994 South Africa was at the forefront of some of the most progressive gender equality legislation in the world, including laws on termination of pregnancy, sexual orientation, and the rights of women under customary law. The rights of women workers are protected through progressive labour laws. Women's economic and social empowerment is promoted through legislation and related policies, charters and quotas. Women's access to justice and protection against domestic violence, sexual offences, rape and harassment are promoted through legislation globally acclaimed as very forward looking. In the recent past, laws adopted since 1994, have been amended to further entrench women's empowerment and equality such as in ensuring the principle of equal pay for work of equal value.

A focus on women's emancipation and empowerment through the realisation of civil, political, economic and social rights was justified within the context of high levels of inequities and inequalities impacting on women inherited by the

³ Republic of South Africa: 1994: White Paper on Reconstruction and Development: Section 3.2.7

incoming government in 1994. The drivers for change were thus policy reforms and building the institutional machinery.

However a reflection on the journey since the advent of democracy is incomplete without identifying those challenges that continue to persist and negatively impacts the lives and livelihoods of women and girls since 1994. Despite a renowned and progressive legal framework to improve the lives of individuals and communities, challenges persist as a result of ineffective and inadequate implementation. A major challenge in realising gender equality in South Africa lies in dismantling patriarchy and its effects; addressing and eliminating the high levels of violence against women and girls and high levels of gender based violence and femicide; and in breaking the cycle of dependency of those women who continue to be marginalised and who remain vulnerable.

The nature of vulnerability that women face in 2019 is markedly different to the vulnerability women faced in 1994. It is therefore safe to say that the journey travelled for women's emancipation, empowerment and gender equality in South Africa since 1994 has been a promising, but difficult one. However it remains evident that when one compares the trends in progress over the past 25 years since 1994, where women had little choice about the kinds of lives they wanted to lead, there is much to be proud of in the strides that have been made in realising the rights of women post-democracy.

CHAPTER 2 NATIONAL REVIEW PROCESS

A focus on women's empowerment and gender equality as a key thematic area in the 25 year review of democracy in the country provided an opportune moment to reflect on the journey made through the implementation of the Beijing Platform for Action since its adoption in September 1995. Using evidence gathered from disaggregation of data and statistics to measure the achievements made; depictions of trends where possible; and witnessing the changes in the lived experiences and realities of women and girls today has enabled a comprehensive assessment of the progress made on advancing the lives of women and girls in the country.

The process of preparing the national Beijing+25 report is very much aligned to the processes undertaken in developing the twenty-five review report on women's empowerment and gender equality 1994-2019. This assessment is therefore a broad reflection of the journey of developments and progress made toward towards gender equality over the period under review.

The process was initiated through the establishment of an Interdepartmental Task Team coordinated by the Department of Planning, Monitoring and Evaluation in the Presidency in 2018. Each sector was required to undertake a review of the progress made, assessing the extent of implementation of legislation, policies, strategies and programmes in line with the National Development Plan: Vision 2030; the Medium Term Strategic Framework 2014-2019; and the Constitution of the country.

The Department of Women was part of this Interdepartmental Task Team. Data and statistics were gathered and trends determined. A gendered analysis of the findings was undertaken and an evidence-based, data-driven report was developed.

Consultations of the evidence, findings and reports were extensive and included the following:

- Consultation through Government's Director-General (DG) Clusters especially the Governance and Administration DG Cluster and technical Working Group; the Social Protection, Community and Human Development DG Cluster and Technical Working Group; and Economic, Social and Infrastructure DG Cluster.

- Presentation and consultation through the 2-day Interdepartmental Consultation Workshops established by the Department of Planning, Monitoring and Evaluation in October 2018 and in March 2019. These platforms included government representatives, the business and private sectors; trade unions; NGOs; Faith Based organisations; community organisations; Chapter 9 institutions and civil society structures. Young people and the LGBTQI sectors were part of the consultation.
- The Department of Women consulted on the report during the National Gender Machinery meeting held in January 2019.
- The report has been presented and consulted on at an International Reporting Training Workshop organised by the UNHCHR held in March 2019 in the University of South Africa (UNISA). At this meeting, the Chairperson of the CEDAW Committee was also present.
- The report thus includes wherever possible the voices of women obtained through the extensive process of National Dialogues undertaken by the Department of Women from 2017-2019 across municipality and district levels in all the provinces. The dialogues focused on community level participation and included local and traditional and religious leadership, faith based organisations, local business organisations, women's groups and organisations and community based organisations. Women, men, young women, girls, young men and boys participated in the dialogues, including HIV+ groups; members of the LGBTQI sectors; rural women's groups, etc.
- The Minister in the Presidency responsible for Women also launched the Gender Based Violence Hearings in April 2019, where the voices of women were captured and the issues they have raised are reflected in the report.
- The Beijing+25 report has been consulted and therefore validated at a National Consultation Meeting held on 29 June 2019 in which representatives from government, across the provinces and local government, women's organisations, NGOs, the men's sector; young women's sector; the LGBTQI sector; community based organisations; academics; researchers; and civil society organisations participated. Their inputs have been captured into the final B+25 Report that is submitted to the UN.

In December 2018 the President of the Republic of South Africa approved the establishment of a Presidential Review Committee on Women's Emancipation and Gender Equality to be championed by the Minister in the Presidency Responsible for Women, and following the appointment of the new Cabinet in May 2019, by the Minister in the Presidency for Women, Youth and Persons with Disabilities. The Presidential Review Committee held its inaugural meeting on 24 January 2019 where the initial draft report was presented and consulted on. A second draft was again presented to the Committee in April 2019. The Committee's work involves undertaking a more comprehensive review of women's emancipation and gender equality by consulting largely with women at community level so that the limited scope and extent of the government reports can be addressed through this process. The voices of women will be more comprehensively captured in such a process. The Presidential Review Committee will be producing its analytical report by December 2019.

The President of South Africa hosted a National Summit on Gender Based Violence and Femicide in November 2018 following the undertaking by the President when he addressed the women's organisations and women victims / survivors who marched as the #TotalShutdown earlier in 2018. Women's voices were clearly heard by the President at the National Summit which emerged with a Declaration which has since been signed between women's organisations and the President in March 2019. The issues that were raised at the Summit and captured in the Declaration are also reflected upon within this 25 year review report.

The 25 Year Review Report on Women's Empowerment and Gender Equality: 1994-2019 therefore informs South Africa's Beijing+25 Review Report. Thus the B+25 Report reflects evidence, data, statistics and trends that covers 25 years, and does not confine to the last five years only. The intention is to show the progress in real time from where South Africa came, what it inherited pre-1994 and the progress it has made over the last 25 years. This provides a vivid picture of the extent of the advancement of women in South Africa as well as the challenges that persist and the areas where the progress has been slowed down. It would be remiss not to share with the global world the trends over 25 years in advancing women in South Africa.

PART II

NATIONAL REPORT ON BEIJING +25

CHAPTER 3

PRIORITIES, ACHIEVEMENTS, CHALLENGES AND GAPS

This section provides a macro analysis of priorities, achievements, challenges and setbacks, with a focus on the past five years, from 2014 to 2019, as well new and emerging priorities for the future. Over the first 20 years of the democratic transition in South Africa (1994-2014), the foundations were laid for a non-racial and non-sexist society based on fundamental human rights, equality and unity in diversity. In 2014, the Government's Twenty Year Review Report⁴ stated that at the end of the fourth administration (2009-2014), South Africa was a better place in which to live than it was in 1994, where political and social rights of people were protected, and the lives of millions of people have been improved through new laws, better public services, expansion of economic opportunities and improved living conditions. Despite this, the challenges that faced the country in 2014 were still immense: poverty, inequality, unemployment, and violence against women and girls continued to impact negatively on the lives of millions - especially Black African women, and in particular those living in rural areas and in informal settlements.

It is against this background that bold and decisive steps had to be taken on a qualitatively different path that sought to eliminate poverty, create jobs and sustain livelihoods, and substantially reduce inequality. Thus Government emerged with a Medium Term Strategic Framework, which was a strategic plan for the 2014-2019 electoral period, with a renewed commitment to fully implement the National Development Plan: Vision 2030 adopted in September 2012. The country considered it important that during the 2014-2019 period there must be focused attention on the creation of a competitive economy, decent work opportunities for all, key social development initiatives such as social security, retirement reform, food security for all, land and agricultural reform, national health insurance, improvements in basic education, expansion of technical and vocational education, and reducing violent crimes against society.

Thus the 2014-2019 electoral mandate focused on the following priorities:

- Radical economic transformation, rapid economic growth and job creation
- Rural development, land and agrarian reform and food security
- Ensuring access to adequate human settlements and quality basic services
- Improving the quality of and expanding access to education and training
- Ensuring quality health care and social security for all citizens
- Fighting crime and corruption
- Contributing to a better Africa and a better world
- Social cohesion and nation building

In its focus on these priorities, Government elaborated them into fourteen key outcomes and associated activities and targets, as follows:

- Outcome 1: Quality Basic Education
- Outcome 2: A Long and Healthy Life for All South Africans
- Outcome 3: All People in South Africa Are and Feel Safe
- Outcome 4: Decent Employment Through Inclusive Growth
- Outcome 5: A Skilled and Capable Workforce to Support an Inclusive Growth Path
- Outcome 6: An Efficient, Competitive and Responsive Economic Infrastructure Network

⁴ Republic of South Africa, The Presidency; 2014; Medium-Term Strategic Framework (MTSF), Pretoria

- Outcome 7: Vibrant, Equitable, Sustainable Rural Communities Contributing Towards Food Security for All
- Outcome 8: Sustainable Human Settlements and Improved Quality of Household Life
- Outcome 9: Responsive, Accountable, Effective and Efficient Local Government
- Outcome 10: Protect and Enhance Our Environmental Assets and Natural Resources
- Outcome 11: Create a Better South Africa and Contribute to a Better Africa and a Better World
- Outcome 12: An Efficient, Effective and Development-oriented Public Service
- Outcome 13: A Comprehensive, Responsive and Sustainable Social Protection System
- Outcome 14: A Diverse, Socially Cohesive Society with a Common National Identity

Top five priorities for accelerating progress for women and girls in the country over the past five years through laws, policies and or programmes included job creation and sustainable growth; improving access to education for girls especially in the STEM field; addressing women's health in particular maternal mortality, the high levels of HIV and AIDS in young women, addressing violence against women and gender based violence in particular issues of rape and sexual offences, femicide and intimate partner violence, killings and rape of lesbian and gay women and addressing trafficking in women and girls; economic empowerment of women in particular women owned businesses, SMMEs, women cooperatives, women vendors, hawkers and village and township enterprises; development of rural women; among others.

In this regard the country focused on ensuring equality and non-discrimination under the law and access to justice for women; poverty reduction, agricultural productivity and food security for women; right to work and rights at work (e.g. gender pay gap, occupational segregation, career progression) and women's entrepreneurship and women's enterprises.

However South Africa also focused on other issues such as:

- Political participation and representation
- Unpaid care and domestic work / work-family conciliation (e.g. paid maternity or parental leave, care services)
- Gender-responsive social protection (e.g. universal health coverage, cash transfers, pensions)
- Basic services and infrastructure (water, sanitation, energy, transport etc.)
- Strengthening women's participation in ensuring environmental sustainability
- Gender-responsive budgeting
- Digital and financial inclusion for women
- Gender-responsive disaster risk reduction and resilience building
- Changing negative social norms and gender stereotypes

In the 25 years since 1994 the country has made enormous political, social and economic strides. There is, however, concern that the institutionalisation of the transformation agenda for women may have slowed down. Central to this concern are the continuing challenges and multiplicity of oppressions faced by South African women informed by their differently constructed subjective positions in relation to the political, economic, and social power structures. Although the agenda for gender equality and women's empowerment in South Africa is advanced in comparison with many other countries, efforts to achieve gender equality and women's empowerment through legislative and policy interventions have yet to substantially transform society and the economy.

Overview of Progress Made: 1994-2019

Institutional Arrangements for Women's Empowerment and Gender Equality

The democratic government has accomplished substantial success in the structural establishment of institutional mechanisms for advancing women's empowerment across all state functions, and in inserting gender equality principles into legislation. The founding provisions and the Bill of Rights enshrined in the Constitution enabled the establishment of institutional arrangements for the advancement of women's rights, empowerment and gender equality at the highest levels of government such as the Office on the Status of Women in 1997, which has since evolved into a dedicated Ministry for Women located in the Presidency. The Commission for Gender Equality was also established, and the National Gender Machinery became part of the processes undertaken by government to create an enabling environment for gender transformation.

Women, democracy and governance

Since 1994 Government has striven to transform the state sector and to ensure that mechanisms were in place to prioritise the progress of women in all sectors of public life. The promotion of women at all levels of the public service was prioritised. It is evident from all available data that women have made significant progress in all areas of the civil service - from the number of women serving as Members of Parliament and Legislatures; holding mayoral positions and serving on local councils; women serving in leadership positions in the Executive or Cabinet level; in senior positions in the judiciary, the military, diplomatic corps and in government. Progress has been much slower in the private sector where gendered norms and practices continue to prevail and corporate responses to the imperative of gender equality have been tardy and resisted. Women are poorly represented on company boards and senior management positions, including on companies listed on the Johannesburg Stock Exchange (JSE).

South Africa has made major gains in the areas of democracy, representation and governance towards achieving gender equality and women's empowerment. South African women have a long struggle history against patriarchy, suppression, discrimination, subjugation and women's suffrage, and many gains have been achieved through a strong, robust and vibrant women's movement. The Constitution provides an enabling framework that has guided the introduction of policies and laws to enforce transformation, non-discrimination; non-sexism and equality for women and their equal representation and full participation in national government structures, decision-making and leadership positions.

To achieve gender-parity within the public and private sector clear targets have been put in place in key areas of political and governance levels to promote the advancement, representation and full participation of women in power structures and key decision-making levels. In line with its commitment to the SADC Declaration on Gender and Development South Africa attained its minimum 30% representation of women at the political level during the second national elections in 1999. The 30% target was also achieved for representation of women at the SMS level in the public service by March 2005. Following this Cabinet adopted the 50/50 principle for women in the SMS level in the Public Service and called for the same principle to be adopted at all political, leadership and decision-making levels in the country, including in the private sector.

The democratic government has accomplished substantial success in advancing women's representation and gender equality across the state machinery, and in inserting gender equality principles and women's rights into a wide range of laws and policies. The rights of women workers are protected through progressive labour laws introduced by government over the past 25 years. Women's

economic and social empowerment is promoted through legislation and related policies, charters and quotas. These laws are fully highlighted in the Review Report itself.

Substantial gains in other areas have been made as well. There has been a steady increase over the past 25 years in the number of women elected as Speakers, Ministers, Deputy Ministers, Premiers, MECs, MPs, MPLs, Mayors, Councillors, Chairpersons of Portfolio Committees, the NCOP, and Chapter 9 institutions. There is tremendous progress over the 25 years in the representation of women ministers in cabinet from 11% in April 1994 to 48.48% in April 2019. The trend is similar for the representation of women as deputy ministers, increasing from 25% in April 2004 to 42.85% in April 2019. There was a period between May 2004 and April 2009, when there was a 50% representation of women as Deputy Ministers. In 2009, five out of the nine (i.e. 55%) premiers were women. Unfortunately this success in women premiers was not sustained in subsequent elections. South Africa ranks 2nd place out of the G20 members, with 42% of seats in parliament taken up by women following the 2014 elections.

Following the first local government elections in 1995, there was 19% women overall in this sphere of governance. This figure has increased to 41% women overall following the 2016 local government elections. In 2010 women overall comprised approximately 32.7% of executive mayoral and mayoral positions, increasing to 41.6% overall by 2017. Following the 2016 Local Government Elections, overall in the country there is a 39% representation of women as municipal mayors.

There has been a substantial increase in the percentage of women judges over the 25 years from one female judge in 1994 (who was white) to a demographically diverse representation of 35.5% in 2018. There are approximately 44% women magistrates in South Africa, with most of them located as Regional Court Presidents (i.e. over 50%). At the highest level of the Judiciary which is the Chief Justice level, South Africa has never has a female Chief Justice to date. This remains a challenge for women to break through at this level.

Important strides have been made in increasing the number of women in senior management positions in the public service, including as Directors-General and Heads of Departments in national and provincial departments. Women have broken down the barriers of entry in sectors such as the military, police force, navy and air force. The gap between men and women in the Public Sector is widening towards 2018, skewed in the favour of women, with women making up more than 50% of all public servants. Although more women are joining the Public Service, they are predominantly at the lower ranks of the public service.

Diplomatic appointments of women in South Africa have increased steadily since 1994 and by December 2018, women hold 41 (or 33.88%) such diplomatic positions. Although there is progress noted, there is only a 7.88 percentage point increase over the last ten year period. There is a 41.3% representation of women in senior management in the public service as at December 2018 with an average annual increase of approximately 1 percentage point. This trend remains a matter of concern for the future.

Albeit inadequate, we have made some inroads in increasing the number of women in management and decision-making positions in the private sector and state-owned enterprises, especially with respect to professional women, women CEOs, women directors and women managers. In 2018, women only comprise 21.2% of the top management level. The gap between women and men is very wide and the pattern has been the same since 1994. The concern remains that of the lack of increase of professionally qualified women into the private sector, yet women outnumber men in terms of the number of graduates emerging from tertiary institutions. It is evident that graduate women are finding it difficult to obtain employment within the private sector. According to the 2017 Business Women's Association of South Africa Leadership Census, only 20.7% of directors and 29.4% of executive managers are women. At the top leadership level of organisations, women account for only 11.8% of CEOs or chairpersons.

Women's equitable representation and participation in political, leadership, decision-making and governance positions continues to be a matter of concern in the country. We are still to achieve gender parity (50/50) across all sectors and all levels. While there are significant gains made at the political and leadership levels, there is a tendency of back-sliding on some of the gains. The progress towards gender parity is slowest at the corporate level in South Africa, especially on the representation of women in senior positions such as Chairpersons of Boards and in management positions. There is a wide gap in ownership, control and management between men and women, particularly in the business sector. The gender wage gap between men and women continues to remain wide, especially in the private sector and corporate world. The inadequate training and skills development and the lack of a leadership pipeline for women into positions of decision making continues to remain a barrier for achieving gender equality.

There is also inadequate gender-responsive planning, policy, research, budgeting, monitoring, evaluation and auditing across all sectors in the country and budgets, targets, and indicators therefore are not aligned towards gender-responsive outcomes. In addition, there is poor or inadequate mainstreaming of gender across all sectors, and at all levels in society, resulting in the lack of reflection of gender-specific outputs and/or results. Research findings indicate that there is a general lack of know-how in the country to undertake gender mainstreaming as well as gender responsive budgeting and planning. Furthermore the current government-wide monitoring and evaluation system(s) lacks gender-responsiveness resulting in limited generation of gender and sex-disaggregated data readily available to inform policy, planning and decision-making.

Women's Economic Empowerment

Economic transformation and the empowerment of women within the economy have been stated goals of government since 1994. Under apartheid the majority of women in South Africa had been confined to the *homelands*, with their subsistence-based economies and limited opportunities for entrepreneurship. As apartheid era segregationist policies broke down, more and more women migrated to urban areas in search of work and other opportunities. The challenge for government over the years has been to ensure that women are not only integrated into the formal economy, but also equipped with the education and skills required to participate in a modern economy. Government has introduced a range of policies and programmes designed to facilitate women's economic empowerment, to provide business resources, information and opportunities for South African women entrepreneurs, as well as a range of interventions designed to achieve women's empowerment and gender equality in the agriculture sector. Success has been limited, partly as a result of weak economic growth, particularly since the economic crisis of 2007 and partly as a result of gendered barriers to entry into the formal sector. As a result, women are over-represented in informal and vulnerable employment.

Women's economic empowerment underpins women's emancipation and the achievement of the constitutional vision of a non-sexist society and gender equality. It is essential for the full, effective and accelerated implementation of the Beijing Platform for Action and the 2030 Agenda for Sustainable Development. Without it the South African economy will not yield inclusive growth that will be able to generate decent work for all, eliminate poverty, promote equality and improve the well-being and livelihoods of South Africa's people. Achieving women's economic empowerment and realizing women's human and labour rights constitutes a sustainable development solution for the country; its people, particularly women; and prosperity that equally benefits paid and unpaid, formal and informal workers⁵.

⁵ Report of the UN Secretary General, E/CN.6/2017/3, to the 61st Session of the Commission on the Status of Women, 2016

Women's equality and socio-economic independence are important for domestic development and growth and constitutes a vital part of sustained development and democracy. Women's access to resources, both social and economic, has implications beyond women as individuals – women's access to education, skills development and economic resources will result in access to credit, information and technology, in particular in the 4th Industrial Revolution, and the changing world of work, and therefore benefit society as a whole.

Economic empowerment of women is just not about their spending power –it is about more equitable ownership, control and management of the economy, in order to reduce income inequality and expand access to opportunities, employment, entrepreneurship, access to credit, training and skills development. Research shows that economically independent women take and make decisions on their own, take control and manage on their own, seek higher and higher educational levels and qualifications, can provide better educational outcomes for children, access higher quality health care for their families; and can even walk away from unhealthy or violent relationships.

Thus transforming the world of work for women and ensuring their inclusion into economic growth and mainstream economic activities, opportunities, and employment requires the elimination of structural barriers, discriminatory laws, policies, practices and social norms. We need to target the inequalities and gaps related to women's labour force participation, entrepreneurship, equal pay for work of equal value, working conditions, social protection and unpaid domestic and care work. In addition, it is significantly important to strengthen education, training and skills development to enable women, especially young women, to respond to new opportunities in the changing world of work.

Economic empowerment and inclusive growth is significant to address women's poverty, in particular the high levels of poverty experienced by African women. There is a significant disparity in poverty levels between population groups and sex of individuals. In general, black African females, women in rural areas, and those with no education are the main victims in the ongoing struggle against poverty. There is a higher proportion of females (41.7%) in 2015 living below the Lower Bound Poverty Level compared to males (38.2%), a persistent trend since 1994. Women's poverty levels are even higher than the national or country level. Black Africans females continue to carry a disproportionate burden of poverty levels compared to African males over the 25 year period, and when compared to women of all other population groupings in the country. Individuals living in female-headed households also continue to account for shares in poverty that are larger than their shares in the population. A household headed by a female has a 48% probability of being poor compared to a 28% probability for a household headed by a male.

In 2017, although women constituted 51% of the total population of South Africa, they make up only 44.3% of the employed workforce, which is often concentrated at lower levels of organisations. Gender based discrimination and segregation in the labour market, as well as the weak regulation of those markets have served to confine women to jobs that are low paid and of poor quality in terms of working conditions and access to social protection. Women comprise a majority of small business owners in South Africa but make up a minority of workers in the formal sector.

The South African labour market is generally more favourable to men than it is to women and men are more likely to be in paid employment than women, regardless of race in general, but with particular significance for African women in the main. Significant numbers of women, mainly Black African women, remain in low-productivity jobs, often in informal sector enterprises whose access to technology is poor. Women are also more likely than men to be involved in unpaid work, with about 55.2% of those involved in non-market activities being women as measured in the second quarter of 2018.

Women's unequal share of unpaid care and domestic work is an important barrier to their economic empowerment and well-being. This reflects not only the time-intensive nature of some tasks performed around the home, such as caring for other household members, but also the uneven distribution of caring activities between household members, which reflect social norms and practices and intra-household decision-making. In 2010, the Time-Use Survey conducted by Stats SA showed that women between the ages of 20 and 29 years were estimated to have spent 2.3 hours per day in market production activities, and 4.7 hours in household production activities. While men spent more time in market production than women, the opposite is true for household production.

Men outnumber women amongst the employed by more than two million. There are around one-quarter more women than men amongst the non-searching unemployed. Men have better labour market outcomes (employment as opposed to unemployment) and women dominate amongst those with worse labour market outcomes (non-searching unemployment as opposed to narrow unemployment). Working-age women are less likely than their male counterparts to be employed, and that economically active women are more likely than men to be unemployed. Labour force participation rates amongst women are substantially lower than those of men, irrespective of the unemployment definition used. Even though women are exposed to formal labour markets, including in the extractive industries, opportunities are minimal or limited for them. One main factor in this is 'occupational segregation' defined as the division of the labour markets based on gender.

Female employment is concentrated in four industries: community, social and personal (CSP) services (31.4%); wholesale and retail trade (22.1%); private households (14.6%); and finance (13.2%). Women dominate employment in only two industries: CSP services, which include government, and private households, which is primarily domestic work. In contrast, construction, mining and transport are heavily male dominated and in construction, there are eight times as many men in the industry than there are women. In manufacturing, agriculture and utilities, men outnumber women by a ratio of between 2.0 and 2.5 to 1, while in wholesale and retail trade (1.1) and finance (1.4) the ratios are much lower.

Males are more likely than females to be employed in the formal sector (77.1% compared to 71.4%), and in the informal sector (19.5% compared to 14.4%). In contrast, private households account for 14.3% of female employment, more than four times the share for males. Women account for around two-fifths (41.7%) of formal sector employment, and just 36.2% of informal sector employment. Importantly, just fewer than 44% of the employed are women.

Statistics on monthly earnings demonstrate that there are fewer women earning salaries compared to men. In 2001 males constituted 53% and 55.6% in 2017 of those earning salaries while females constituted 47% in 2001 and 44.4% in 2017. Females continue to dominate among those earning in the bottom ranges of earnings. The 2017 data shows higher concentration for female within the lowest earning categories.

Women account for 34.5% of the self-employed. 37.6% of those whose businesses are not registered for tax are women. Amongst females, whites (15.2%) and Africans (11.5%) have the highest rates of self-employment. The largest cohort of self-employed women, irrespective of youth status, has incomplete secondary education.

While there is still a long way to go, women have started to break through glass ceilings in the corporate world, especially in previously male dominated fields such as manufacturing, finance, big business, science, engineering, mathematics, technology, ICT related fields, mining and construction. Overall, women have made significant strides in ensuring that they are better represented and have a voice in parliament, in the judiciary, in cabinet, in the public service, in the corporate world, and in society at large.

Women tend to be more involved in subsistence farming in an effort to supplement food security at the household level. In 2017, about two and half million households were involved in one or more agricultural production activity in South Africa; the majority of these households were female headed (52.8%). Statistics on individual land ownership indicates that only 34% of individual land owners are female and that males own the largest size of farms and agricultural landholdings. Data indicates that 71% of land is owned by males while only 13% of land is owned by females.

Among the barriers which affect women's participation in economic opportunities are access to education and training; unfavourable economic structures including limited access to credit facilities and financial skills training, traditions and the disregard for and discounting of women's unpaid care work, especially in GDP calculations. Addressing gender equality between men and women and debunking the phenomenon of patriarchy remains a key challenge in ensuring women's inclusion into mainstream economic activities, opportunities, employment and inclusive growth in the country in the short, medium and long term.

The proportion of females to males who graduate with STEM-related (science, technology, engineering and mathematics) degrees is unbalanced, with women underrepresented in maths and statistics, ICT and technology, as well as in engineering, manufacturing and construction. Men outnumber women amongst the employed by more than two million, while there are around one-quarter more women than men amongst the non-searching unemployed. As a result, women account for just over 51% of the expanded unemployed. In other words, men form the majority of those with better labour market outcomes. Women still occupy the majority of lower-paid service sector jobs and domestic work and have made little inroads in traditionally male dominated sectors such as engineering, mining and construction. Statistics on monthly earnings demonstrate that there are fewer women earning salaries compared to men. Differentials in wages between women and men, especially for work of equal value, continue to pervade the private sector and the wage gap shows no signs of narrowing towards total equity.

Overall the 25 year review highlights key issues related to the status of women in the economy. Although women make up more than 51% of the population in South Africa in 2019, key findings highlight that:

- Women are generally poorer than men;
- More women than men are unemployed, discouraged work seekers, and non-searching unemployed;
- Women employed in formal sector jobs are mainly located in low paying, low skilled levels;
- Women are largely absent from decision-making, leadership and management positions particularly in the private sector /corporate world;
- Women experience unequal pay for work of equal value – the wage gap between women and men employed in the private remains wide;
- Women are more likely than men to be involved in unpaid work and involved in non-market activities and in subsistence activities for household production and consumption;
- Women's unequal share of unpaid care and domestic work, and family responsibility is a barrier to their economic participation and advancement;
- Women experience 'occupational segregation' defined as the division of the labour markets based on gender and tend to be mainly located in retail and services sectors while generally absent in the manufacturing, construction, mining, IT and other male dominated sectors;
- Self-employed women are mainly in businesses not registered for tax;
- Women have inadequate access to public procurement opportunities and large tenders;
- Women are generally hindered by the glass ceiling phenomenon within the world of work;

- Women are largely unbanked and lacking in large scale investment opportunities;
- Women have inadequate access to funding and government incentive schemes and largely confined to small scale women's funds.

Social Transformation and Social Justice for Women

The successful process of democratization in South Africa from 1994 onwards has engendered high expectations for its transformation, but social transformation has proved difficult in both the political and the economic realm, and especially most challenging in changing the lives of women, particularly Black African women. According to Statistics South Africa, (Time Use Survey, 2001)⁶ women are more likely to do the work of rearing and caring for children, caring for other household members, cooking, cleaning, and fetching water and fuel. These types of activities can be seen as 'reproductive' work. Men, meanwhile, are more likely to be producing goods and services exchanged in the market. The 2001 Time Use Survey found that South African women spent on average, a larger proportion of their day (23%) on productive activities than men (19%). The survey reveals that for those households which collected water, irrespective of the distance from the source, women and girls were more likely than men and boys to be responsible for collecting water⁷. Women spend more time per day on household maintenance (181 minutes) compared with men (74 minutes). Women spent more time per day (32 minutes), taking care of household members compared with men (4 minutes). Men spent more time per day (218 minutes) attending to social and cultural issues compared with women (171 minutes).

(1) Women's Access to Basic Services

One of the greatest development challenges post 1994 has been the severe inequality in access to basic services across different demographic segments of the population, with women bearing the brunt of poor or non-existent services. Government has sought to promote women's rights through targeted interventions, putting measures in place to address access to basic services, which includes water, electricity, sanitation, housing and food security, affordable transport and access to information. Given that women are the poorest of the poor in the country, special measures especially in the access to basic services took on a significant element in transforming the quality of lives of women. This in turn impacts on the well-being of the family and children.

Over the past 25 years some gains have been achieved in this regard, yet much more needs to be done. When the access to basic services are affected negatively, the impact is felt the strongest by women by virtue of the gendered division of labour and the gendered roles and responsibilities that women play in the family and in the up-bringing of children. Women carry the biggest burden of household chores, including cooking, washing, cleaning and caring for the young, elderly sick and frail. In this regard, access to clean drinking water, electricity for cooking and easy and close sanitation facilities would enable women to undertake these responsibilities with a minimal effort. Unfortunately this is not the case across South Africa. The impact of the lack of such facilities is felt strongly in rural areas and in urban human informal settlements. Once more the impact is felt the strongest by the women and young girls living in these areas.

(i) Women's Access to Potable and Clean Drinking Water

More women than men are still without water on site and more women than men spend time on water collection and more women than men have to travel far to access water. In 1996, 60% of households

⁶ Statistics South Africa: 2001: A Survey of Time Use. How South African Men and Women Spend Their Time, Pretoria.

⁷ Ibid.

had access to piped water in the dwelling or site. 93% of house-holds headed by men with education beyond matric had piped water, compared to 83% of households headed by women with comparable education. At the other end of the scale, 37% of people living in households headed by men with no schooling, and only 30% of those in households headed by women with no schooling, had access to piped water on site or in the dwelling. Women are spending time on water collection and travel as far as 1km to collect water. According to StatsSA, among both women and men, those in rural formal areas were most likely to spend time on fetching of wood and collection of water, compared with women and men in urban formal areas who were least likely⁸.

(ii) Women's Access to Sanitation and Hygiene

The democratic government has over the past 22 years focused on ensuring universal access to sanitation. In 1996, 44% of people were living in households with the use of a flush or chemical toilet, 37% were in households with use of a pit latrine, 5% in dwellings with a bucket latrine and 14% in households without any sanitation facilities. Overall 3% of people living in urban areas compared to 26% of people living in rural areas were in households without access to sanitation. Those living in households headed by men were more likely than those living in households headed by women to have access to sanitation. Toilet facilities should be in a safe space and also accessible to people with disabilities.

In 2016, 49.5% of toilets were located in the yard of households; 45.6% in the dwelling and 4.9% outside the yard⁹. This has tremendous impact on the lives of women and young girls who are at increased vulnerability and risk to gender based violence especially at night. Over the past twenty five years, it has been reported that women and young girls are sexually molested, raped, abused and murdered when accessing toilet facilities that are a distance from their dwelling, particularly in urban informal settlements. In addition, the lack of easy access to toilets bears immensely on the menstrual health, hygiene issues and human dignity for especially young women.

(iii) Women's Access to Electricity and Energy

The deliberate neglect of the apartheid government to render basic services to the black majority prior 1994 resulted in gas, wood and paraffin serving as the major source of domestic energy in the country. Over the past 25 years the use of electricity increased among male and female headed households with increasing levels of education. The levels of access to more convenient forms of fuel for energy were lower for female-headed than male headed households at all levels of education. The differences between female- and male-headed households were small at lower levels of education. They became more marked for households where the head had incomplete secondary education or higher (Statistics South Africa: 2001).

The percentage of households who used energy for cooking increased from 57.5% in 2002 to 79.9% in 2014, before declining to 75.9% in 2017¹⁰. The use of solid fuels for cooking has decreased from 22.6% in 2002 to 12.6% in 2012. Female-headed households were still more inclined to use solid fuels for cooking than male-headed households. The percentage of male and female headed households connected to mains electricity increased over the years. Female-headed households were lagging behind male-headed households from 2002 -2012. However their access to electricity has improved over the past few years. In 2016 female-headed households and male-headed households almost have

⁸ Statistics South Africa: 2013: A survey of Time Use 2010, Pretoria

⁹ Statistics South Africa: 2017: Community Survey, 2016, Pretoria

¹⁰ Statistics South Africa: 2018: General Household Survey, 2017, Pretoria

equal access to electricity, with male-headed households slightly lagging behind female-headed households.

(iv) Women's Access to Housing

By 2015, South Africa had made significant progress with the provision of an estimated 3.7 million housing opportunities providing to around 12.5 million people. Despite these gains the country faces significant challenges to provide access to adequate housing to poor and vulnerable persons, especially black African women who live without access to basic services or economic opportunities to escape poverty (SAHRC Report, 2015:9). There has been a steady increase in government housing subsidies allocated to female headed households from 2002 to 2008 with a slight decline from 2009 and a significant increase from 2013 to 2015, with a slight decrease in 2016. Female-headed households are more likely to live in dwellings that were fully or partially owned, compared to male-headed households. The tenure status of female headed households increased from 73.8% in 2002 to 79.2% in 2008, with a decline in 2009 to 2012.

(2) Women and Health

In 1994 South Africa introduced the Policy on Universal Access to Primary health, which formed the basis for healthcare delivery programmes. Pregnant women and children under the age of six years receive free health care. Access to reproductive health care programmes and antenatal care services are amongst the achievements of the health care system. In 2018, women are outliving their male counterparts. Female life expectancy increased from 54.8 years in 2005 to 65.1 years in 2016.¹¹ The decline in adult mortality rate from 38% in 2012 to 33% in 2016 is as result of the extensive roll-out of Antiretroviral (ARV) treatment and due to the more responsiveness by women to accessing testing, treatment and care for HIV over the years. The South African Government prioritized women's health through implementation of various interventions aimed at ensuring access to health services and improving the quality of care for pregnant women.

The magnitude of the problem of maternal deaths in South Africa over the past 25 years is gradually being addressed. There has been a reduction in maternal deaths by 12.8% from 2008-2010 to 2011-2013 and 12.5% from 2011-2013 to 2014-2016. There has been an overall reduction of 24% from the peak in 2008-2010. The institutional maternal mortality ration declined from 150.2 in 2005 to 140.81 in 2014¹². Female infant mortality rate decreased from 41.7% in 1990 to 25.3% in 2017. The Department of Health launched the MomConnect programme in 2017, recording 917 053 pregnant women in early antenatal services. By March 2018 a total of 818 688 pregnant women and mothers were engaged through the programme. According to the 2014-2016 Saving Mother's Report, 97% of women give birth in health facilities and 96% of women attend antenatal care.

During the pre-1994 era, unsafe abortions caused over 400 maternal deaths among impoverished African women each year¹³. By 1997 it was further estimated that more than 44 000 women arrived at hospitals each year with complications from "back street" abortions.¹⁴ The legalization of abortion is associated with reduction in abortion-related morbidity and mortality. During the period 1994-2000 a 91% decline in abortion-related mortality occurred¹⁵. It estimated that 50% of abortions in South Africa

¹¹ Statistics South Africa.

¹² Republic of South Africa: Saving Mothers Report, 2014-2016.:Seventh triennial report on confidential enquiries into maternal deaths in South Africa: Executive Summary

¹³ Mosley E. A. et al: 2018: Abortion Attitudes Amongst South Africans: Findings from 2013 Social Attitude Survey

¹⁴ Health Systems Trust: 1997: South Africa Health Review

¹⁵ Mosley E. A. et al: 2018: Abortion Attitudes Amongst South Africans: Findings from 2013 Social Attitude Survey

occur outside of designated health facilities. Reportedly, many women who opt for illegal abortion services experience complications and seek care in the formal health sector, adding strain to an already resource-constrained health system¹⁶. During the period 2014/2015 and 2016/2017 pregnancy terminations increased from 88,807 to 105,358 in South African facilities. During the period 1996-2000, 216 718 terminations of pregnancy were performed¹⁷.

In 1980 the fertility rate of total births per woman was 4.837 compared to 2.458 in 2016¹⁸. The total fertility rate in the country has declined consistently, decreasing from 2.87 per woman in 2001-2006 to 2.53 children per woman in 2011-2016. (Statistics South Africa, Mid-Year Population estimates, 2015). The decline in fertility rates is associated with improved education of women and better access to contraceptives. According to the 2016 South African Demographic Health Survey (SADHS) Indicator Report, (2017)¹⁹, fertility is higher among non-urban women than urban women.

Adolescent fertility is important on both health and social grounds. Teenage mothers are more likely to experience adverse pregnancy outcomes and are more constrained in their ability to pursue educational opportunities than young women who delay child-bearing (SADHS, 2016). According to the Census 1996, 2% of girls within the age group 12 -15 years reported to have given birth to at least one child. Between the ages of 16-25 years, 43% of girls reported to have given birth to at least one child²⁰. By 2016, 16% of women aged 15 -19 years in South Africa have begun child-bearing, 12% have given birth and 3% were pregnant with their first child. Early child-bearing among young women is more common in non-urban areas (19%) than in urban areas (14%)²¹.

The HIV burden varies widely by geography, age and gender, and for key and vulnerable populations. Women within the age group of 15-49 years had a HIV prevalence rate of 20.23% in 2002, increasing to 21.17% in 2017. The HIV Prevalence rate for women in this age group is higher than that for all adults in that same age group and when measured against the prevalence rate for the entire population. Whilst much has been achieved over the past years, South Africa still has high rates of HIV and unintended pregnancies, with one in three young women aged 15-24 years experiencing an unintended pregnancy before age 20. Among females aged 15-24, HIV incidence is four times higher than the incidence of males in the same group. The total number of persons living with HIV in South Africa increased from an estimated 4.25 million in 2002 to 7.52 million by 2018. In 2018, an estimated 13.1% of the total population was HIV positive. Approximately one-fifth of South African women in their reproductive ages (15–49 years) are HIV positive. In 2015, the point estimate for HIV prevalence amongst women who attended antenatal care was 30.8%.

In 2016/2017, 95.1% antenatal clients were initiated on antiretroviral (ART) treatment and 96% of pregnant women tested for HIV at public health facilities²². In 2017, 84% of pregnant women accessed ante-natal clinic-based HIV testing²³. In 2012, 81.6% of HIV positive pregnant women were put on Highly Active Antiretroviral Therapy (HAART)²⁴. By 2017, 95% of pregnant women living with HIV received most effective ARV's for prevention of mother-to-child transmissions (PMTCT)²⁵. The Mother-

¹⁶ Country Fact Sheet: South Africa. Unsafe abortions

¹⁷ The Presidency, RSA: 2005: Beijing +10 Report

¹⁸ World Bank

¹⁹ Statistics South Africa: 2017: SADHS Indicator Report

²⁰ Statistics South Africa: 1996: Education in SA: <http://www.statssa.gov.za>

²¹ Statistics South Africa: 2016: SADHS Data Quality Report

²² National Department of Health: 2018: Input into 25 Year Review

²³ <https://data.unicef.org/topic/hiv/aids/emtct/>

²⁴ National Department of Health: 2018: Input into 25 Year Review

²⁵ <https://data.unicef.org/topic/hiv/aids/emtct/>

to-Child HIV transmission rate decreased from 8.5% in 2008 to 2.6% in 2012 to 1.8% in 2014²⁶, and the rate decreased from 3.6% at 6 weeks in 2011 to 1.5% at 6 weeks in 2016²⁷. The PMTCT programme has demonstrated that the programme saved approximately 80 000 to 85 000 new-born babies per year, since 2010, from early HIV infection²⁸.

Young women (aged between 15 and 24 years) have the highest HIV incidence of any age or sex cohort, at 2.01% in 2015. Young women in their early 20s have a four-fold burden compared to their male peers, with approximately 2 000 new HIV infections occurring every week, or 100 000 of the 270 000 new infections a year. Responding to the social and structural drivers of this vulnerability (which leads young women towards having sexual relationships – many of which are transactional in nature – with men who are five to ten years older than they are) is key to controlling the epidemic²⁹. New infections among adolescent girls and young women (aged 15 -24) remain a concern. In 2016 the Government launched the *SHE CONQUERS* campaign to address the high infection rate among adolescents and young women aged 15 -24 years; decreasing teenage pregnancies, gender-based violence and keeping girls at school. Much progress has been made overall by the South African Government in responding to the HIV epidemic.

Contraception coverage in South Africa is high and the unmet need for family planning remains relatively low. However rates of unintended pregnancy, contraceptive failure and knowledge gaps demonstrate high levels of unmet need, especially among black Africans and young women. In 1980 the contraceptive prevalence, any methods, for women aged 15-49 years in South Africa was 48%, and it increased to 60% in 2003. Unfortunately it has decreased by 2016 to 55%. Male condom use (839 874 751 in 2015/16) continues to be dominate as an individual contraceptive method in the country, whilst female condom usage increase from 2013/14 (13 254 328) to 2015/16 (27 005 805).

However although more women now have access to contraceptives, its use is influenced by a number of factors including socioeconomic development, urbanisation; women's education and status in society; cultural norms and beliefs; and the knowledge and attitudes of individuals. Persistent gender inequality in the economic, social and private spheres continues to undermine the sexual and reproductive health and reproductive rights of women and girls. There needs to be further research undertaken to determine the reasons for the decline over the last few years in contraceptive use in the country.

One of the emerging challenges in the country is that of the increase in alcohol and substance abuse by mainly young women. This has also resulted in high levels of babies born with foetal alcohol syndrome. The HSRC reported in 2009 that foetal alcohol syndrome is the highest ever recorded in South Africa. According to the 2017 American medical Association report, of 187 countries, South Africa was estimated to have the highest prevalence of foetal alcohol spectrum disorder at 111.1 per 1000 population.

Despite the many gains made over the past twenty five years in addressing issues of women's health and well-being, many women are still not accessing quality health care in public health care facilities. Women are still dying during child-birth processes and some are still not able to access antenatal and post natal services. Teenage pregnancy remains unacceptably high in the country, and evidence demonstrates that teenage maternal mortality is a challenge in the country. Many unwanted pregnancies are being terminated through backstreet and illegal abortion procedures, increasing the vulnerability of women and girls to many risks, including in some cases even death. Increasing levels of HIV prevalence and infections affects mainly young women in the age group 15-24. Evidence also

²⁶ National Department of Health: 2018: Input into 25 Year Review

²⁷ SANAC: South Africa's National Strategic Plan for HIV, TB and STIs 2017-2022.

²⁸ Department of Health: 2018: Annual Report

²⁹ SANAC: South Africa's National Strategic Plan for HIV, TB and STIs 2017-2022.

points to reduced condom usage in the recent past. Women and young girls are susceptible to other non-communicable diseases as well including high levels of breast, ovarian and uterine cancers; diabetes; blood pressure problems, as well as issues of obesity and /or conditions related to extreme dieting such as bulimia and anorexia.

In addition women's inadequate and poor access to quality health care and well-being is exacerbated by poor and inadequate infrastructure such as lack of clinics and public health care facilities; the poor maintenance of such facilities where they do exist; and in some instances the distance needed to be travelled to access the facilities. Inadequate access to good public transport contributes to the challenges faced by mainly poor, African and /or rural based women. Women are also subjected to poor treatment in clinics and hospitals resulting in long queues, inadequate availability of medicines; deaths of new born infants; poor treatment by nurses and doctors in hospitals and clinics, among many other challenges faced.

One of the main challenges faced by women in accessing quality health care is that of affordability. Access to medical aid funds are mainly enjoyed by more affluent women in the country leaving poorer women forced to utilise inadequate and poor primary health care services in the country. This factor leads to the growing inequalities not only between rich and poor in the country, but between men and women in the same population grouping; as well as between women in the different population groups.

(3) Women and Education

Globally girls and women are frequently denied education and training opportunities by virtue of being female. Furthermore girls and women are educated and trained to fulfil traditional and stereotypical roles and responsibilities which perpetuate their oppression. South Africa has over the past twenty-five years introduced policies to facilitate gender equality and equity in education. There are different opinions and perceptions on the impact of these policies and programmes, however, the 2015 MDG country report indicates that South Africa succeeded in securing the universal enrolment of all children of primary school-going age, as well as gender parity, in schools across the country by 2009.

The percentage of individuals over the age of 20 years who could be regarded as functionally illiterate has declined from 28.5% in 2002 to 13.7% in 2017. Between 2002 and 2017, the prevalence of functional illiteracy in the age group 20–39 years declined noticeably for both men (17.1% to 6.0%) and women (15.8% to 3.5%). With the exception of women in the age group 20–39, women remain more likely to be functionally illiterate across all age groups. Close to 93% of male and 95% of female youth are literate. By 2016 female –youth were more literate compared with male youth (Statistics South Africa, 2016).

In 2016, slightly more females than male had educational attainment below matric. There seems to be an almost even distribution for graduates and those with other tertiary qualifications. In 1996 there were 10.1 million children aged 5-15 years in South Africa of whom more than half were girls and of whom 79% were attending school. In 1996, 23% of 5-year-old girls were attending school compared to 22% of 5-year-old boys. In 1996 both 15-year-old girls and boys were attending school at a similar rate (93%).

The enrolment of female learners in Grade 1 remained consistent in 2005 (47.8%) and 2017 (47.6%). The enrolment of female learners in Grade 12 in 2005 (54.5%) and 2017 (55.4%) shows same consistency, with a slight increase in 2017. In 2017 there were overall more male than female learners in the national schooling system, with more females than males in the Secondary Phase. In 2017, the lowest percentage of female learners in ordinary schools nationally was in Grades 1 and 4 (47.6%) and the highest percentage was in Grades 11 (53.5%) and Grade 12 (55.4%).

The percentage pass rate for male and female learners for the National Senior Certificate since 2008 show higher pass rates for males compared to females over time. Female learners' results have been below the national average over the past 12 years. The number of female learners who wrote Mathematics and Physical sciences over the years has been higher than the number of male learners. However, the performance of male learners is better than that of female learners in both Mathematics and Physical science in terms of percentages attained.

Evidence shows higher female enrolment in institutions of higher learning. More than half of the students enrolled in public higher education institutions in 2016 were women (58.1%), while 41.9% were men. Female student enrolment was higher than that of males for both the contact as well as distance mode of learning. A larger gender disparity was observed for distance mode of learning where almost two thirds of students were females (65.9%) compared to just over a third of males (34.1%) enrolled through this mode of learning.

The majority of students enrolled in public higher education institutions were Africans (71.9% or 701 482), followed by white students (15.6% or 152 489), coloured students (6.3% or 61 963) and Indian/Asian students (5.2% or 50 450). The gender differences were higher within the African population; where 114 942 more female students were enrolled compared to African males. Lower gender differences were recorded for Indian/Asian, coloured and white students.

The gender distribution in South African higher education has changed since 2001. Women accounted for 54% of the total headcount enrolment in 2001, 55% in 2005 and 58% in 2011 when 542 997 women were enrolled in the public higher education. However, the gender distribution in South African higher education has not changed significantly over the past six years. In 2011 there were 542 997 women enrolled in the public higher education section, which constituted 58% of the total headcount enrolment for that year. Women still accounted for 58% of the total headcount enrolment in 2016. Although the gendered inequalities and context in education have greatly changed in recent years with women outnumbering men, fields of study taken by girls and boys continue to mirror gender-typical patterns. The enrolment trend for the two years indicates higher enrolment in Business & Commerce and Humanities for women while higher enrolments for men were in Science, Engineering & Technology and Business & Commerce filed for both 2011 and 2016.

Higher numbers of women are awarded Diplomas, certificates, Under-graduate degrees up to Honours Degrees. However, the trend changes from Masters and Doctoral degrees in favour of men. About 58.3 % of those who were awarded degrees in 2011 were women while 58% of those awarded Doctoral Degrees were men in the same period. Approximately 62% of those awarded degrees in 2016 were women while about 58% of those awarded Doctoral degrees in the same period were men (Vital Stats 2016- Public Higher Education; Council for Higher Education).

While women constitute about 52% of the population, only 42.3 of the doctoral graduates produced in 2016 are women. Black women are still under represented while black men seem to be more advantaged.

Overall, women outnumber men in the number of graduates but sex segregation in fields of study persists. This could be a reflection of persistent gender stereotypes which still remain strong. In line with the enrolment trend, majority of men who graduated in 2016 were in the field of Science, Engineering and Business and Commerce, while there was no significant difference across the different field of study on women who graduated in the same period. However, the least number of women graduates for 2016 were in the field of Science, Engineering and Technology.

Despite the many gains made over the past 25 years in terms of women and girls' education, there are several key challenges that persist. In South Africa, despite near-universal enrolment in primary and secondary education, many adolescents are failing to complete secondary schooling successfully, with inadequate pass rates in science and mathematics a cause for serious concern. At the secondary level, even though more girls are registered to sit for the National Senior Certificate examinations at the end of Grade 12, evidence shows that more boys than girls pass the National Senior Certificate exams. The gendered division is also evident in the subjects that girls pass as compared to boys i.e. fewer girls pass math, physical science and technology subjects.

Evidence also points to the challenge of high female dropout ratio in secondary schooling as well as very high teenage pregnancy rates among secondary school-going girls. A challenge remains that some teenage moms fail to return to schooling once they have delivered their babies thus limiting their life chances and economic potential. Where girls return into the schooling system after their pregnancies, they are subjected to household and child care responsibilities after school hours, thus also limiting the time attributed to studies.

In rural areas, girls walk long distances to schools increasing their vulnerability to rape, sexual crimes, harassment, trafficking, and abductions for ukuthwala purposes, as well as dangers of natural disasters such as crossing flooded rivers. Where children have access to public transportation to schools, young girls become victims of sexual violence in taxis and buses and by taxi drivers themselves. There are instances where school girls are subjects of the "sugar-daddy" or "blessor" syndrome prevalent in the country.

Poor girls who are unable to access sanitary towels are absent from schools during their menstruation. Various research studies conducted in the country indicates that on average girls miss about 40 days of schooling annually because they are too ashamed to go to school during this period because of the lack of access to proper sanitary towels and/or sanitation facilities at schools. Inadequate or lack of infrastructure at schools such as no toilets/pit latrines; no water or wash rooms contribute to the indignity suffered by these young girls.

At the tertiary level, although more young women than young men are enrolled in institutions of higher learning, evidence indicates that the graduation rates for young women are mainly in the business and commerce, social science or humanities subject areas, while more boys are found in the science fields of study. The proportion of females to males who graduate with STEM-related (science, technology, engineering and mathematics) degrees is unbalanced, with women underrepresented in maths and statistics, ICT and technology, as well as engineering, manufacturing and construction.

Young women at institutions of higher learning are subjected to rape and other forms of sexual violence and harassment by both male students and lecturers. This is a matter of huge concern in the country. Girls are also subjected to offering sexual favours to lecturers in order to obtain passes in examinations.

Indigent young women at tertiary institutions are also not able to afford sanitary towels.

(4) Gender Based Violence

One of the fundamental challenges that persist in the country is that of patriarchal and gender stereotyped thinking. This results in misogyny and gender based violence. Women and girls are subjected to high levels of rape, sexual offences, femicide, domestic violence and intimate partner

violence. The LGBTIQ+ sector is subjected to inhuman and violent crimes as a result of their sexual orientation.

Since 1994 government has enacted legislative reforms, approved progressive policies and implemented programmes that give expression to the constitutional rights of women and girls to equality, human dignity, freedom and security of the person. However, the high levels of violence and gender-based crimes committed against women and girls are a matter of serious concern. In 2002/03, there were approximately 38 896 rapes reported to the South African Police Service compared with 40 035 in the 2017/18 financial year. According to SAPS, 98.9% of the victims of rape reported in the 2016/17 financial year were females and 1.1% males.

Government launched the 16 Days of No Violence against Women and Children Campaign in 1998, and this campaign against gender-based violence has become one of the most recognized advocacy campaigns in the country. The scourge of violence against women and girls persists, however, as a result of the persistence of patriarchal norms and of the failure to effectively implement laws, policies and provision of services to victims and survivors.

Patriarchal violence that drives the systematic abuse and oppression of women as result of male supremacy, societal norms, cultural beliefs and value systems with regard to gender roles remains a significant policy and implementation conundrum.

The seven policy priorities that the country will focus on over the next five years are:

- Economic transformation and job creation
- Education, skills and health
- Consolidating the social wage through reliable and quality basic services
- Spatial integration, human settlements and local government
- Social cohesion and safe communities
- Building a capable, ethical and developmental state
- A better Africa and world

The gender responsive priorities that the country will be focusing on over the next five years will be built into the national priorities. Policy priorities required to address these challenges over the next five years (2019-2024) and in the medium (2019-2030) to long (2019-2044) term include:

- Addressing gender inequality and the effective implementation of gender mainstreaming across all sectors of society;
- Full and effective implementation of our laws and policies adopted in the country;
- Greater emphasis should be placed on women's economic emancipation;
- Transforming unequal gender relations;
- Critical to the success of our national effort to build a united, prosperous and a non-sexist society espoused in our Constitution, is to confront head-on the culture of patriarchy, toxic masculinity, misogyny, hierarchies and languages that perpetuate the demons of patriarchal norms throughout all corners of our society, including in the public service.

SHORT-TERM (2019-2024)

- Development and effective implementation of a national and sectoral gender mainstreaming strategy including the training of all government officials in gender mainstreaming
- Implementation of and institutionalisation of gender responsive policy, planning, budgeting, monitoring, evaluation and auditing into all sectors, spheres and work of government, including a training programme on gender responsive planning and budgeting

- Implementation of the Country Gender Indicator Framework – and institutionalising core gender development indicators into government-wide performance monitoring and evaluation systems
- Adequate resource allocation is essential to fully and effectively implement the women's agenda and to change women and girls' lives for the better.
- Expedite property rights for women in particular in the land ownership and farming programmes within the current contextual discourse on land issues (increase number of women owning land for farming and other entrepreneurial activity);
- Advancement of women and girls in rural areas in particular regarding access to quality primary health care; and ensure women are direct beneficiaries of the national health insurance policy
- Advancement of the rights of women and girls with disabilities, including improving their access to all basic services, housing, educational opportunities; health care, NHI, and protection against crime and violence, especially sexual violence
- Develop a programme to decrease high teenage pregnancy rates and address high teenage maternal mortality rates
- Reduce poverty and unemployment amongst women, especially young African women, and reduce income inequalities for mainly black African women
- Effective monitoring of the principle of equal pay for work of equal value and the minimum wage for domestic workers
- Promote women's economic empowerment through ensuring women are beneficiaries of government procurement, employment opportunities, entrepreneurship development programmes, cooperative development, among others. Develop a gender responsive micro-financing policy.
- Address gender based violence through the establishment of a multisectoral council and effective implementation of a national strategic plan that includes addressing of prevention and response
- Actively promote and monitor the principle of 50/50 across all leadership and decision making levels in political, public and private sectors.
- Effective implementation of the Sanitary Dignity Programme of government to indigent women and girls, including promoting the economic opportunities for women through the value chain of related activities: procurement; manufacturing; distribution; storage; waste management.

MEDIUM TERM (2019-2030)

- Effective implementation of a national and sectoral gender mainstreaming strategy
- Gender responsive policy, planning, budgeting, monitoring, evaluation and auditing
- Adequate resource allocation is essential to fully and effectively implement the women's agenda and to change women and girls' lives for the better.

LONG-TERM (2019-2044)

- Sustained inclusive economic growth and equal employment opportunities and decent work for all women
- Gender equity in ownership, management, control and decision-making across all sectors
- Women across the life cycle enjoy healthy livelihoods and well-being through increased access to affordable quality health care services
- Women and girls enjoy inclusive and equitable quality education and training opportunities and career paths
- All women are and feel safe in South Africa – free from all forms of gender based violence
- Sustained equity in earnings between men and women for work of equal value
- Sustained gender parity, representation and participation between men and women in all political, leadership, decision-making, governance and administrative positions across all sectors and levels in society

CHAPTER 4

PROGRESS ACROSS THE 12 CRITICAL AREAS OF CONCERN

This section covers progress across the 12 critical areas of concern of the Beijing Platform for Action. To facilitate the analysis, the 12 critical areas of concern have been clustered into six overarching dimensions that highlight the alignment of the BPfA with the 2030 Agenda. This approach is aimed at facilitating reflections about the implementation of both frameworks in a mutually reinforcing manner to accelerate progress for all women and girls.

INCLUSIVE DEVELOPMENT, SHARED PROSPERITY AND DECENT WORK

This section seeks to provide progress made against (i) Critical Areas of Concern A on Women and Poverty; (ii) Critical Areas of Concern F on Women and the Economy; (iii) Critical Areas of Concern I on Human Rights of Women; and (iv) Critical Areas of Concern L on the Girl Child. The section also seeks to respond to the UN Women Guidance Note – Section 2, Questions 6-8.

According to Statistics South Africa, (Time Use Survey, 2001)³⁰ women globally are more likely to do the work of rearing and caring for children, caring for other household members, cooking, cleaning, and fetching water and fuel. These types of activities can be seen as 'reproductive' work. Men, meanwhile, are more likely to be producing goods and services exchanged in the market. Reproductive workers produce a wide range of goods and services. Many of these services have their equivalents in the market economy; the bulk of these services are provided on an unpaid basis.

The 2001 Time Use Survey found that South African women spent on average, a larger proportion of their day (23%) on productive activities than men (19%). The survey reveals that for those households which collected water, irrespective of the distance from the source, women and girls were more likely than men and boys to be responsible for collecting water³¹.

Table 1: The ten categories of the activity coding scheme and the mean time per day spent on them, by gender, 2000

		Male (minutes)	Female (minutes)	All minutes
SNA				
1	Work in establishments	151	83	115
2	Primary production not for establishments	26	22	24
3	Other production of goods and services not for establishments	13	11	12
Non-SNA Production				
4	Household maintenance	74	181	131
5	Care of persons in the household	4	32	19
6	Community service to non-household members	5	3	4
Non-productive				
7	Learning	109	96	102
8	Social and cultural	218	171	193
9	Mass media use	112	105	108
10	Personal Care	727	734	731

Source: Statistics South Africa, Time Use Survey, 2001.

The table illustrates that in 2001 women spent more time per day on household maintenance (181 minutes) compared with men (74 minutes). That women spent more time per day (32 minutes), taking

³⁰ Statistics South Africa: 2001: A Survey of Time Use. How South African Men and Women Spend Their Time, Pretoria.

³¹ Ibid.

care of household members compared with men (4 minutes). Men spent more time per day (218 minutes) attending to social and cultural issues compared with women (171 minutes).

The 2010 Time Use Survey found that there is a large gender gap in terms of household maintenance activities where women spent 3 hours 15 minutes per day compared to men who spent 1 hour 28 minutes. Women spent 2.2 times more than their male counterparts spent on household maintenance. Women with children less than 7 years spent more than 4 hours doing household activities and 1 hour 25 minutes caring for children and other members of the household. Men in the similar situations spent 1 hour 16 minutes on household maintenance activities and 15 minutes caring for children and other household members. The gender difference for household maintenance was lowest when the household monthly expenditure was R6 001 or more. Women spent less time working in establishments (105 minutes per day) compared to men (182 minutes per day). This presents a huge disparity³².

An environment that enables and empowers women to effectively engage in the labour market and be productive is essential to eliminate the various economic and social inequalities that exist between men and women. The centrality of the labour market to women's ability to interact with the broader economy cannot be emphasised enough. Importantly, allowing women to take up productive employment helps ensure that society more broadly directly reaps the benefits of the investment in women.

Economic growth, however, will be short-lived if the focus is entirely on women participating in the labour force, and not on a wider understanding of economic empowerment. A broader notion of economic empowerment comprises both the market economy where women participate in the labour market, and the care economy which sustains and nurtures the market economy³³. The report *Towards an Enabling Environment for Women's Economic Empowerment in South Africa* by the Department of Trade and Industry (2011) proposed the following definition of women's economic empowerment³⁴: *"The term women's economic empowerment refers to the ability of all women to fully participate in, contribute to, and benefit from economic growth and development. It is a broad term encompassing a range of diverse but integrated socio-economic strategies. It recognises that within this framework there are a variety of sub-groups deserving special attention, including women from historically disadvantaged communities, young women, women with disabilities, and women living in rural areas"*.

Achieving on-going change requires policy and programme actions that will cement the gains made over the past 25 years and continue to achieve improvements in women's access to secure livelihoods and economic resources, alleviate their extreme responsibilities with regard to housework, remove remaining legal impediments to their participation in public life, and raise social awareness through effective programmes of education and mass communication. In addition, improving the status of women also enhances their decision-making capacity at all levels in all spheres of life, but especially in the area of economic participation.

Following the 1994 elections the new government inherited an economy in crisis. The economy had been shaped by apartheid policies and by a dependence on mining exports. In 1994, 60% of exports were mineral products, although mining contributed only 10% of GDP³⁵. The apartheid economy was built on systematically enforced exclusion linked to racial division in every sphere. The apartheid state deliberately excluded black people, especially women, from opportunities in the labour market and direct ownership of businesses and land³⁶. The state limited investment in infrastructure and services in

³² Statistics South Africa: 2013: A Survey of Time Use: 2010, Pretoria

³³ ODI. 2015. Balancing Paid Work and Unpaid Care Work to Achieve Women's Economic Empowerment.

³⁴ Department of Trade and Industry: 2011. *Towards an Enabling Environment for Women's Economic Empowerment in South Africa*, pg. 8.

³⁵ The apartheid state did not collect data systematically on Africans, even for the Census. These figures therefore rely on estimates based on the available Census data, combined with interpretive work by the Development Bank of Southern African (DBSA).

³⁶ Department of Performance Monitoring and Evaluation: 2014. 20 Year Review – Economic Transformation

black communities, and black entrepreneurs were denied access to industrial and retail sites, as well as credit. Furthermore, apartheid limited the residential rights of Africans in the economically developed areas of the country unless they had a white employer, creating a system of migrant labour and impoverished rural areas – the so-called “homelands” - that were characterised by extraordinarily high levels of poverty and joblessness, particularly for women. In addition this scenario created an economic inequality where black African women were mainly confined to live-in domestic work in mainly white households in white suburbs.

From the late 1970s through to 1994, the results were high levels of poverty and inequality, slow economic growth and falling investment, accompanied by rising joblessness, a poorly educated workforce and skills shortages, high cost structures and an eroded manufacturing base. In the 1980s, unemployment became a key factor behind the high level of inequality and poverty. In 1995, it was estimated that 28% of households and 48% of the population were living below the poverty line. Black women and youth, as well as black people living in the former “homeland” areas, were particularly likely to be poor and unemployed. There were also structural inequalities in the workplace.

Under apartheid, a variety of measures effectively limited most skilled work to non-Africans, while entrenching hierarchical and oppressive management in many workplaces. Most black workers had virtually no prospect of promotion or reaching managerial levels and would work in the same jobs for their entire lives, with no hope that their experience would be recognised or respected.

The period since 1994 has seen the South African economy undergo profound restructuring. Ten years of consistent economic growth, macroeconomic stabilisation has ensured that South Africa is increasingly integrated into global markets. The country has become a successful exporter of manufactured goods and value-added services.

Women, the changing nature of 21st century developing economies, and the effect of the 4th Industrial Revolution

The NDP makes it clear that South Africa’s economic development will be determined by long-term technological developments and shifts in global trade and investment which are reshaping the world economy and international politics³⁷. The UNDP’s Human Development Report 2015 argues that technological revolutions (the Fourth or Digital Industrial Revolution) are changing systems, wages and productivity in labour markets and workplaces through new ways of contracting and subcontracting, new conditions of work and new business and organizational models³⁸.

As in the previous industrial revolutions, the impact of these changes has the potential to ripple across industries, businesses and communities, affecting not just how people work, but also how people live and relate to one another³⁹. They are influencing the distribution of labour demand across sectors, with implications for the processes of structural transformation and the ways in which women are economically empowered. These changes are increasingly influencing the quantity and quality of jobs in some sectors and enterprises as well as the distribution of incomes and wealth at all levels. At the same time, they are creating new opportunities for creativity and innovation as well as bringing more unpaid work and “precarity”⁴⁰ into the public sphere.

³⁷ Republic of South Africa: The Planning Commission: 2015: National Development Plan: Vision 2030, pg. 30

³⁸ UNDP: 2015: Human Development Report, pg. 77.

³⁹ Deloitte: 2018: The Fourth Industrial Revolution is here—are you ready?

⁴⁰ Precarity refers to economically and socially precarious existence, lacking in predictability, job security, material or psychological welfare. The social class defined by this condition has been termed the precariat

In terms of political economy, the question for policy makers is the extent to which South Africa can benefit from rapid technological growth that leads to increased demand for commodities and expanding consumer markets. While the digital revolution opens up new opportunities, these trends also pose challenges for middle-income countries as a result of greater competition in manufacturing and certain information technology-enabled services. The rise of emerging markets also increases international competition, placing downward pressure on the wages of low-skilled workers in tradable sectors. The critical factor is how to ensure that women, in particular young women and rural based women are primed for the ever changing world of work and the context in which women live their lives.

The digital or 4th industrial revolution poses substantial challenges and offers fewer immediately clear-cut opportunities for the domestic economy⁴¹. In Government's Draft White Paper on Science, Technology and Innovation (2018) it is noted that the lines between physical, digital and biological systems are becoming blurred, and government needs to plan for the Fourth Industrial Revolution. In particular, it is necessary to prepare for the ways in which artificial intelligence (AI) and advances in ICT will change the way society and the economy function⁴².

For policy makers there is an urgent need to understand how globalization, digital technologies and new ways of working are ushering in new notions of what constitutes men's and women's work. In the new world of work, women and men workers at all levels of the economy will need to be more flexible and adaptable - and across the education, training and skills development sector government will need to retrain, relocate and renegotiate work conditions to meet these changes. Therefore, central to the success of any workforce augmentation strategy is the buy-in of a motivated and agile workforce, equipped with future-proof skills to take advantage of new opportunities through continuous retraining and up-skilling⁴³.

This new world of work will increasingly place a high premium on workers with skills and qualifications in science and technology, workers historically less likely to be women. Women are vastly underrepresented in these subjects at the secondary and tertiary education levels and in the overall technical workforce⁴⁴. In looking to spur innovation the country will thus need to boost female participation in technology-oriented education and jobs.

Policy-makers, educators, labour unions and individual workers likewise have much to gain from deeper gendered understanding of the new labour market and proactive preparation for the changes underway⁴⁵. As roles and tasks shift in tandem with the expansion of new technologies, and the division of work between human and machine is redrawn, it is of critical importance to monitor how those changes will impact the evolution of economic gender gaps. Artificial Intelligence (AI) is a prominent driver of change within the transformations brought about by the Fourth Industrial Revolution and can serve as key marker of the trajectory of innovation across industries. Encouragingly for South Africa the WEF Global Gender Gap Report finds that in terms of an AI talent pool the three countries with the smallest gender gaps are Italy, Singapore and South Africa, where on average 28% of the AI talent pool is female in contrast to 72% male⁴⁶.

The fast-changing world of work, driven by globalization of work and the digital revolution, presents opportunities, but at the same time poses risks for women. The benefits of this evolving new world of work are not equally distributed and there are winners and losers. Addressing imbalances in paid and unpaid work will be a challenge, particularly for women, who are disadvantaged on both fronts. Creating

⁴¹ The Department of Trade and Industry: The Digital Industrial Revolution found at http://www.dti.gov.za/industrial_development/fipt.jsp

⁴² The Department of Science and Technology: 2018: Draft White Paper on Science, Technology and Innovation

⁴³ World Economic Forum: 2018: The Future of Jobs Report 2018, pg. 12

⁴⁴ UNDP: 2015: Human Development Report 2015, pg. 97

⁴⁵ World Economic Forum: 2018: The Future of Jobs Report 2018, pg. 7

⁴⁶ IBID

work opportunities for both present and future generations would require moving towards sustainable work.

UNDP's Human Development Report 2015 notes that countries looking to spur innovation will thus need to boost female participation in technology-oriented education and jobs⁴⁷. In South Africa, as in most other countries, women make up a smaller proportion of high-skill occupations that are more likely to be complemented by technology⁴⁸. Automation could therefore increase gender inequality unless women as well as men are able to access new jobs that pay well, or very well. Without policy intervention, the economic dividends of automation are likely to flow to the owners of technologies and businesses and the highly skilled, as income shifts from labour to capital and the labour market polarises between high- and low-skilled jobs⁴⁹.

Barriers to Female Participation in the Labour Market⁵⁰

In the period between 1994 and 2019 South Africa has had the dual challenge of adapting to the shifts in the global economy as well as implementing radical economic transformation policies to address long-standing structural dynamics and finding effective instruments to overcome the country's persistent problems of unemployment, poverty and inequality. For legislators and policy makers a core consideration at the heart of many of these problems is the gendered nature of disadvantage in South Africa, where women typically face the consequences of gender norms and the unequal division of labour.

Despite transformation efforts over 25 years the representation of women in management and in the workplace, across all sectors of the economy, including manufacturing, remains unacceptably skewed⁵¹. Glaring gender disparities remain in remuneration, conditions of service, skills development and economic access. Other significant barriers which affect women's participation to developmental opportunities are access to education; unfavourable economic structures including limited access to credit facilities and financial skills training, traditions and the disregard of women's unpaid care work⁵².

Gender based discrimination and segregation in the labour market, as well as the weak regulation of those markets have served to confine women to jobs that are low paid and of poor quality in terms of working conditions and access to social protection⁵³. Measures also need to be taken to promote the equal sharing of unpaid care work between women and men and between family and society. The struggle for democratic and economic rights of women continue to require urgent collaborative action of government, business, labour and wider civil society.

Women comprise a majority of small business owners in South Africa but make up a minority of workers in the formal sector⁵⁴. The South African labour market is generally more favourable to men than it is to women and men are more likely to be in paid employment than women, regardless of race⁵⁵. Significant numbers of women remain in low-productivity jobs, often in informal sector enterprises whose access to technology is poor. Women are also more likely than men to be involved

⁴⁷ UNDP: 2015: Human Development Report-The Changing World of Work, pg. 98.

⁴⁸ IPPR: 2017: Managing automation: Employment, inequality and ethics in the digital age, pg.23.

⁴⁹ Ibid: pg. 3

⁵⁰ Department of Women: 2019: A Report on the Gendered Analysis of Government's Incentive Schemes – especially those administered by the Dti, Unpublished (Report developed for the DoW by the Development Policy and Research Unit, University of Cape Town – 2018/19)

⁵¹ The Department of Trade and Industry: 2018: Industrial Policy Action Plan: Economic sectors, employment and infrastructure development cluster 2018/19 - 2020/21

⁵² Levendale, C.: Towards Women's Economic Empowerment: An overview of challenges, achievements, legislative mechanisms and programmes.

⁵³ International Alliance of Women, <https://womenalliance.org/womens-economic-empowerment-in-the-changing-world-of-work>

⁵⁴ OECD: 2014. Social Institutions and Gender Index.

⁵⁵ StatsSA: 2018 at <http://www.statssa.gov.za/?p=11375>

in unpaid work, with about 55.2% of those involved in non-market activities being women as measured in the second quarter of 2018⁵⁶.

These factors continue to place limits on women's total access to productive resources that could be used as collateral. As a result, they continue to lag behind men in the ability to obtain credit and bank loans so that access to credit and bank services remains a major obstacle for improving the economic situation of poor South Africans in general and women in particular. This has seen clear government action in ensuring that women-owned enterprises are integrated into the mainstream economic activity and that skills development, access to finance and technology, youth development, building sustainable partnerships and ensuring that women are able to access economic markets are prioritised.

Women's participation in the labour market encompasses a number of elements that begin with the decision to seek work and thus participate in the labour market through to the financial and other outcomes associated with the employment they ultimately obtain. These processes, broadly, can be classified as the following: (i) the decision to participate in the labour market; (ii) employment status in the labour market; and (iii) the nature of employment (which in turn affects the ultimate financial result associated with the type of participation in the labour market and economy). Women's livelihood strategies of entering the paid labour market are also deeply correlated to the stage in their lifecycle.

With regard to the decision to participate in the labour market, the term 'decision' should not be conflated with the idea of 'choice', since there are many instances where women do not have free choice on whether or not to participate. The decision to participate is influenced by a variety of factors that operate at the individual, household or societal level. Some of these factors may include women's own preferences, family circumstances, or social norms around women working outside the home. The interplay of these and other factors together determine the specific female labour force participation rate in the country. Women who decide not to participate in the labour market—for example, those engaged in tertiary education, those who remain at home, or those who are ill—are termed not economically active.

Women's unequal share of unpaid care and domestic work is an important barrier to their economic empowerment and well-being. This reflects not only the time-intensive nature of some tasks performed around the home, such as caring for other household members, but also the uneven distribution of caring activities between household members, which reflect social norms and practices and intra-household decision-making⁵⁷.

Fertility can play an important role in determining the ability and willingness of women to participate in the labour market. Having children may impact directly on women's ability to work during pregnancy and immediately after giving birth, and indirectly in the longer term through responsibilities around care. In general, fertility and female labour force participation are negatively related: where women have more children, they are generally more likely to exit the labour market, whether by necessity or by choice. This relationship is also observed in South Africa (Ardington et al., 2015) where there are findings on significant negative effects of an additional child on female labour force participation.

Education is central to gender equality as it both directly and indirectly impacts an individual's ability to participate fully in the economy. Women often end up in home-based work or other seemingly 'non-skilled' work because of lack of education. However, this gap in education or skills has often emerged from young women and girls having to drop out of school or furthering their skills because of the heavy

⁵⁶ StatsSA: 2018 at <http://www.statssa.gov.za/?p=11375>

⁵⁷ OECD: 2018: Policy Dialogue on Women's Economic Empowerment.

burden of unpaid care work they have had to take on as adolescent girls⁵⁸. In South Africa, there has been substantial movement toward gender equality in education over the post-apartheid period, with women now outnumbering men in enrolment in higher education. However, gender differentials remain in both the level and type of education received.

Women remain less likely than men to enrol in masters and doctoral degrees, despite their greater share of higher education enrolments (DoW, 2015). There is also segregation regarding the subjects that women are likely to study. Women are less likely to be enrolled in mathematical or science related fields; while women make up more than half of all matriculants, they make up less than half of all matric passes in mathematics and science. This feeds into tertiary education outcomes, where women are less likely to be enrolled in STEM fields (DoW, 2015).

Women's education may impact on the decision to participate in the labour market through three distinct channels (Diwan & Vartanova, 2017). First, education is linked to skills and, by extension, to remuneration. By raising the wages that women might expect to earn, education increases the opportunity cost of not working, putting upward pressure on participation rates. Second, education may weaken women's own patriarchal values, eroding this as a barrier to working outside of the home. Finally, education may strengthen women's bargaining power within their households, facilitating their labour force participation.

Internationally, higher levels of education—and tertiary education in particular—are linked to higher rates of female labour force participation (ILO 2017). In developing countries, tertiary education raises the likelihood of women's labour force participation by 10.5 percentage points, while the effect in emerging economies is a 15.3 percentage point increase (ILO 2017). There is also a direct link between level of education and employment outcomes, in terms of both probability of finding employment and wage outcomes once employed.

Ntuli and Wittenberg (2013) use decomposition analysis to explain the observed increase in labour force participation of African women during 1995-2004. They show that African women are more likely to enter the labour force if they have higher education and assume urban residency, but that labour force participation does not guarantee employment. Bhorat and Leibbrandt (1999b) find that, for African women, personal, household, and regional variables are significant determinants of labour force participation in South Africa.

Overcoming social norms around women's productive role⁵⁹

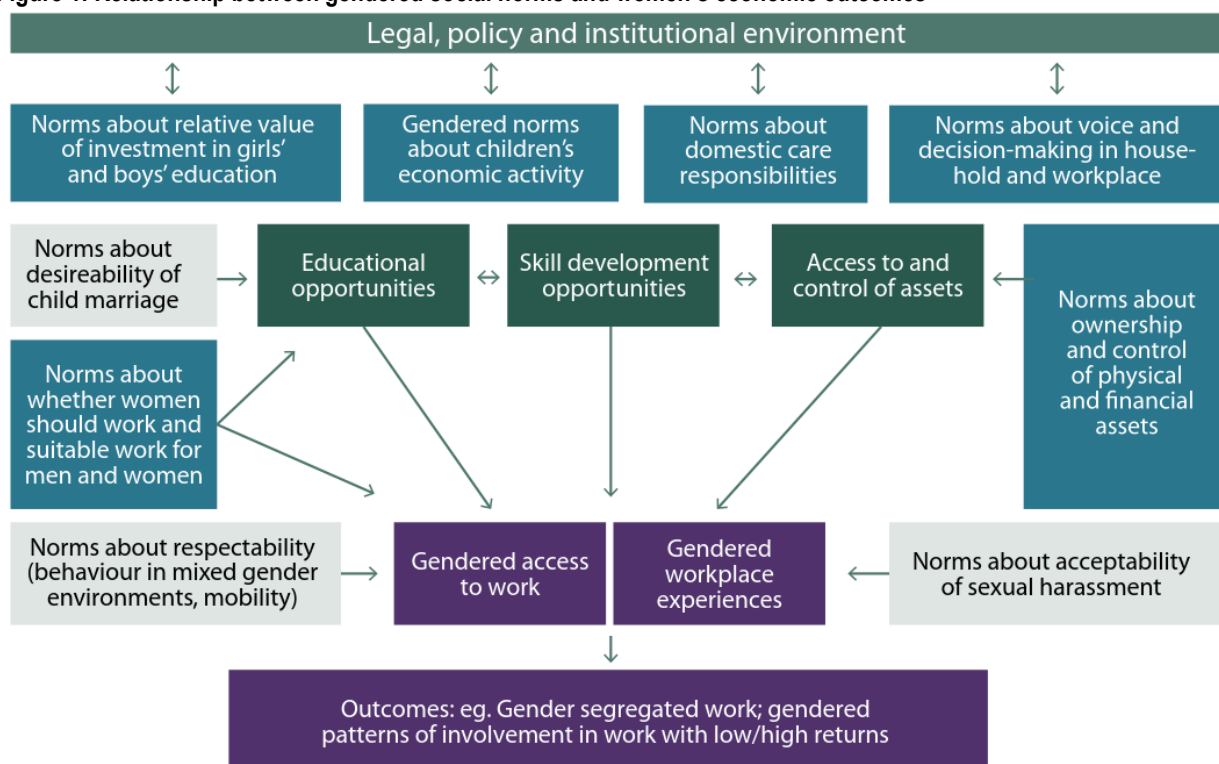
From a sociological perspective, social norms are informal understandings that govern the behaviour of members of a society. Gender norms are a sub-set of social norms that describe how people of a particular gender (and often age) are expected to behave, in a given social context. Gender norms often reflect and reinforce unequal gender relations, usually to the disadvantage of women and girls and to men and boys who do not conform to the prevailing gender norms⁶⁰. Social norms are embedded in formal and informal institutions and are produced and reproduced through social interaction. They are often implicit and invisible rather than clearly articulated: gender norms both embody and contribute to reproducing gendered power relations, and thus to gender-based inequalities across many spheres of economic, social, and political life.

⁵⁸ ODI: 2015: Balancing Paid Work and Unpaid Care Work to Achieve Women's Economic Empowerment.

⁵⁹ Department of Women: 2019: A Report on the Gendered Analysis of Government's Incentive Schemes – especially those administered by the Dti, Unpublished (Report developed for the DoW by the Development Policy and Research Unit, University of Cape Town – 2018/19)

⁶⁰ ALiGN: 2018: Advancing Learning and Innovation on Gender Norms on <https://align.sbx.so/FAQ>

Figure 1: Relationship between gendered social norms and women's economic outcomes⁶¹



Social norms around gender roles arise from a variety of sources and can strongly influence both female labour force participation and the types of jobs that women choose or are able to choose. Indeed, Diwan and Vartanova (2017) argue that “culture seems to operate through societal mechanisms that override individual preferences”; the pace of cultural change then determines the rate at which female participation rates are able to change. The sociology of work has long identified gender-typing of certain occupations in ways that reflect stereotypes about male and female capabilities and about suitable work for each gender. It is recognized in wider literature that low-income women are more likely to contravene prevailing gender norms to make ends meet, while economic opportunities for more highly educated women often lead to more flexibility among higher income groups. The GrOW (Growth and Economic Opportunities for Women program⁶²) studies provide some evidence of emerging generational differences, with younger people adopting more flexible gender norms⁶³.

Dao (2014) analyses determinants of female labour force participation with a specific focus on societal norms in developing countries. In a sample of 21 countries, including South Africa, norms related to single parenthood, the role of the housewife, whether men are superior political and business leaders, and notions of good working hours are all found to influence the female labour force participation rate⁶⁴. Norms and beliefs around the role of women in the home play a key role and are often strongly influenced by religion.

In South Africa, there is evidence of gender-based discrimination in the labour market. According to Statistics South Africa, the labour market in the country is more favourable to men than it is to women and men are more likely to be in paid employment than women, regardless of race. Further that women are more likely than men to be involved in unpaid work⁶⁵. Not only are women less likely to be

⁶¹ Marcus, R.: 2018: The norms factor- Recent research on gender, social norms, and women's economic empowerment, pg. 6.

⁶² The Growth and Women's Economic Opportunities (GrOW) program, funded by IDRC between 2013 and 2018, generated a wide set of insights on the barriers to and enablers of women's economic empowerment.

⁶³ Marcus, R.: 2018: The norms factor- Recent research on gender, social norms, and women's economic empowerment, pg. 35.

⁶⁴ Dao, M.Q.: 2014: Female Labour Force Participation in Developing Countries, pg. 347

⁶⁵ Statistics South Africa: 2018: Labour Force Survey Q2.

employed than men (Oosthuizen: 2006; Leibbrandt et al: 2010), but they also earn lower wages than men with the same endowments (Burger and Yu: 2007; Casale & Posel: 2010; Muller: 2009; Ntuli: 2007). This indicates that women face worse labour outcomes than men at least partly because of societal norms which serve to discriminate against women in the workplace.

Since 2000, the number of South African women in higher-skilled occupations has increased dramatically. With the exception of skilled agricultural and fishery work, women have made net gains in higher-skilled employment, negating the general assumption that women are still concentrated in low-skilled occupations. But the observed trends have not been accompanied by commensurate easing of gender disparities in the labour market with respect to underemployment, duration out of the labour market, wage bargaining power and income levels, and the fact that male dominance in top management and leadership positions remains the norm⁶⁶.

Within the context of the household, a woman's bargaining power plays an important role in the extent to which they are able to choose to participate in the labour market. Casale (2002) show that there has been increased feminisation of the labour market in the post-apartheid period and attribute at least some of these factors such as lower marriage and fertility rates and changes in household structure. Critically, the distribution of intra-household bargaining power is also an outcome of women's ability to engage in the labour market—often linked to their relative financial contribution to the household—suggesting a circular process that might be difficult to disrupt in particular contexts.

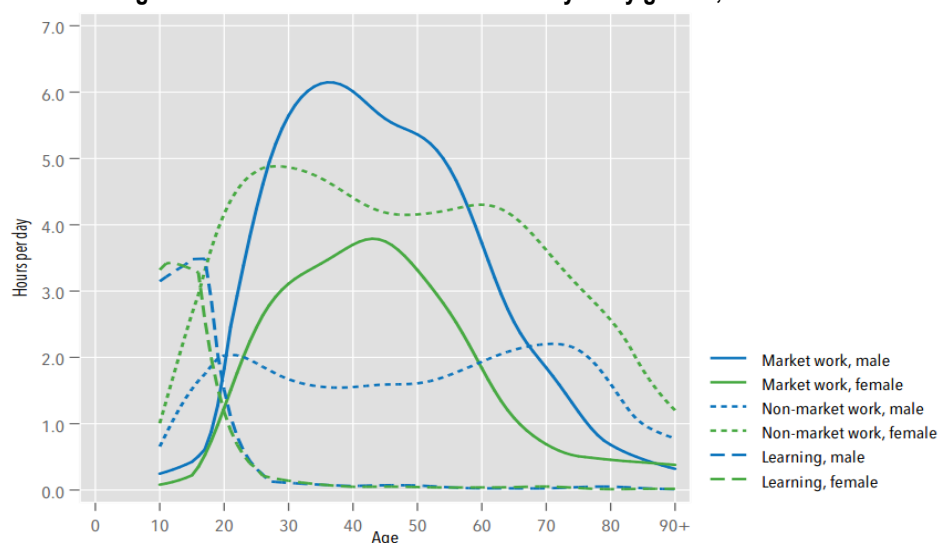
Another set of factors relates to the fact that care responsibilities within households are typically and overwhelmingly the domain of women. This allocation and the extent to which care might be shared with men are strongly influenced by social norms. Further, the degree to which care constraints women's economic participation, may vary according to the individual woman's age, education or marital status. Care responsibilities may reduce female participation in the economy by preventing participation entirely, as well as by requiring a reduction of the intensity of participation. In other words, women may either be forced out of the labour market entirely, or they might need to switch to part-time work.

The Beijing Platform for Action called for the development of 'suitable statistical means to recognise and make visible the full extent of the work of women and all their contributions to the national economy, including their contribution in the unremunerated and domestic sectors. Time use studies aim to provide information on the work performed by women and highlight the time they spend on unpaid activities including domestic chores, the care of children, the elderly and the sick, water and fuel collection, and voluntary community-oriented work. In so doing, they seek to address the problem of the 'invisibility' of women's unpaid work and draw attention to the amount of time women spend engaged in activities that often go under recorded (or not recorded at all) in labour and household surveys.

South Africa has conducted two standalone national time use studies. StatsSA conducted the first South African time use study in 2000 and followed this up with a second one in 2010. The aim of the surveys was to understand the economic and social well-being of men and women in society. Two main objectives of the surveys were to improve the concept, methodology, and measurement of the work and work-related activities; and to help develop policies that promote gender equity. Recent work on time allocations to market and home production across the lifecycle in South Africa suggest that women's care responsibilities displace time for market work.

⁶⁶ Human Sciences Research Council: 2016: Winners and losers: Gender disparities in the South African labour market, pg. 1.

Figure 2: Allocation of time across the lifecycle by gender, 2010



Source: Oosthuizen: Counting Women's Work in South Africa 2018

In 2010, women between the ages of 20 and 29 years were estimated to have spent 2.3 hours per day in market production activities, and 4.7 hours in household production activities. While men spent more time in market production than women, the opposite is true for household production. In both age groups, women spent more time in total in productive activities than men: amongst 20-29-year olds the difference is 19%, while amongst 30-49-year olds it is 8%.

Table 2: Mean time spent in market and home production by gender in South Africa (hours per day)

Activity	20-29 years			30-49 years		
	Male	Female	F:M ratio	Male	Female	F:M ratio
Market	3.9	2.3	0.58	5.8	3.5	0.61
Household	1.9	4.7	2.44	1.6	4.4	2.82
Care	0.1	0.8	6.64	0.2	0.6	3.62
Housework	1.8	3.8	2.14	1.4	3.8	2.73
Total	5.8	6.9	1.19	7.4	8.0	1.08

Source: Own calculations, Oosthuizen (2018).

Based on data for 2000 for South Africa, Floro and Komatsu (2011) find that “while women’s and men’s hours of unpaid work do not vary greatly across employment status, these obligations affect women’s employment options and their ability to look for work”. The often-cited policy imperative of increasing women’s economic participation does not always recognise that, on average, women are already spending at least as much time as men in productive activities and increasing time spent in market work is often not accompanied by reallocations of their care work to other household members and men in particular.

Women who find work may be employed in various sectors and occupations; they may also be employed in either the formal sector or the informal sector. They may be hired by another individual or a firm and thus be classified as an employee, or they may choose (or be forced into) self-employment. If they are self-employed, they may be working alone or be an employer themselves. Irrespective of these modalities of employment, for all the employed, variation exists across employment outcomes. These include remuneration, working conditions, protections and benefits, flexibility and so on. Again, the exact nature of employment and the associated employment outcomes are affected by various individual and societal factors.

Individual-level labour market outcomes - economic inactivity, unemployment or employment as mediated through employment outcomes - play an important role in determining wellbeing at the individual and household level, as well as influencing aspects such as income distribution at the societal level. At the same time, household, societal and macroeconomic factors all influence the ultimate wellbeing outcome directly, as well as indirectly through their influences on decisions to participate and the likelihood of finding employment. Indeed, wellbeing itself may influence the decision to participate.

Aside from income level and economic structure, the ILO (2010) identifies some of the most important determinants of female labour force participation as: fertility; education; cultural and social norms, including religion; institutions such as government policy, legal frameworks, and unions; political regimes; and the existence of violent conflict.

While in general, Government cannot directly affect such factors as fertility, cultural norms and household influences that influence the participation of women in the economy, it provides incentive funding, start-up funding and other measures to assist women to improve their financial positions and through doing this create an enabling environment for women's participation in the economy. In terms of participation, in line with the outline of labour market participation above, these measures can have an impact on women's participation in the economy. Where measures are aimed at assisting businesses to grow, they will have a direct effect on women's participation in the labour market in respect of self-employment primarily through the support of women-owned businesses.

National legislation, policies and interventions designed to facilitate women's economic empowerment

The following legislation was passed by Parliament to ensure greater economic empowerment of women and to address inequalities between men and women in South Africa:

- The National Education Act, No. 27 of 1996;
- Extension of Security of Tenure Act, No. 62 of 1997;
- Basic Conditions of Employment Act, No. 75 of 1997;
- Employment Equity Act, No. 55 of 1998;
- Skills Development Act, No. 97 of 1998;
- Further Education and Training Act, No. 98 of 1998;
- Labour Relations Amendment Act, No. 127 of 1998;
- Land Restitution and Reform Law Amendment Act, No. 63 of 1997 & 18 of 1999;
- Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000;
- Preferential Procurement Policy Framework Act, No. 5 of 2000
- Broad-Based Black Economic Empowerment Act, No. 53 of 2003.

Government through the former Gender and Women Empowerment Unit located in the Department of Trade and Industry, and subsequently transferred into the Department of Small Business Development upon its establishment in 2014, provided targeted support to women enterprises through programmes and policies that ensure and accelerate the sustainable participation of women in the mainstream economy. It introduced various initiatives targeted at women, with the ultimate goal of developing sustainable enterprises that contribute to the country's gross domestic product, employment, equity and economic transformation to enable women to have equal access to and control over economic resources. The aim is to reverse the imbalances created by previous policies and programmes, which impacted negatively on women-owned enterprises and hindered their participation in the economy; to transform economic conditions; as well as create an enabling environment for women enterprises.

Overview of the Labour Market: Employment and Labour Force Participation⁶⁷

In 2018 Q2, the working-age population was estimated at 37.8 million in total, with women slightly outnumbering men and accounting for 50.5% of the total. The employed numbered 16.3 million, while a further 6.1 million were unemployed according to the narrow definition of unemployment. Almost 2.9 million individuals were classified as being non-searching unemployed. As a result, expanded unemployment stood at 8.9 million, while the expanded labour force was 25.2 million (compared with 22.4 million for the narrow labour force).

Table 3: Labour market statistics by gender, 2016 and 2018 Q2

Aggregates ('000s)	2016			2018 Q2		
	Male	Female	Total	Male	Female	Total
Working-age population	18 102	18 567	36 669	18 710	19 122	37 832
Employed	8 906	6 874	15 780	9 154	7 134	16 288
Narrow unemployed	2 926	2 827	5 753	3 097	2 986	6 083
Narrow labour force	11 832	9 701	21 533	12 251	10 119	22 370
Expanded unemployed	3 995	4 143	8 138	4 367	4 579	8 947
Expanded labour force	12 901	11 018	23 919	13 521	11 713	25 234
Non-searching unemployed	1 069	1 316	2 386	1 270	1 594	2 864
Rates (%)						
Employment-to-population ratio	49.3	37.2	43.2	48.9	37.3	43.1
Narrow unemployment rate	24.7	29.1	26.7	25.3	29.5	27.2
Expanded unemployment rate	31.0	37.6	34.0	32.3	39.1	35.5

Source: StatsSA, Labour Market Dynamics (2016); Quarterly Labour Force Survey (2018Q2).

There are important gender differences in some of these aggregates, however. For example, men outnumber women amongst the employed by more than two million; in contrast, the gap is just over 100 000 within the narrow unemployed, while there are around one-quarter more women than men amongst the non-searching unemployed. As a result, women account for just over 51% of the expanded unemployed. In other words, men form the majority of those with better labour market outcomes (employment as opposed to unemployment) and women dominate amongst those with worse labour market outcomes (non-searching unemployment as opposed to narrow unemployment). Further, while participation of both men and women in the labour market is low relative to other developing countries, participation of women in the labour market is lower than that of men.

The implication of these differences is that working-age women are less likely than their male counterparts to be employed, and that economically active women are more likely than men to be unemployed. For example, the national employment-to-population ratio in 2018 Q2 was 43.1%, but there was a difference of 11.6 percentage points between the ratios for men and women. Thus, nearly half of all working-age men were employed compared to 37.3% of working-age women. At the same time, female unemployment rates are higher than those of males: the difference was 4.2 percentage points for the narrow unemployment rate, and 6.8 percentage points for the expanded unemployment rate. Similar patterns are observed for the 2016 estimates.

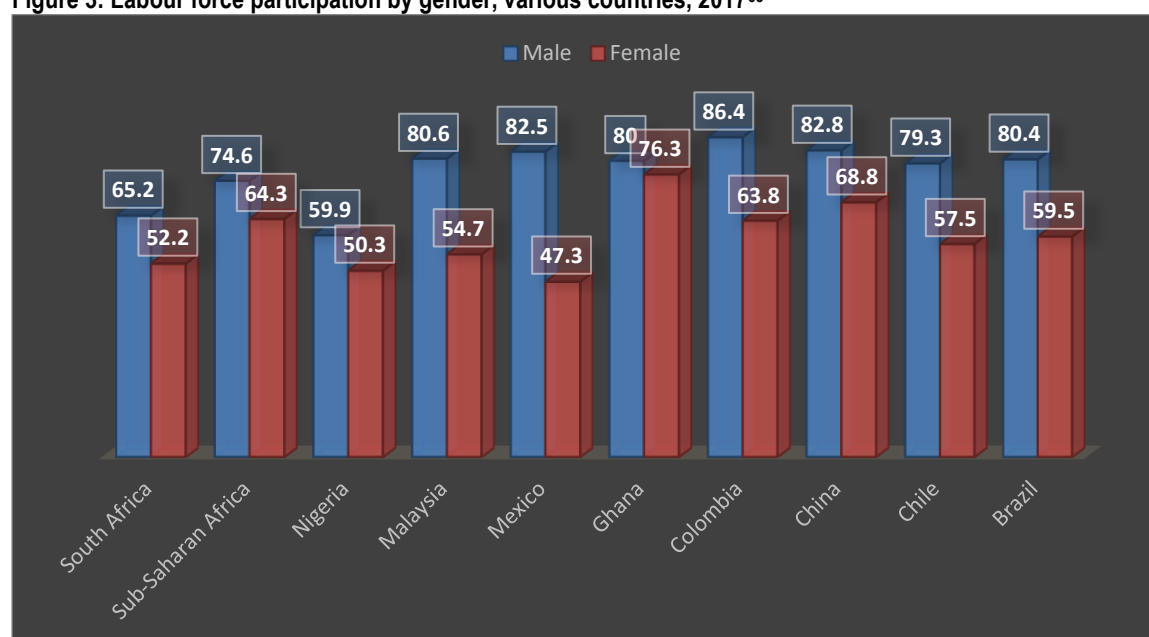
Labour force participation rates amongst women are substantially lower than those of men, irrespective of the unemployment definition used. In the fourth quarter of 2018, the narrow labour force participation rate amongst males (65.5%) was 12.6 percentage points higher than that of females (52.9%). Using the expanded definition, the gap was 10.3 percentage points even though the level of participation for both

⁶⁷ Department of Women: 2019: A Report on the Gendered Analysis of Government's Incentive Schemes – especially those administered by the Dti, Unpublished (Report developed for the DoW by the Development Policy and Research Unit, University of Cape Town – 2018/19)

males and females is higher. While men are more likely than women to participate in the labour force, in the years following the democratisation of South Africa, female labour force participation increased dramatically (Casale and Posel, 2002). While this is a good signal pointing to the integration of women into the economically active population, Casale (2004) observes that this increase translated into an increase in unemployment rates for the country. At the time, she found that there had been some opportunity for advancement of females in the labour force, but that white women seemed to have been the main beneficiaries.

Labour force participation rates in South Africa are low by international standards: of eight other developing countries from around the world and the Sub-Saharan Africa region as a whole, South Africa's male labour force participation rate is the second-lowest (62.0%), and the female labour force participation rate - at 52.2% - is lower than in all the listed countries, except Mexico and Nigeria. The participation rate for women in South Africa is 12.1 percentage points lower than for the entire Sub-Saharan African region, and this gap is even wider when considering the participation rates for the population aged 15 years and older (as opposed to 15 to 64-year olds). Two immediate factors contribute to this low level of labour force participation: first, the relatively small size of the informal sector in South Africa and, second, the constrained smallholder and subsistence agriculture sector as a source of employment in South Africa.

Figure 3: Labour force participation by gender, various countries, 2017⁶⁸



Source: World Bank (2018).

The table below elaborates on the gender difference in participation rates, disaggregating by location and race. Irrespective of the disaggregation, males have the highest labour force participation rates. Amongst Africans and Coloureds, male labour force participation rates are roughly 12 percentage points higher than those of women. This gap is, though, substantially wider amongst whites (19.5 percentage points) and Asians (29.7 percentage points). Male participation rates range between 63.2% (African men) and 77.3% (white men). This contrasts with the participation rates for women, which range from 45.5% amongst Asian women to 58.3% amongst coloured women. Thus, the highest female labour force participation rate (that of coloured females) is lower than the lowest male participation rate (that of African males).

⁶⁸ Estimates are ILO modelled estimates for the population aged 15-64 years

Table 4: Labour force participation rates by gender and race, 2018

	Urban			Rural			Overall		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
African	72.4	61.7	67.1	48.3	37.4	42.7	63.2	52.1	57.6
Coloured	71.8	57.9	64.6	76.5	63.6	70.4	72.1	58.3	64.9
Asian	74.9	45.6	60.6	93.6	24.3	85.1	75.2	45.5	60.9
White	76.7	58.0	67.3	87.8	52.8	71.7	77.3	57.8	67.5
Total	72.9	60.2	66.5	49.4	38.0	43.5	65.5	52.9	59.1
Labour Force ('000s)	9 326	7 739	17 065	2 925	2 380	5 305	12 251	10 119	22 370

Source: StatsSA, Quarterly Labour Force Survey (2018Q2).

In urban areas, male labour force participation rates across race groups are very similar with almost three-quarters of men participating in the labour force. Indeed, labour force participation rates for all four race groups are within five percentage points of each other. Amongst urban females, the range of participation rates is three times wider: participation rates are lowest amongst Asians (45.6%) and highest amongst Africans (61.7%). On average, 60.2% of urban women are active in the labour force.

In rural areas, though, South Africans are much less likely to be economically active: just 43.5% of rural adults participate in the labour force in 2018. Unlike in urban areas, there is wide variation across race groups in participation rates amongst both males and females. Amongst males, participation ranges from around five out of ten (48.3%) amongst Africans to around nine out of ten amongst Asians and Whites; amongst females, it ranges from fewer than three out of ten (24.3%) amongst Asians to more than six out of ten (63.6%) amongst coloureds. Thus, as is the case in urban areas, the range in rural areas is much wider for females than males.

The above analysis highlights the low levels of economic participation of women (and men) in non-urban areas, a large part of which is made up by the former homeland areas. These low levels of labour force participation have implications for the extent of poverty in areas and this is where government programmes targeted at supporting businesses may face challenges in reaching potential beneficiaries. One reason for this is that information that is readily available on government programmes may not be easily accessible in non-urban areas. Another reason is that businesses themselves in non-urban areas may be more marginal and may require different types of interventions compared to urban enterprises.

Employment of Women⁶⁹

Gender differences extend beyond high-level labour market outcomes and are observable in various areas of employment. Even though women are exposed to formal labour markets, including in the extractive industries, opportunities are minimal or limited for them. One main factor in this is 'occupational segregation' defined as the division of the labour markets based on gender, which limits women's employment opportunities in the sector, regardless of their experience or educational qualifications.⁷⁰

Female employment is concentrated in four industries: community, social and personal (CSP) services (31.4%); wholesale and retail trade (22.1%); private households (14.6%); and finance (13.2%). Together, these four industries account for 81.3% of total female employment. In contrast, male employment is less concentrated with five industries each accounting for between 13% and 19% of total male employment. The four industries accounting for the largest proportions of total male

⁶⁹ Department of Women: 2019: A Report on the Gendered Analysis of Government's Incentive Schemes – especially those administered by the Dti, Unpublished (Report developed for the DoW by the Development Policy and Research Unit, University of Cape Town – 2018/19)

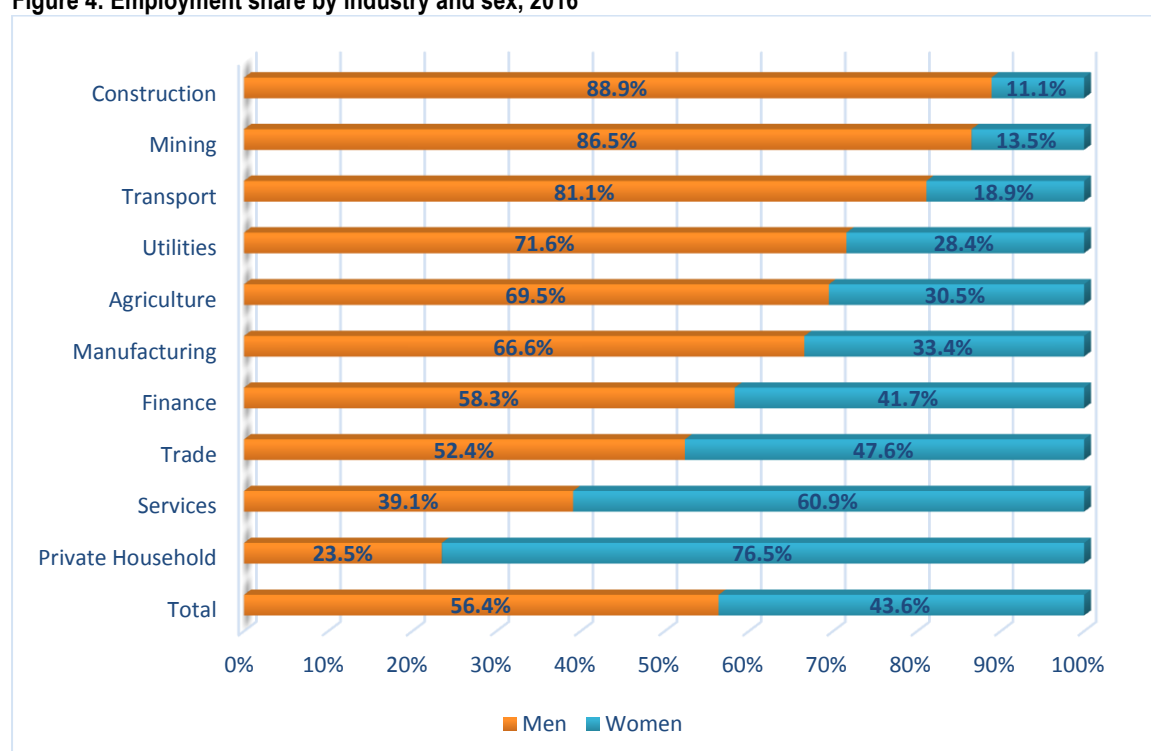
⁷⁰ Commission for Gender Equality: 2016: Talking the Talk, Not Walking the Walk: pg.22.

employment—wholesale and retail trade (18.6%), CSP services (15.6%), finance (14.6%), and construction (14.1%)—together account for 62.9% of male employment.

Women dominate employment in only two industries: CSP services, which include government, and private households, which is primarily domestic work. In CSP services, the ratio of male-to-female employment is 0.6, indicating that for every ten women employed in the industry, there are six men. Within private households, the gap is even larger, with only three men for every ten women in the industry. In contrast, construction, mining and transport are heavily male dominated, with ratios of 8.0, 6.4 and 4.3. Thus, in construction, there are eight times as many men in the industry than there are women. In manufacturing, agriculture and utilities, men outnumber women by a ratio of between 2.0 and 2.5 to one, while in wholesale and retail trade (1.1) and finance (1.4) the ratios are much lower.

There are various reasons for these differences between industries. For instance, women have historically not been employed in large numbers in industries where jobs are dangerous and require physical strength. Thus, relatively few women have been employed in mining and construction. Such patterns may be perpetuated by attitudes towards women's employment in those sectors (held by both men and women), as well as attitudes, preferences or even discrimination on the part of firms. Conversely, women's dominance in CSP services is explained by the fact that female-dominated occupations such as nursing and teaching are concentrated within the industry; similarly, the vast majority of domestic workers in South Africa are female, explaining their dominance within private households. Globally, services sectors are found to be more accessible to women (ILO, 2010), explaining the relatively narrow gap in wholesale and retail trade and finance and business services.

Figure 4: Employment share by industry and sex, 2016



Source: StatsSA

Among women themselves, there are also important differences. By race, labour force participation rates are more varied for women than for men. The labour force participation gap between men and women is highest for whites and Asians. Participation rates for women range from 45.5% amongst Asian women to 58.3% amongst coloured women.

African women constitute a relatively large proportion of female employment in the informal sector and in private households compared with their share of total female employment. In rural areas women (as well as men) are much less likely to be economically active.

Skills distribution of employment⁷¹

These ten industries also differ in terms of their skills intensity and, as a result, women of different skills levels are distributed differently across industries (Refer table below). Of the almost 6.9 million employed women in 2016, almost one-quarter (1.7 million) are classified as high-skilled. Those in semi-skilled occupations account for 40% of employment, while the low-skilled represent 35% of employment.

The majority of high-skilled women (57.0%) are employed in CSP services, while a further 21.1% are employed in finance and business services. These two industries therefore account for almost four-fifths of the employment of high-skilled women. In both instances, these shares are substantially larger than their shares of total female employment (31.6% and 13.8%). Although they are much smaller, utilities and transport account for relatively large shares of high-skilled female employment compared with their shares of total female employment.

Table 5: Distribution of employed women across industry by skills category, 2016

Industry	High-skilled	Semi-skilled	Low-skilled	Total
Agriculture	0.4	1.3	9.2	3.9
Mining	0.5	1.3	0.6	0.9
Manufacturing	6.1	11.9	5.5	8.2
Utilities	0.9	0.6	0.1	0.5
Construction	1.4	2.1	3.2	2.3
W&R trade	9.7	31.7	19.6	22.0
Transport	2.9	3.6	0.9	2.5
Finance & business services	21.1	15.5	6.9	13.8
CSP services	57.0	31.3	14.5	31.6
Private households	0.0	0.7	39.5	14.3
Total	100.0	100.0	100.0	100.0
Employment ('000s)	1 686	2 750	2 439	6 874

Source: StatsSA, Labour Market Dynamics (2016).

Two industries—wholesale and retail trade, and CSP services—each account for just under one-third of semi-skilled female employment. In the former, this is almost ten percentage points higher than the industry's share of total female employment, but in the latter the two proportions are similar. These are followed by finance and business services (15.5%) and manufacturing (11.9%), both of which account for relatively large shares of semi-skilled female employment.

Employment of low-skilled women is concentrated in private households (39.5%), wholesale and retail trade (19.6%) and CSP services (14.5%), although of these three industries it is only private households that accounts for a disproportionately large share of low-skilled female employment. Agriculture accounts for 9.2% of low-skilled female employment, more than twice the industry's share of total female employment (3.9%).

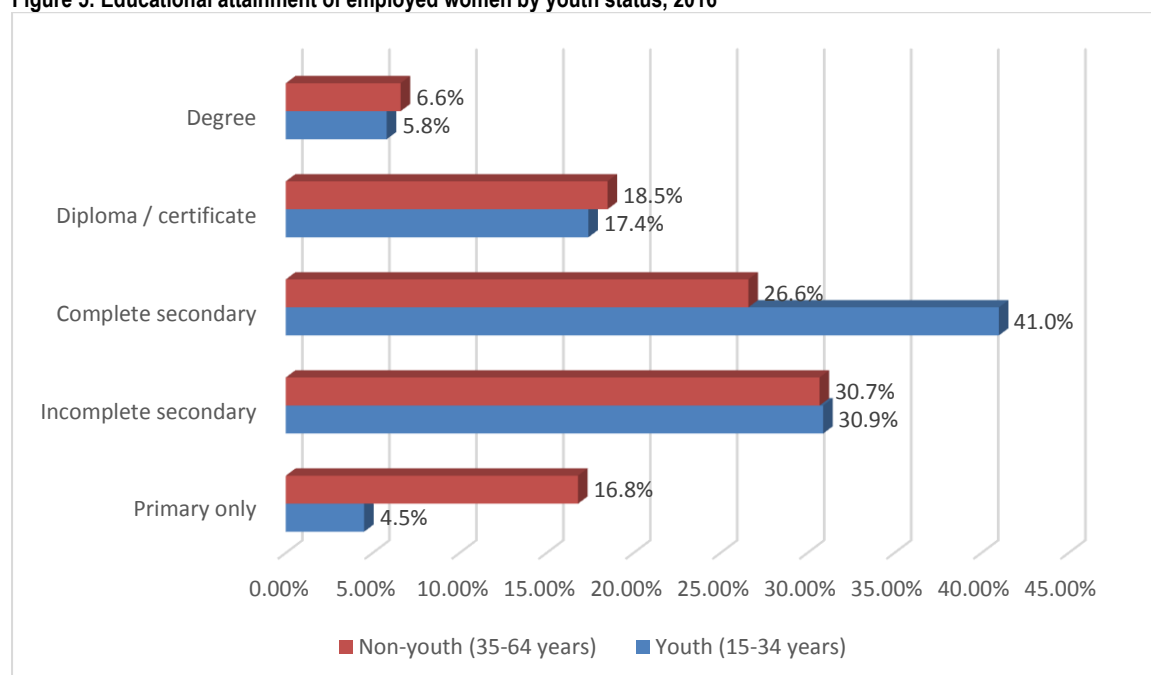
An integral and supplementary part of understanding the skills set of employed women relates to educational attainment. The figure below presents the educational attainment of employed women, distinguishing also between youth (15 to 34-year olds) and non-youth (35 to 64-year olds). A key

⁷¹ Department of Women: 2019: A Report on the Gendered Analysis of Government's Incentive Schemes – especially those administered by the Dti, Unpublished (Report developed for the DoW by the Development Policy and Research Unit, University of Cape Town – 2018/19)

motivation for doing this is the relatively rapid improvements observed in educational attainment over the past few decades, which will have implications in terms of design of policy and programmes accessible to all women.

Youth status is associated with differences in educational attainment amongst employed women. Amongst employed female youth, 41.0% have completed secondary education, while a further 30.9% have incomplete secondary education. Just 4.5% of these women do not have any secondary education at all; while just over one-quarter has either diploma/certificate or a degree.

Figure 5: Educational attainment of employed women by youth status, 2016



Source: StatsSA, Labour Market Dynamics (2016)⁷²

In contrast, amongst employed women aged 35 years and above, the largest cohort has incomplete secondary education (30.7%), while 26.6% have a matric certificate. This latter proportion is 14.4 percentage points lower than that of their counterparts under the age of 35 years. Older women are far more likely to have no secondary education at all: 16.8% of employed women aged 35 years and above have only (some) primary education, more than three times the proportion of their younger counterparts. Interestingly, despite their age advantage, the proportion of employed women with post-secondary education is only marginally higher for non-youth than for youth (25.1% compared to 23.2%).

Differences in educational attainment may have significant implications in the ability of employed women to access government programmes. Lower levels of education may mean that complex or detailed application forms, as well as online application systems, may represent more significant barriers to entry for these women, thereby preventing access even before the merits of their particular situation can be evaluated.

Males are more likely than females to be employed in the formal sector (77.1% compared to 71.4%), and in the informal sector (19.5% compared to 14.4%). In contrast, private households account for 14.3% of female employment, more than four times the share for males. As a result of these differences, women account for around two-fifths (41.7%) of formal sector employment, and just 36.2%

⁷² Proportions may not add to 100 due to the omission of the "Other/unspecified" category.

of informal sector employment. In contrast, three out of four (76.5%) workers in private households are women.

Table 6: Employment by sector disaggregated by gender and race, 2016

	Formal Sector	Informal Sector	Private Households	Total
Total employed ('000s)	11 772	2 725	1 283	15 780
Distribution (%)				
Total	74.6	17.3	8.1	100.0
Male	77.1	19.5	3.4	100.0
Female	71.4	14.4	14.3	100.0
Female share of sector (%)	41.7	36.2	76.5	43.6
Share of female employment (%)				
African	68.2	86.2	91.2	74.1
Coloured	12.6	5.8	8.3	11.0
Asian	3.4	1.2	0.2	2.6
White	15.9	6.8	0.3	12.4

Source: StatsSA, Labour Market Dynamics (2016)

There are important variations by race in this general pattern. Africans constitute a relatively large proportion of female employment in the informal sector (86.2%) and in private households (91.2%) compared with their share of total female employment of just under three-quarters (74.1%). Conversely, coloured, Asian and white women account for relatively large proportions of formal sector employment.

Out of 100 employed women, approximately 30 are employed outside of the formal sector and, of these, between 25 and 28 are African and another one to two are coloured. A narrow focus on the formal economy means that a relatively large proportion of employed women are overlooked, the vast majority of whom are African or coloured and who are typically marginalised within the formal sector.

Women and unemployment⁷³

To contextualise women's position within the labour market, the figure below presents the female share of three key labour market aggregates—the narrow labour force, employment and narrow unemployment—over the past decade. While women account for just over half (50.5%) of the working-age population in 2018, they are outnumbered by men within all three aggregates. Women account for approximately 45% of the narrow labour force, a proportion that has remained within a one percentage point range throughout the decade.

Importantly, though, just fewer than 44% of the employed are women. Here too, the proportion has remained remarkably stable. The consequence of women accounting for an even smaller share of employment than they do of the narrow labour force is that their share of narrow unemployment is considerably higher. In the second quarter of 2018, women accounted for 49.1% of the unemployed, 5.3 percentage points higher than their share of employment. Within unemployment, the share of women is marginally more volatile, with women even forming the majority of the unemployed in 2008.

⁷³ Department of Women: 2019: A Report on the Gendered Analysis of Government's Incentive Schemes – especially those administered by the Dti, Unpublished (Report developed for the DoW by the Development Policy and Research Unit, University of Cape Town – 2018/19)

Figures 6-8: Female labour force, employment and unemployment shares, 2008-2018



Source: Own calculations, StatsSA, Quarterly Labour Force Surveys, various years⁷⁴

⁷⁴ Estimates are from the second quarter surveys in each year.

Monthly Earnings

Statistics on monthly earnings demonstrate that there are fewer women earning salaries compared to men. In 2001 males constituted 53% (4 757 000) and 55.6% in 2017 (7 580 000) of those earning salaries while females constituted 47% (4 188 000) in 2001 and 44.4% (6 065 000) in 2017.

Table 7: Monthly earnings by gender, 2001 to 2017

2001				2014				2017				
	Male	%	Female	%	Male	%	Female	%	Male	%	Female	%
Monthly Earning	Thousands (000)											
R1–R1 500	2 625	55.2	3 043	72.7	1 438	19.2	1 822	30.3	1 234	16,3	1 517	25,0
R1 501–R2 500	931	19.6	460	11.0	1 225	16.3	1 088	18.1	969	12,8	1 063	17,5
R2 501–R3 500	409	8.6	245	5.9	994	13.3	723	12.0	1 165	15,4	960	15,8
R3 501–R5 500	357	7.5	262	6.3	1 076	14.4	615	10.2	1 390	18,3	843	13,9
R5 501–R7 500	177	3.7	109	2.6	626	8.4	324	5.4	1 105	14,6	618	10,2
R7 501–R11 500	150	3.2	46	1.1	674	9.0	449	7.5	529	7,0	369	6,1
R11 501+	108	2.3	23	0.5	1 462	19.5	991	16.5	1 187	15,7	694	11,4
Total	4 757	100.0	4 188	100.0	7 495	100.0	6 012	100.0	7 580	100,0	6 065	100,0
	53,2		46,8		55,5		44,5		55,6		44,4	
	8 945 000				13 507 000				13 645 000			

Females continued to dominate among those earning in the bottom ranges of earnings. The 2017 data shows higher concentration for female within the lowest earning categories. The top three highest percentages are concentrated within the bottom three earning categories. The monthly earning trend for male within the top three highest percentages is distributed within the lowest, middle- and high-income bracket (Statistics South Africa, QLFS, 2017).

Women and Self-Employment⁷⁵

Self-employment represents an alternative to working as an employee for many working-age adults. However, it is important to remember that self-employment spans a wide range of activities, ranging from individuals running SMMEs in the formal sector to individuals engaged in survivalist activities in the informal sector. From the perspective of women's economic participation and the need for supportive policies, this is an important distinction given that the needs and capacities of individuals in these widely varying situations will often be quite different.

The table below presents a breakdown of these two types of self-employment, distinguishing between the self-employed whose businesses are registered for tax or VAT and those whose businesses are not.

⁷⁵ Department of Women: 2019: A Report on the Gendered Analysis of Government's Incentive Schemes – especially those administered by the Dti, Unpublished (Report developed for the DoW by the Development Policy and Research Unit, University of Cape Town – 2018/19)

Table 8: Registration status of enterprises of the self-employed, 2016

	Female		Male		Total	
	Number ('000s)	Share (%)	Number ('000s)	Share (%)	Number ('000s)	Share (%)
Not tax or VAT registered	666	84.5	1 106	73.9	1 772	77.6
Tax or VAT registered	122	15.5	391	26.1	512	22.4
Total	790	100.0	1 496	100.0	2 291	100.0

Source: StatsSA, Labour Market Dynamics (2016)⁷⁶

In 2016, just over three-quarters (77.6%) of the self-employed were involved in businesses that were not registered for either tax or VAT. However, the rate of non-registration is significantly higher amongst self-employed women, at 84.5%. As a result, while women account for 34.5% of the self-employed, 37.6% of those whose businesses are not registered for tax are women.

It is estimated that in 2016 almost 2.3 million individuals were self-employed in South Africa, representing 13.9% of total employment. Men were slightly more likely to be self-employed than women (16.2% compared with 11.1%), with the gender gap particularly pronounced amongst Asians and whites. More than seven out of ten of the self-employed in 2016 were African, with whites accounting for roughly two out of ten. Thus, whites and Asians overall have relatively high rates of self-employment, driven by particularly high rates for men of around one-quarter. Amongst females, whites (15.2%) and Africans (11.5%) have the highest rates of self-employment.

However, once the sample is narrowed to those in non-tax registered enterprises, the picture changes in two key aspects. First, rates of self-employment for males and females are identical at just over 10%. Second, self-employment rates are highest amongst Africans at 12.5%, with African women marginally more likely to be self-employed than African men. As a result, Africans account for almost 90% of self-employed women in non-tax registered businesses.

Table 9: Self-employment rates by race and gender, 2013 and 2016

	African	Coloured	Asian	White	Total
Total self-employment ('000s), 2016	1 636	111	98	446	2 291
Male	15.3	8.6	22.8	25.8	16.2
Female	11.5	4.1	9.7	15.2	11.1
Total	13.6	6.5	18.2	21.1	13.9
SESE self-employment ('000s), 2013	1 371	48	39	85	1 543
Male	12.3	3.0	10.7	4.5	10.3
Female	12.8	3.2	2.6	3.9	10.3
Total	12.5	3.1	7.7	4.2	10.3

Source: StatsSA, Labour Market Dynamics 2016; QLFS 2013Q3; SESE 2013⁷⁷

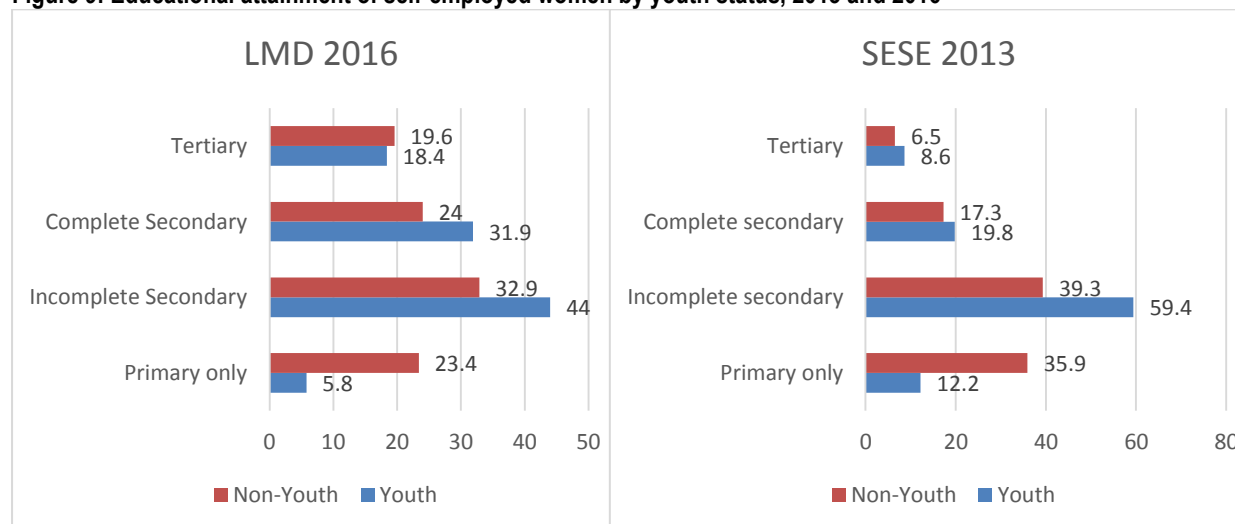
The largest cohort of self-employed women, irrespective of youth status, has incomplete secondary education. Amongst all self-employed women in 2016, 44.0% of those under the age of 35 years had incomplete secondary education, as did 32.9% of their older counterparts. Those with matric certificates account for 31.9% of youth and 24.0% of non-youth within this group. While older women are relatively evenly spread across the four educational categories, far fewer women under 35 years report having only primary education (5.8% compared with 23.4%). They therefore also have higher shares with either incomplete or complete secondary education. Although the categories are slightly different, self-employed women are relatively more concentrated than employed women generally in the bottom two categories. For example, 23.4% of non-youth self-employed women have only primary education compared with 16.8% of non-youth employed women, while 44.0% of self-employed women less than 35 years have incomplete secondary education compared with 30.9% for employed women less than 35 years.

⁷⁶ Figures may not add up due to rounding or unspecified responses.

⁷⁷ Total self-employment figures come from the LMD 2016. SESE self-employment figures refer to employers and the self-employed in non-tax registered enterprises.

Once the sample is limited to self-employed women in non-tax registered enterprises as per the SESE 2013 data, the bias towards lower levels of educational attainment is even clearer. More than seven out of ten of these women have not completed matric: 71.6% amongst youth, and 75.2% amongst non-youth.

Figure 9: Educational attainment of self-employed women by youth status, 2013 and 2016



Source: StatsSA, Labour Market Dynamics 2016; SESE 2013⁷⁸

Three occupational categories accounted for the majority of self-employed women in 2016. The largest category was elementary occupations, which accounted for 37.2% of self-employed women. This was followed by service and sales workers (23.5%) and managers (16.1%). Between them, these three categories accounted for just over three-quarters of self-employed women. These figures suggest a lack of occupational diversity within the sector and a bias towards less-skilled occupations, particularly when the diversity of occupations within the managerial category is acknowledged.

Table 10: Occupational distribution of self-employed women, 2013 and 2016

	Self-Employed Women (2016)		Informal Self-Employed Women (2013)	
	Number ('000s)	Share (%)	Number ('000s)	Share (%)
Managers	127	16.1	-	-
Professionals	30	3.8	-	-
Technicians & associate professionals	61	7.8	-	-
Clerical support workers	13	1.6	-	-
Service & sales workers	186	23.5	-	-
Skilled agricultural, forestry & fishery workers	10	1.3	-	-
Craft & related trades workers	57	7.3	-	-
Plant & machine operators	9	1.2	-	-
Elementary occupations	294	37.2	-	-
Total	790	100.0	-	-

Source: StatsSA, Labour Market Dynamics 2016⁷⁹

Just over half (51.8%) of self-employed women are employed within wholesale and retail trade, while a further 20.8% fall within CSP services. These two industries account for a combined share of 72.6% of self-employed women. Only two other industries—finance and business services (10.6%) and manufacturing (10.4%)—account for more than 2% of self-employed women.

⁷⁸ The primary category includes those with no education; the tertiary category includes those with diplomas and/or certificates, and degrees.

⁷⁹ The SESE 2013 dataset does not include data on individuals' occupations.

Table 11: Distribution of self-employed women across industry, 2013 and 2016

	Self-Employed Women (2016)		Informal Self-Employed Women (2013)	
	Number ('000s)	Share (%)	Number ('000s)	Share (%)
Agriculture, hunting, forestry & fishing	15	2.0	8	1.1
Mining & quarrying	1	0.1	-	-
Manufacturing	82	10.4	59	8.5
Electricity, gas & water supply ("Utilities")	-	-	-	-
Construction	12	1.6	2	0.3
Wholesale & retail trade	409	51.8	438	63.8
Transport, storage & communication	15	1.9	12	1.7
Finance & business services	84	10.6	54	7.8
Community, social & personal services	165	20.9	115	16.8
Private households	6	0.8	-	-
Total	790	100.0	687	100.0

Source: StatsSA, Labour Market Dynamics 2016, SESE 2013

Looking at informal self-employment, it is clear that there is an even greater concentration of women in wholesale and retail trade and CSP services. Trade alone accounts for almost two-thirds (63.8%) of informal self-employment of women, while CSP services accounts for another 16.8%. The shares for all other industries are smaller than those observed for self-employed women overall.

One of the broader benefits of entrepreneurial activity is the potential for increased demand for labour and, hence, employment. The table below presents a breakdown of self-employment in 2013 according to whether the self-employed are employers, with at least one employee, or own-account workers. Almost one-third of self-employed men hire other workers (31.2%), compared to less than one in six (15.7%) self-employed women. While this suggests that female-owned enterprises may typically be smaller than those owned by men, it also points to a potential difference in motivation: enterprises with no employees are more likely to be survivalist in nature, with low returns.

Table 12: Self-employment type by gender, 2013

	Female		Male	
	Number ('000s)	Share (%)	Number ('000s)	Share (%)
Own-account worker (no employees)	579	84.3	589	68.8
Employer (at least one employee)	108	15.7	267	31.2
Total	687	100.0	856	100.0

Source: StatsSA, SESE 2013

The table below investigates the extent to which the self-employed are employers and distinguishes between the paid and unpaid employees as well as the gender of employees. These firms are clearly small, with the median number of employees being one for both male and female employers. Female employers, though, do tend to employ fewer people than their male counterparts. On average, females employ fewer than four employees (0.5 paid males; 1.3 paid females; 0.3 unpaid males; 1.7 unpaid females), while males employ approximately 5.5 employees (1.7 paid males; 3.4 paid females; 0.2 unpaid males; 0.2 unpaid females). Not only do female employers provide employment to fewer people, they are also less likely than male employers to employ males and more likely to rely on unpaid workers. However, despite their smaller size, a relatively large proportion of female-owned informal employers report employing between three and nine employees. For example, 19.6% report employing between three and nine paid males, while 16.2% report employing between three and nine unpaid females. In contrast, only 3.4% of male-owned informal employers report employing three to nine unpaid females (for paid females, the figure is only 3.0%).

Table 13: Employees of male and female informal employers, 2013

	Female Employers				Male Employers			
	Paid		Unpaid		Paid		Unpaid	
	Males	Females	Males	Females	Males	Females	Males	Females
Distribution (%)								
0	21.9	65.9	87.9	36.3	87.3	83.8	82.6	77.3
1	38.2	27.6	5.5	37.6	10.5	10.4	15.5	15.6
2	19.4	4.3	3.2	9.4	1.3	2.9	1.7	1.4
3-9	19.6	2.2	2.5	16.2	0.9	3.0	0.3	3.4
10+	0.9	0.0	0.9	0.4	0.0	0.0	0.0	2.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Numbers of Employees								
Mean	0.5	1.3	0.3	1.7	1.7	3.4	0.2	0.2
Median	0	1	0	0	1	0	0	0
75 th p/le	1	2	0	0	2	0	0	0
90 th p/le	1	4	1	1	4	1	1	1

Source: StatsSA, SESE 2013

Lower employment numbers for female-owned enterprises can be explained as a function of lower turnover and weaker profitability due to concentration in more marginal activities. As many women are forced into or perhaps choose informal self-employment due to care responsibilities, it is perhaps not surprising that they tend to rely more heavily on unpaid workers, who may often be family members or dependents.

Women and Business Funding

According to the SESE data, around two-fifths of the self-employed reported not needing money to start their businesses (Refer table below). Those who did require funding were asked to indicate their main source of funding: their own money, a loan, a government grant, or some other grant. The majority of those who did need money to start their businesses reported using their own money: 45.1% of women and 44.9% of men. Just over one-tenth obtained a loan (13.0% women and 11.3% men).

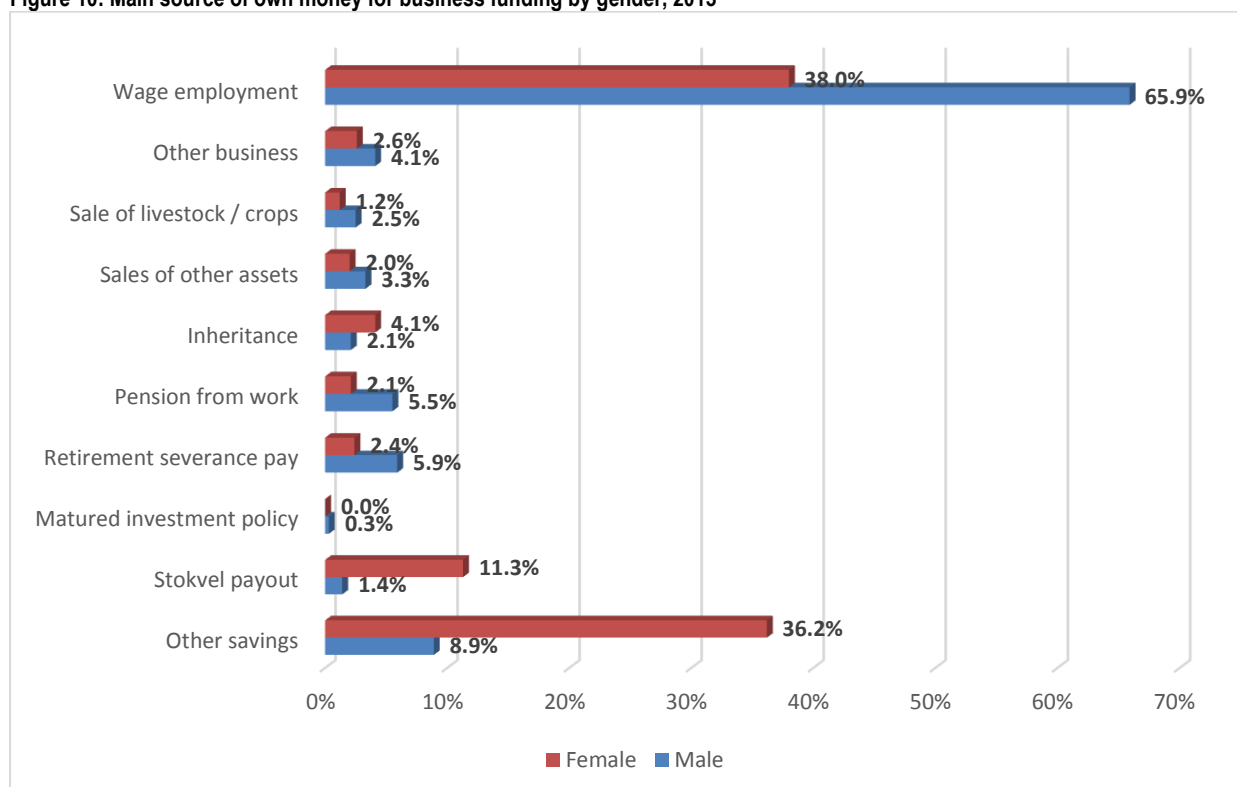
Table 14: Main source of business funding by gender, 2013

	Female		Male	
	Number ('000s)	Share (%)	Number ('000s)	Share (%)
Own money	310	45.1	384	44.9
Loan	9	13.0	97	11.3
Government grant	14	0.2	2	0.2
Other grant	27	0.4	2	0.2
Did not need money to start the business	284	41.3	371	43.4
Total	687	100.0	856	100.0

Source: StatsSA, SESE 2013.

Grants of any type are extremely rare, with less than one percent of the self-employed reporting accessing a grant as their main source of funding. While this is not particularly surprising, given the nature of the sample, it does confirm the very limited reach of government programmes and funding within the informal sector of the economy.

Figure 10: Main source of own money for business funding by gender, 2013



Source: StatsSA, SESE 2013⁸⁰

Amongst those who use their own money to fund their businesses, the survey asks about the source of that money. In this aspect, there are substantial differences between men and women. Two-thirds (65.9%) of men indicate that wage employment - past or present - was the primary source of this money. In contrast, this was true for only 38.0% women. Men were generally more likely to cite earned or employment-related income (other businesses; sales of livestock, crops or assets; pensions; or retirement/severance pay) than women, albeit quite rarely mentioned. This pattern is arguably linked to the generally more favourable position men have within the labour market, enabling them to source funds in this way.

For women, the most commonly cited source of money was from savings, whether in the form of a stokvel pay-out (11.3%) or from other savings (36.2%). In other words, almost half of women who used their own money to start a business cited savings as the primary source of that money, compared to one-tenth of men.

Constraints to SMME Growth and Entrepreneurship in South Africa

In South African SMMEs employ around 56% of the workforce (DTI, 2008) and contribute an estimated 45% to 50% to the GDP (DTI, 2004). FinScope (2011) finds that access to credit and access to affordable credit are amongst the most regularly reported obstacles for growth amongst SMME owners. They find that approximately 42.0% of SMME owners are financially excluded—meaning they do not use any formal or informal financial products or services and that any saving that does occur happens at home, while any borrowing is from friends or family. This difficulty for small business owners in gaining access to credit is likely due to the conservative lending practices of banks. In deciding whether to provide credit to an entrepreneur or business—and the rate at which credit is offered—banks rely on the credit risk profile of the owner or business. There are various factors which contribute to the high

⁸⁰ 'Wage employment' refers to previous and/or present wage employment.

credit risk profiles for SMME entrepreneurs, including no alternative income sources, unsustainable income streams, poor business and financial management skills, and a lack of risk mitigation strategies. These factors make SMME entrepreneurs unattractive to formal lenders, where the perceived risk of defaulting is high.

In addition, access to land is a constraint on entrepreneurship. Not only is land used as collateral for finance, in order for business to develop and grow, business needs access to affordable premises that is close enough to workers, the market, and that is safe and suitable for work. FinScope (2011) identifies “space to operate” as the largest obstacle for small business growth, particularly in Gauteng. Transport infrastructure is needed to reach the major economic hubs and to access their respective markets. This is particularly important in South Africa, where due to the entrenched problem of spatial mismatch, millions of labour market participants are located significant distances from the urban centres. Table * below summarises some of the barriers to accessing credit and the particular gender-specific nature of these barriers.

Table 15: Barriers to credit for women and their effects

Barrier	Effects
Legal constraints	The traditional norms and values prevent women from leaving formal financial options acting as legal persona and from accumulating assets such as property. Such constraints impact on women's ability to offer assets as collateral which is often beyond the scope of a women's available or limited assets. Women are still treated as legal minors in some communities constraining their ability to make independent decisions or contractual arrangements e.g. for funding.
Employment and income limitations faced by women	Women are still most likely to be employed at the lower levels, least skilled, least influential and lowest paid jobs in the economy and this also impacts negatively on their ability to accumulate assets and equity.
Exclusion from policymaking, decisions and influence in financial and economic decision-making	South Africa has largely excluded women from decision-making in both the economic and financial spheres of influence. Since women are largely not in positions of power in these segments of society, this has the effect of not fostering a culture which recognises the gender constraints and respects the needs of women. Women are likely to need start-up capital which for commercial institutions are high risk and therefore not supported by gender neutral institutions insensitive to the gender constraints faced by women and there is also very little attempt made to explore alternative risk management strategies better suited to the asset limitations of women.
Attitudes towards women	Male decision-makers often consider the realities of women's lives as adverse and use the multiple roles women play as a justification for declining business credit. In a situation of scarce resources, investors will often go with what they know i.e. men.
Lack of information and exposure to business and finance environments	Women are often not aware of the financial or non-financial support available to them to enhance their business aspirations.
Business maturity and financial institution policies	Whilst men and women face difficulties when setting up businesses, women face additional difficulties such as access to finance. The playing field tends to level out when women's business reach maturity and are able to provide sufficient evidence to reduce the perception of risk associated with gender. Lack of collateral means that the primary source of funding for resource-poor women is high interest bearing and low value micro finance. Banks are mostly not aware that women face gender specific constraints when seeking finance and may adopt a gender-neutral position, assuming that this puts women on an equal footing. Women often want to borrow smaller amounts, and this may be outside of the minimum loan policies of a bank.

Source: DoW (2015), sourced from Southern Africa Gender Protocol Alliance (2015)

Across the different subsectors in the economy there are varying perceptions of the barriers that exist to female entrepreneurs in establishing successful businesses.

- In the **metals subsector**, where females work as jewellery designers and producers, they face key challenges such as access to markets, finance, and knowledge relating to basic business administration particularly around providing quotes and invoicing. With regards to finances, these women face high start-up costs associated with setting up jewellery production which therefore becomes limiting entry into the sector.
- In **agro-processing** the challenges for female entrepreneurs seem more prominent. The industry is male-dominated and, women indicated that it is very difficult for female entrepreneurs to access funding.

There also seems to be an unwillingness or reluctance from men in the industry to engage with female entrepreneurs, making it challenging for women to partner with men to finalise deals

- The **textiles, clothing and leather subsector** is female-dominated, and women generally indicate a lack of marketing skills as a challenge. Females in this sector also indicate that they are not taken as seriously as men in business related matters with the result that they often work harder to be considered credible.
- In the **chemicals industries**, the barriers faced by women include a lack of funding; difficulty in penetrating markets, a lack of information about the sector available to women and, a lack of support for women. Further, the market is extremely competitive, and women find it difficult to gain credibility as a new entrant into the market. In this subsector there also seems to be high operating costs which act as a barrier to women who struggle to access funding.

Special Measures to promote women's economic empowerment

There are specific programmes which specifically target women to facilitate their participation in the mainstream economy. Among these are the Bavumile Skills Development Programme, the Isivande Women's Fund (IWF) and the South African Women Entrepreneurs Network (SAWEN) to speak of a few.

The Bavumile Skills Development Programme targets women who want to pursue their own business by offering them 20 days of training on sewing, knitting, weaving and craft (DTI, 2011). The main objective of this programme is to advance women's skills and expertise in arts and craft in order to produce better products (DTI, 2011). The substantial expansion in the budget between 2015/16 and 2016/17 - effectively a quadrupling of the budget - was accompanied by a more than doubling from 300 to 700 in the number of female entrepreneurs trained.

The Isivande Women's Fund (IWF) aims to enhance socio-economic development in rural, peri-urban and township areas by empowering South African women (especially black women) through financial assistance of between R30 000 and R2 million and non-financial support (DTI, 2011; n.d). The fund is involved with enterprises that seek finance for start-up, for expanding existing enterprises, for franchising, for business rehabilitation and for gap finance (DTI, n.d.). The IWF supports SMMEs with women ownership of more than 50% of the ordinary share capital and more than 30% in management positions (DBSD, 2015 emb).

The South African Women Entrepreneurs Network (SAWEN) is a Section 21 registered company under the dti, with the main objective to facilitate access to business resources, information and opportunities for South African women entrepreneurs. This programme targets women specifically, who engage in informal income generating activities and/or operate an SMME, or women who aspire to open a business, particularly rural based women-owned SMMEs (SAWEN, 2012).

Access, ownership and control over productive resources / property and land rights

Land has been recognised as a primary source of wealth, social status and power throughout history. It builds the foundation to create shelter, grow food and harbour economic activities. It provides the most significant opportunities in rural areas and is gradually depleting scarce resource in urban areas. Access to rights in land is often the condition for other rights such as access to water, other natural resources, and basic services such as sanitation and electricity. The rights that society allows for landholders directly affect the willingness and ability of individuals and businesses to make long term investments in arable land and housing (Status of Women in the South African Economy (DoW; 2015).

In emerging economies, sustainable development is contingent on the establishment of inclusive access to property rights in land and the security of such rights (UN Food and Agriculture Organization (FAO): 2002).

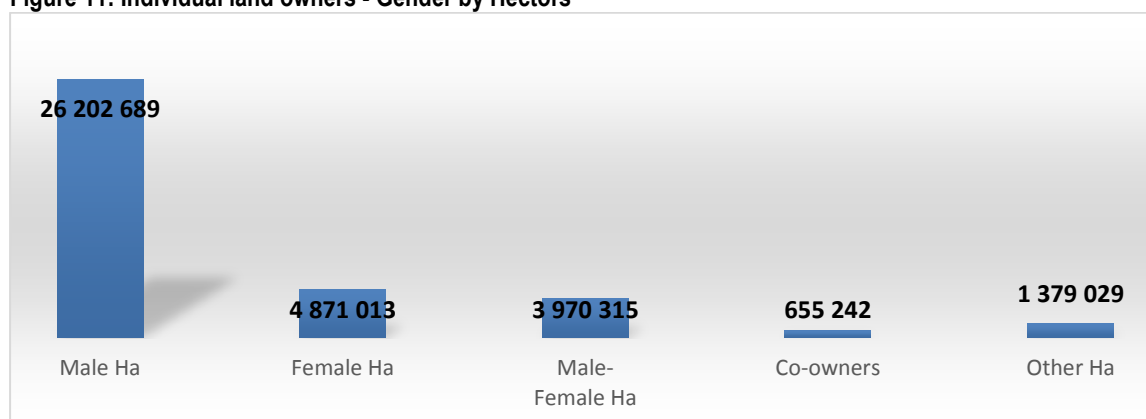
Making access to land and the benefits that come with it more inclusive for women may be one way to overcome economic and social disadvantages (UN FAO: 2002). Gender equality in land ownership is important as it is shown to improve agricultural productivity and strengthen the ability of households to manage economic shocks (Budlender and Alma: 2001; Jacobs et al: 2012).

There is a strong link between food security nutrition and gender therefore the land issue becomes critical in ensuring a gender approach to food security. Female headed households have a higher vulnerability to food insecurity as a result of poverty, which can be exacerbated by lack of access to land ownership, means of production and income generating activities. The 2016 Vulnerable Groups Indicator report (Statssa; 2017) indicates higher percentage share (13.8%) of females living in households that experienced hunger compared to males (10, 3%).

Women tend to be more involved in subsistence farming in an effort to supplement food security at the household level. In 2017, about two and half million households (2 506 000) were involved in one or more agricultural production activity in South Africa. The majority of these households were female headed (52.8%) (2017 GHS, StatsSA: 2018).

The Land Audit Report (DRDLR, Pretoria: 2017) demonstrate women's struggle with regard to ownership and access to land. The Extension of Security of Tenure Act gave women, for the first time, the same rights in land as men, by including women in its definition of "occupier". The White Paper on Land Reform emphasises government's intention to target women in its land reform policy.

Figure 11: Individual land owners - Gender by Hectors



Source: Land Audit Report, DRDLR, 2017

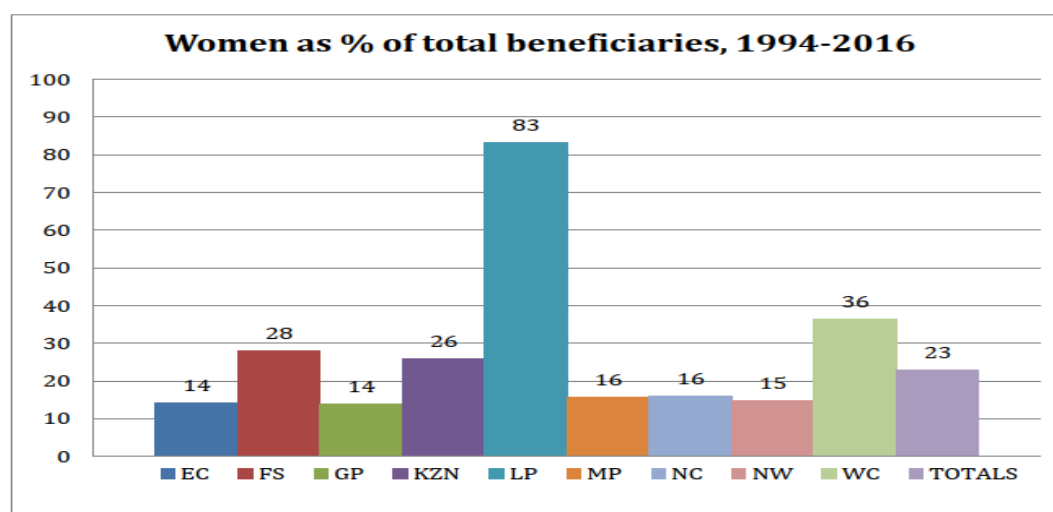
Statistics on individual land ownership indicates that only 34% of individual land owners are female and that males own the largest size of farms and agricultural landholdings. Data indicates that males and females own a total of 37 078 289 ha farms and agricultural holdings land in the country, with 26 202 689 ha or 71% owned by males; followed by females at 4 871 013 ha or 13%.

All policies relating to land redistribution emphasise gender equity as a goal, and prioritise women to gain access to land. What exactly this prioritisation consists of is unclear. Nationally, women constitute

23% of land redistribution beneficiaries. We do not have detailed breakdowns of women beneficiaries, or women headed households, under the various land redistribution programmes⁸¹.

Figure 12: Land Beneficiaries by Sex

Figure 5: Gender distribution of land beneficiaries



Source: DRDLR 2016: 4 (authors' calculations)

Table 16: Individual land owners - gender in hectares

Individual land owners - gender in hectares											
	Male Ha	%	Female Ha	%	Male-Female Ha	%	Co-owners	%	Other Ha	%	Total
RSA	26 202 689	71	4 871 013	13	3 970 315	11	655 242	2	1 379 029	3	37 078 289

Source: Land Audit Report, DRDLR, 2017

Table 17: Number and percentage of individual landowners

Table 17: Number and percentage of individual landowners											
	Male No.	%	Female No.	%	Other	%	Total				
RSA	95 050	52	60 649	34	25 833	14	181 532				
Number of individuals' erven land owners by gender											
	Male No.	%	Female No.	%	Other	%	Total				
RSA	2 655 724	44	2 961 794	50	351 947	6	5 969 465				
Individuals' erven land owners by gender in hectares											
	Male No.	%	Female No.	%	Male-Female	%	Co-ownership	%	Others	%	Total
RSA	336 448	47	125 327	17	140 497	19	7 052	1,0	113 344	15,7	722 667

Women and ICT

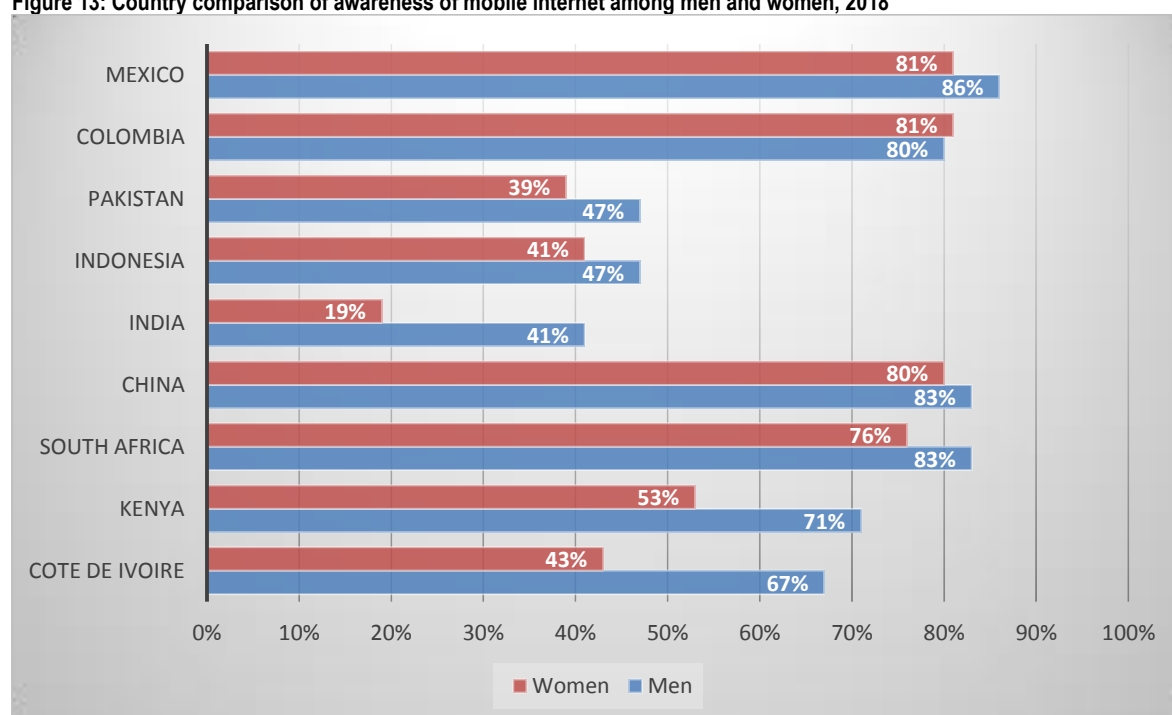
Separate frameworks have guided the development of the Telecommunications and Postal Services sector since 1994. These include White Papers on Broadcasting Policy, Telecommunications Policy and Postal services policy. These policy frameworks focused on addressing historical inequalities in access to basic services, while ensuring that all South Africans benefit from new services and access to new technologies and that ICTs are actively used to meet the development goals of the country. These

⁸¹ Land Redistribution in South Africa Commissioned report for High Level Panel on the assessment of key legislation and the acceleration of fundamental change, an initiative of the Parliament of South Africa Thembela Kepe (University of Toronto/ Rhodes University) and Ruth Hall (Institute for Poverty, Land and Agrarian Studies, University of the Western Cape) 28 September 2016

policy frameworks reinforced the constitutional principle of equality and equal access to all communication services by all South Africans.

The Outcome Document of the High-Level Meeting of the General Assembly on the Overall Review of the Implementation of World Summit on the Information Society (WSIS) Outcomes expressed concern that there are still significant digital divides, such as between and within countries and between women and men, which need to be addressed through, among other actions, strengthened enabling policy environments and international cooperation to improve affordability, access, education, capacity-building, multilingualism, cultural preservation, investment and appropriate financing especially ICTs for development⁸². The approval of the National Integrated Information and Communication Technologies (ICT) Policy White Paper, in September 2016, marked a significant milestone towards using technology to build a seamless information infrastructure which will underpin a dynamic and connected vibrant information society and a knowledge economy that is more inclusive, equitable and prosperous, as envisaged in the NDP.

Figure 13: Country comparison of awareness of mobile internet among men and women, 2018



Source: The Mobile Gender Gap Report 2018, WEF

Women in Agriculture

Agriculture is an important engine of growth and poverty reduction. However this sector is underperforming in many countries in part because women, who are often a crucial resource in agriculture and the rural economy, face constraints that reduce their productivity⁸³. Labour force participation in the agriculture sector is also declining in most countries, and this trend will continue as countries industrialize⁸⁴.

South African agricultural economy grew rapidly pre-1994 owing to strong state subsidies and support programmes aimed at supporting white commercial farmers. Thus the performance of agriculture in

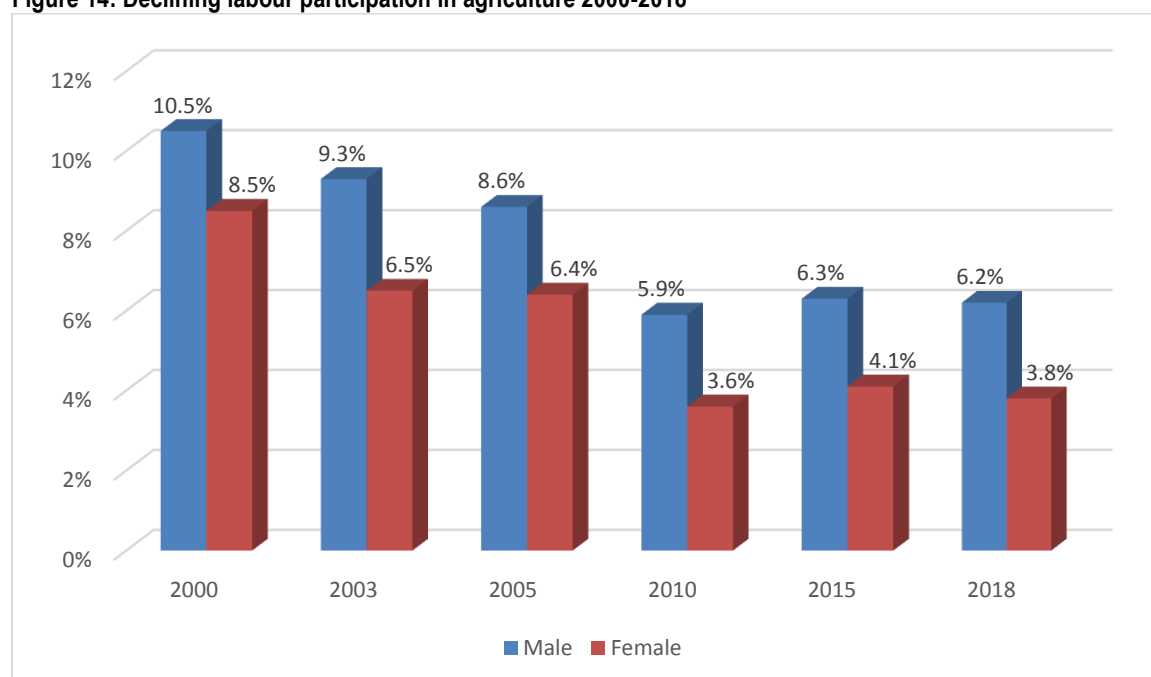
⁸² Outcome Document of the High-Level Meeting of the General Assembly on the Overall Review of the Implementation of WSIS Outcomes at <http://workspace.unpan.org/sites/Internet/Documents/UNPAN95688.pdf>

⁸³ UN FAO: 2011: The role of women in agriculture.

⁸⁴ World Bank: <http://siteresources.worldbank.org/INTGENAGRLIVSOUBOOK/Resources/Module8.pdf>

South Africa has to be seen against this historical context⁸⁵. The removal of marketing boards' state subsidies along with the de-regulation of the agricultural sector subsequent to the democratic transition in 1994 caused serious problems for commercial farmers in particular to previously disadvantaged farmers⁸⁶. The succession of the many post-1994 policies and programmes, including the 1995 White Paper on Agriculture; the 1998 Agricultural Policy in South Africa discussion document; the 2001 Strategic Plan for South African Agriculture; and the 2004 Comprehensive Agricultural Support Programme, has exemplified the criticism that there is an evident shift away from supporting the poor and more vulnerable farmers, especially female farmers, towards an overwhelming focus on the better-resourced and more commercially-oriented black farmers⁸⁷. Young South African men and women who want to go into farming face a range of obstacles, including limited access to information, technology, and financial services.

Figure 14: Declining labour participation in agriculture 2000-2018



Source: StatsSA Quarterly Labour Force Surveys

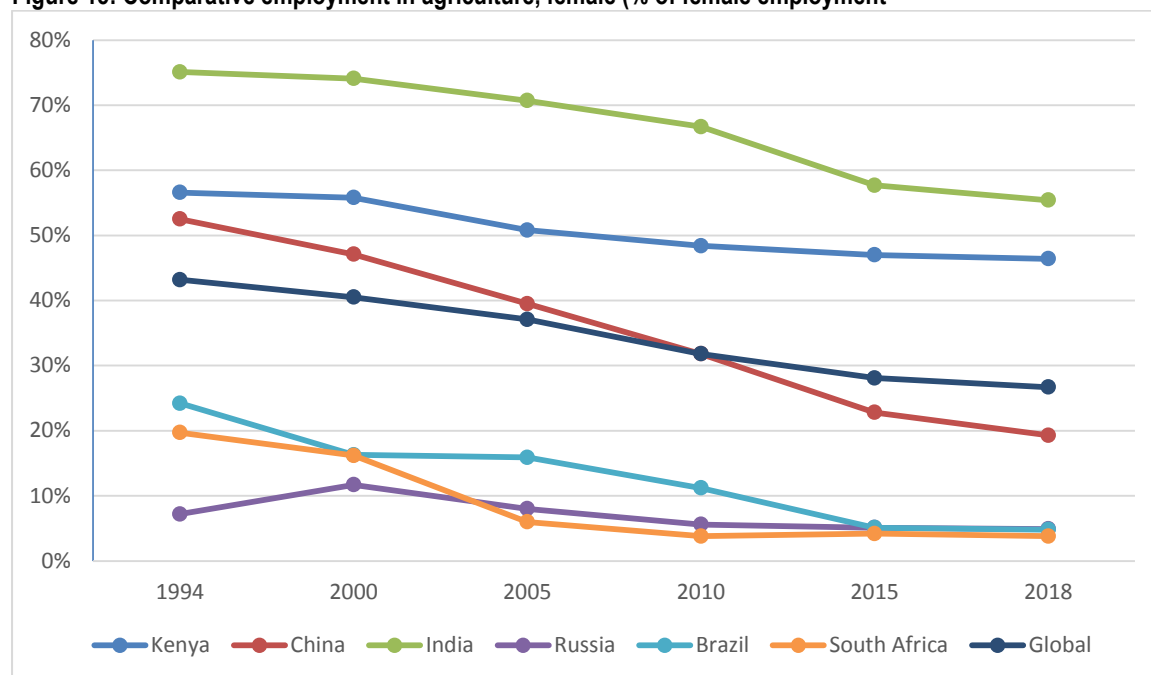
The situation in South Africa is similar to that of most other countries in the world. The marginal nature of farming, climate change and input costs are factors driving rural-urban migration.

⁸⁵ Development Bank of Southern Africa: 2009: The economic performance of agriculture in South Africa since 1994: Implications for food security.

⁸⁶ Khapayi, M. and Celliers, P.: 2016: Factors limiting and preventing emerging farmers to progress to commercial agricultural farming in the King William's Town area of the Eastern Cape Province, South Africa.

⁸⁷ Hart, T. and Aliber, M.: 2012: Inequalities in agricultural support for women in South Africa.

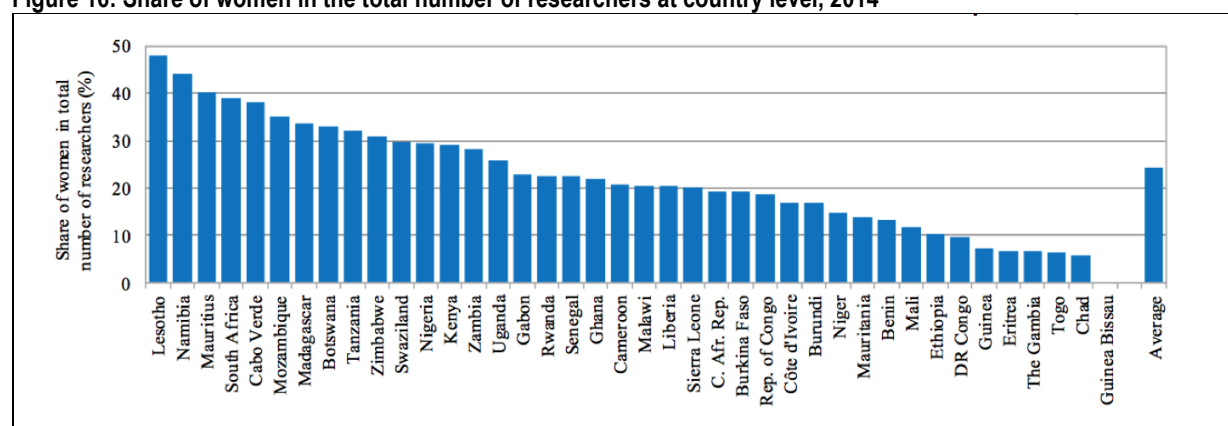
Figure 15: Comparative employment in agriculture, female (% of female employment)



Source: World Bank

Women play an important role in food production and provision in Africa -south of the Sahara yet are underrepresented in the agricultural research community in many countries. Fewer women than men are trained, recruited, and employed in the agricultural sciences. Where they are employed, female researchers are often young and less qualified than their male colleagues⁸⁸. Evidence collected through Agricultural Science and Technology Indicators (ASTI) shows that the gender gap in African agricultural research, although still substantial, continued to decline⁸⁹. Comparatively however South Africa has made progress in attracting women researchers into the agricultural sector.

Figure 16: Share of women in the total number of researchers at country level, 2014



Source: IFPRI 2017

Young South African women who want to go into farming face a range of obstacles, including limited access to information, technology, and financial services. Compounding the impact of poor support services is the fact that researchers and extensionists, who are the backbone of agricultural development in South Africa, lack sufficient communication, gender awareness and people-oriented

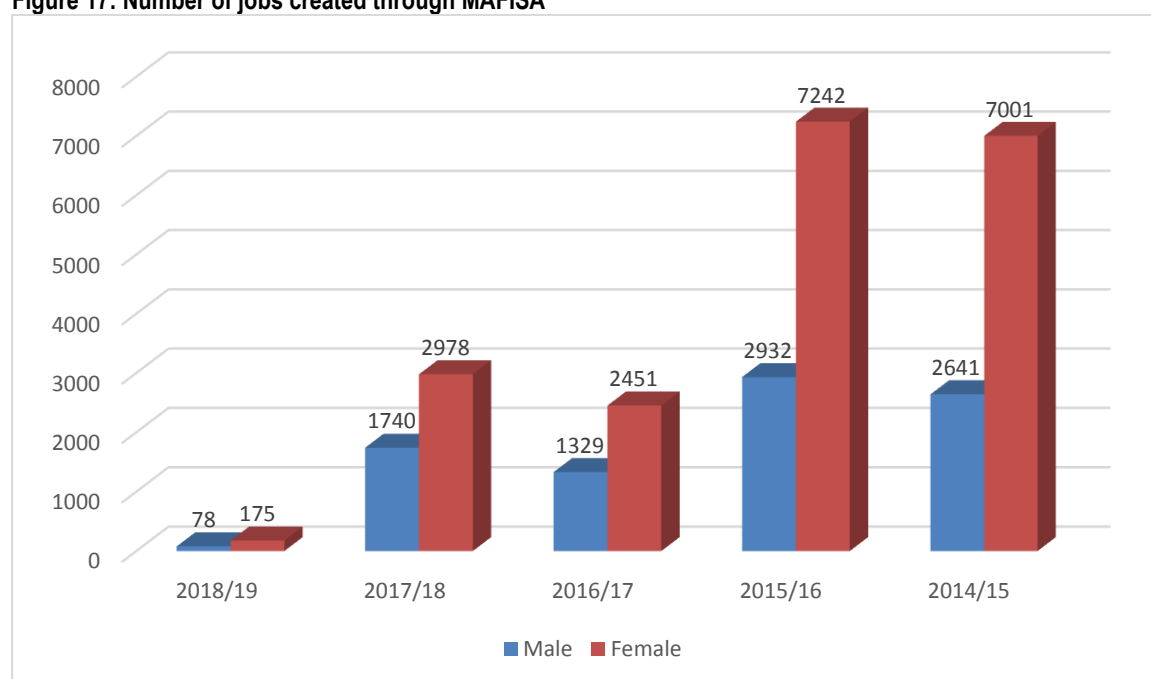
⁸⁸ Marcia MacNeil: 2017: International Food Policy Research Unit

⁸⁹ Beintema, N.: 2017: An assessment of the gender gap in African agricultural research capacities

skills⁹⁰. Given that women comprise the majority of rural farmers and equal their male counterparts in commercially-oriented small-scale agriculture, the government is working to ensure that its agricultural support interventions reach and empower women farmers with the relevant technologies required to optimise their diverse reasons for farming.

Since 1994 the Department of Agriculture, Forestry and Fisheries has implemented a range of interventions designed to achieve women's empowerment and gender equality in the agriculture sector. The Micro Agricultural Financial Institutions of South Africa (MAFISA) is a financial scheme to address financial services needs of male and female smallholder farmers and agribusinesses. MAFISA provides capital (loans) of not more than R500 000 per person to enhance agricultural activities through the purchase of production inputs (fertilizers, seeds, pesticides, animal feed and remedies etc.) and small equipment and implements. Through the loans and support provided by MAFISA many permanent and temporary jobs have been created, as shown in the figure below.

Figure 17: Number of jobs created through MAFISA



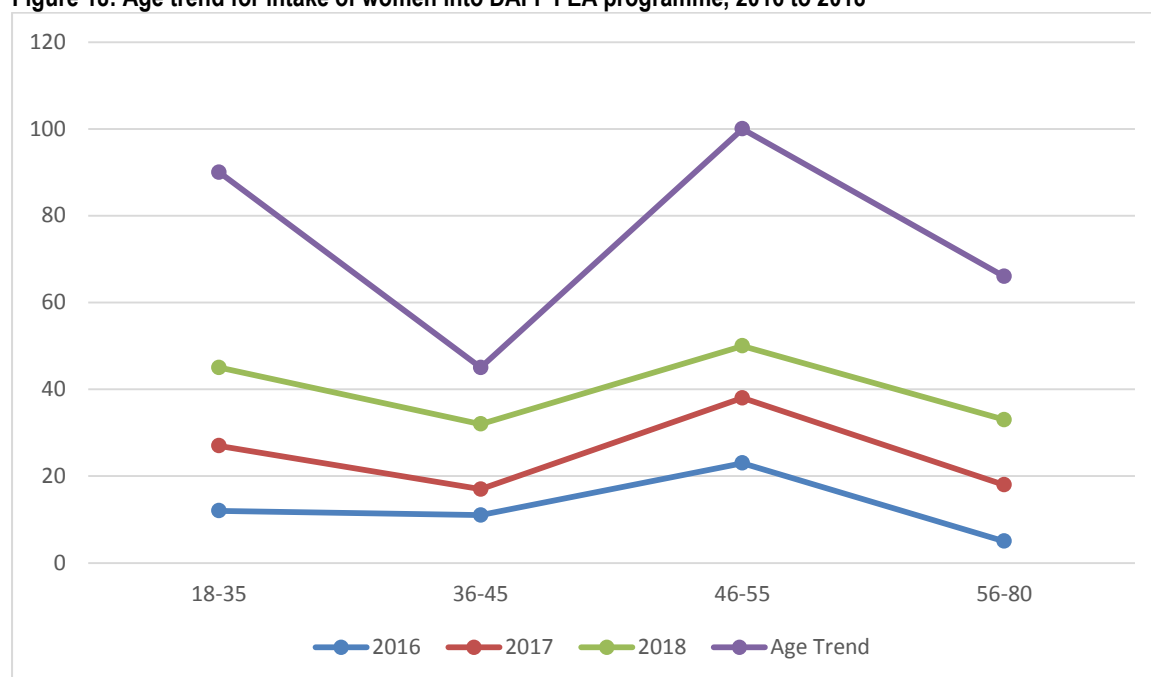
Source: Department of Agriculture, Forestry and Fisheries

The data indicates that women farmers have been the primary beneficiaries of the MAFISA initiative. A concern, however, is there is no effective or integrated monitoring system which can be used to track the impact of the scheme and little understanding of whether the funded projects are sustainable. Although MAFISA is also available for forestry and fisheries more loans have been directed towards agriculture with very few linked to fisheries and almost none to forestry. Generally, most funded projects are related to livestock, grain production, sugar cane, fruits and vegetables.

The Department of Agriculture, Forestry and Fisheries' Female Entrepreneur Awards is a departmental programme which seeks to correct the skewed participation of women in the sector by acknowledging, encouraging and increasing the equal participation of women, young women and women with disabilities in agriculture, forestry and fisheries activities. The programme has become the empowerment platform that recognizes the entrepreneurial skills of women, youth and people with disabilities in the sector and their involvement in the country's economic transformation. A total of 336 women were rewarded for their efforts and recognised for their contribution in the sector since 1999.

⁹⁰ Hart, T. and Aliber, M.: 2012: Inequalities in agricultural support for women in South Africa

Figure 18: Age trend for intake of women into DAFF FEA programme, 2016 to 2018

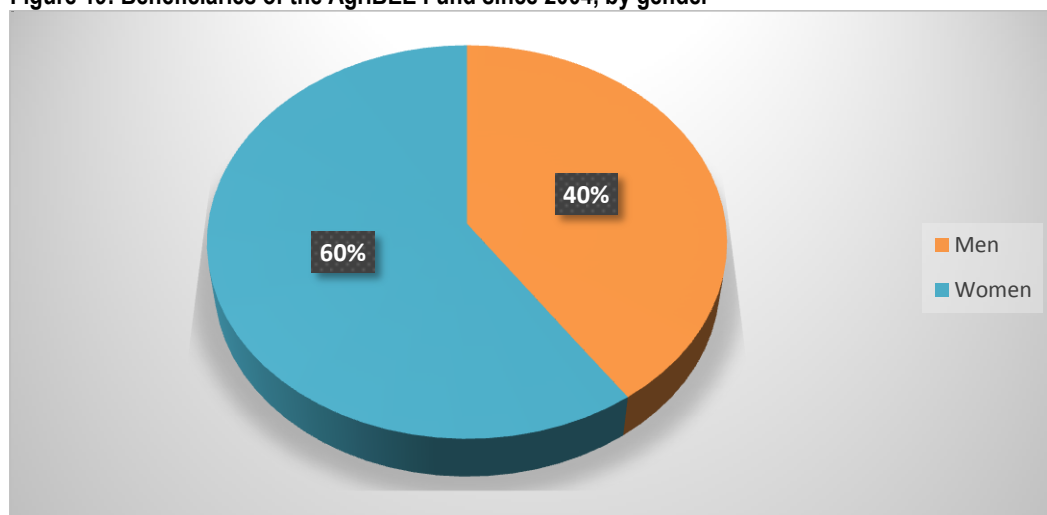


Source: Department of Agriculture, Forestry and Fisheries

The figure above reflects an increasing intake of young women into the Department of Agriculture, Forestry and Fisheries' Female Entrepreneur Awards programme between 2016/17 - 2017/18 although a high number of nominees are still between the ages of 46-55 years. The age trend of 46-55 is declining from 2016 and the age trend of young women is increasing. This is significant in a sense that an average age of a farmer in South Africa is around 62 years of age. This increasing trend of young women entrants is a significant shift in terms of transforming the sector and empowering young women farmers.

The AgriBEE Fund is a fund that draws from the AgriBEE Empowerment Charter for its scope and covers the entire agricultural value chain, including production, processing, marketing and distribution. It seeks to promote the entry and participation of previously marginalized groups, especially black African women, in the entire agriculture, forestry and fisheries value chains through the provision of funding for equity deals, acquisition of interests in agriculture, forestry and fisheries entities and enterprise development (small, medium and micro enterprises). A total of 3,750 beneficiaries have been supported since 2004 through the AgriBEE Fund, including 2,240 women.

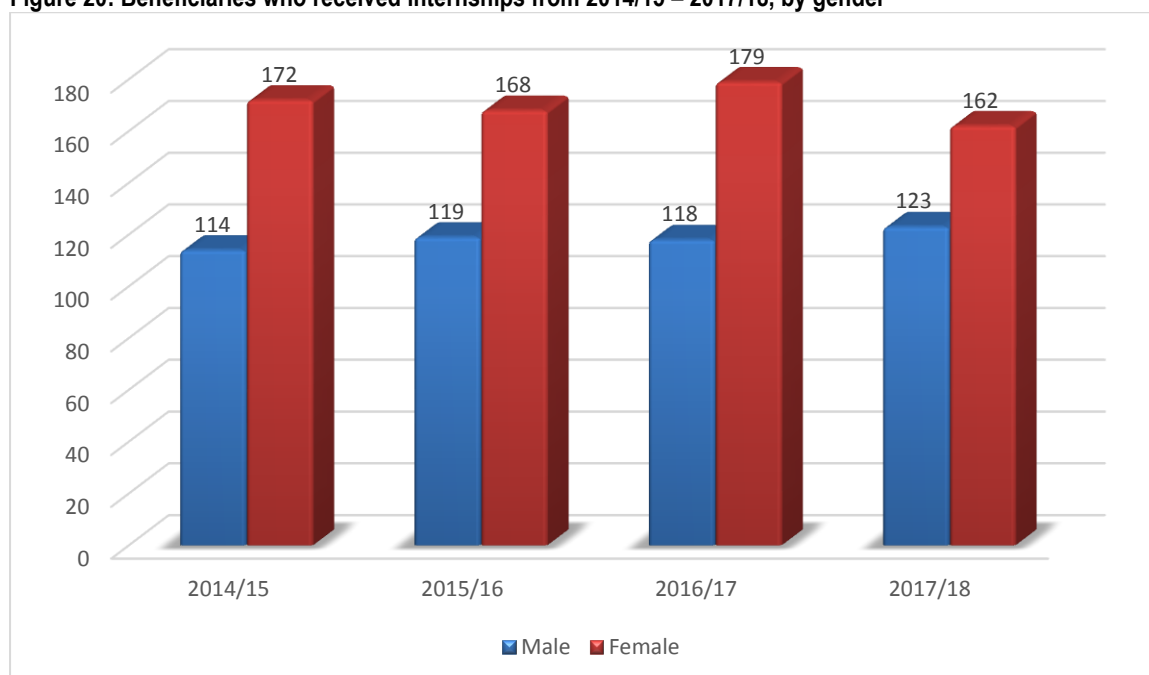
Figure 19: Beneficiaries of the AgriBEE Fund since 2004, by gender



Source: Department of Agriculture, Forestry and Fisheries

The Department of Agriculture, Forestry and Fisheries promotes human capital development in the agricultural sector via training and capacity building of farmers and other stakeholders. The Experiential Training, Internship and Professional Development programme was introduced in 2003 and caters for experiential work placements and internships and has a strong focus on strengthening the capacity of young women entering the agriculture sector.

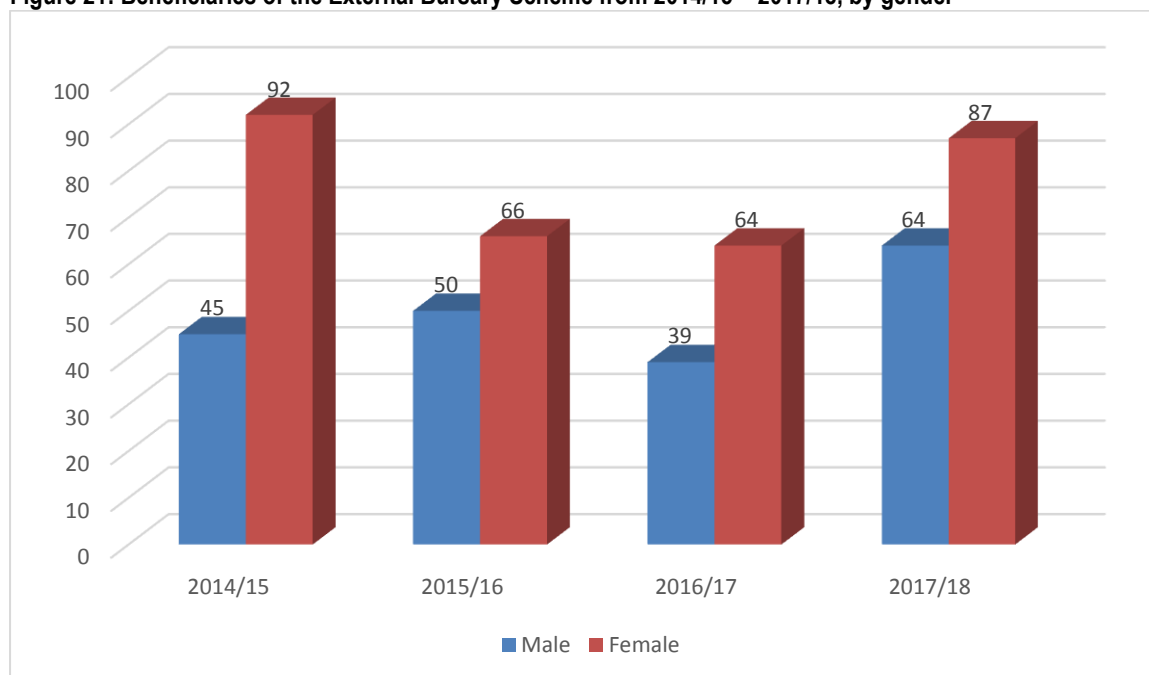
Figure 20: Beneficiaries who received internships from 2014/15 – 2017/18, by gender



Source: Department of Agriculture, Forestry and Fisheries

The Department of Agriculture, Forestry and Fisheries' External Bursary Scheme was introduced in 2004 as a measure for recruiting young people to follow a career in one of the Department's identified scarce and critical skills areas in agriculture. Successful applicants are awarded a comprehensive bursary to further their studies and are expected to work in the department following completion of their studies.

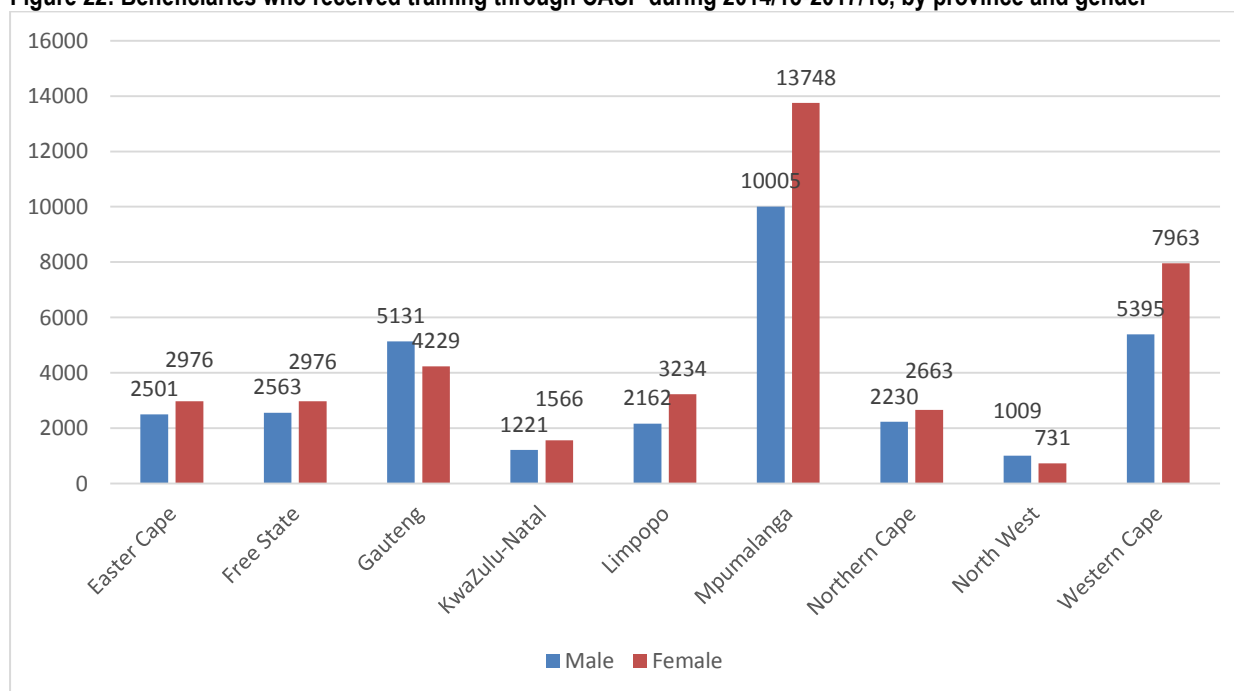
Figure 21: Beneficiaries of the External Bursary Scheme from 2014/15 – 2017/18, by gender



Source: Department of Agriculture, Forestry and Fisheries

The aim of the Comprehensive Agricultural Support Programme (CASP) is to provide post settlement support to targeted beneficiaries of land reform and to other producers who have acquired land through private means and are, for example, engaged in value-adding enterprises domestically or involved in export. The training and capacity building of CASP beneficiaries has focused on coordinating and facilitating provincial Departments of Agriculture to implement skills assessments of projects beneficiaries, their training and the generation of training reports.

Figure 22: Beneficiaries who received training through CASP during 2014/15-2017/18, by province and gender



Source: Department of Agriculture, Forestry and Fisheries

The data indicates that women have been the major beneficiaries of training through CASP over the period 2014 to 2018. With the exception of Gauteng and North West provinces more women than men have received training through CASP in the provinces.

Sectoral and Occupational Distribution

The three-sector model in economics divides economies into three sectors of activity:

- Extraction of raw materials (primary),
- Manufacturing (secondary), and
- Services (tertiary).

In terms of both production and employment the tertiary sector is South Africa's total value add and the largest labour pool. In terms of employment, the tertiary sector accounts for 70.4% of employment or nearly 10.9 million jobs. The sectoral distribution of employment is characterised by gender differentials. Women are over-represented in the tertiary sector, where service-related work is generally of a lower-skilled and lower-paid nature. In South Africa women in services are more likely than men to be found in precarious forms of work and non-standard employment. Non-standard employment is characterised by temporary or short-duration employment contracts, low wages, limited or no social security benefits, work at multiple worksites, low-skill or medium-skill job requirements with limited career prospects, and lack of representation⁹¹.

Women are over-represented in informal and vulnerable employment. Women are more than twice as likely as men to be contributing family workers. Data available by UN Women indicates that the share of women in informal employment in developing countries was 4.6 percentage points higher than that of men, when including agricultural workers, and 7.8 percentage points higher when excluding them⁹². The figure below clearly illustrates how women predominate in the tertiary sector for the period 2010 to 2018.

Figure 23: Employment by sector and sex (thousand) 2010-2018



Source: StatsSA Labour Force Surveys

⁹¹ Bridges Africa: 2017: The Gender Dimension of Services at <https://www.ictsd.org/bridges-news/bridges-africa/news/the-gender-dimension-of-services>

⁹² UN Women Facts and Figures: Economic Empowerment at <http://www.unwomen.org/en/what-we-do/economic-empowerment/facts-and-figures>

Women in Trade and Industry

The government has long recognised that in order to achieve quality growth from the potential that trade provides, policymakers and business must take an inclusive approach to realize the full potential of economic resources. Encouraging and supporting women's contributions to trade can further propel a country's economic growth and transform local communities.

There is to some extent in South Africa targeted support to women enterprises through programmes and policies that ensure and accelerate the sustainable participation of women in the mainstream economy. Strategic decisions taken by government and corporations are critical to this process. By empowering women to advocate for themselves, with setting national strategies that take into account a gender dimension, and with the commitment of business, women are increasingly achieving their potential in local, regional and international trade.

In 2018 Statistics South Africa noted that the labour market is more favourable to men than it is to women and men are more likely to be in paid employment than women, regardless of race⁹³. Even when women are able to access formal employment, gender stereotypes and cultural norms often limit women to certain positions, which tend to be lower status or lower-paid positions than men⁹⁴. In present-day South Africa, women workers continue to face challenges such as higher unemployment, lower income, and less access to assets. South African society is still divided according to race, class, and gender. Particularly black African women continue to be subjected to the combined negative effect of gender and racial discrimination and remain concentrated in low-status occupations such as blue-collar jobs, domestic work, cleaning, clerical work, sales, and service occupations⁹⁵. There is grudging recognition of the barriers to market entry, including the hidden barriers that may be a result of gender stereotyping, discrimination or processes that assume male ownership of participating businesses.

The B'avumile Skills Development Initiative in Government is a women's empowerment capacity-building initiative aimed at identifying talent in the arts and crafts; textiles and clothing sectors. It is a formal training programme to develop women's expertise in the production of marketable goods and the creation of formal enterprises in the creative industry. The programme places emphasis on skills development and the economic empowerment of women. B'avumile seeks to: (i) recruit women involved in the creative, clothing and textile industries, with skills in embroidery, sewing, weaving and beading; (ii) provide specialist skills training and assist women to establish their own enterprises or co-operatives; (iii) in partnership with the Small Enterprise Development Agency (seda), provide additional training in packaging, customer service, basic bookkeeping and registering a business; and (iv) provide training sessions in municipalities. The training includes training on business skills. A number of women who have undergone this training run successful businesses and have been further assisted through other products offered by the Department of Trade and Industry and since the past five years through the Department of Small Business Development. Unfortunately the resource allocation to this initiative by Government has been very limited and thus it has not been able to sufficiently and adequately address the issue of women's economic empowerment in the country, nor be able to move women's enterprises from small scale micro-enterprises into SMEs or big business.

The Technology for Women in Business (TWIB) programme was introduced to accelerate women's economic empowerment and the development of women-owned enterprises through the recognition of technology-based business applications and systems, and to unlock constraints to enterprise innovation and growth as well as global competitiveness. The recognition awards are part of the

⁹³ StatsSA at <http://www.statssa.gov.za/?p=11375>

⁹⁴ StatsSA: 2017: Gender Series Volume IV Economic Empowerment 2001-2017

⁹⁵ South African Board for People Practices (SABPP) Women's Report 2018

broader TWIB vision of linking women with relevant science and technology-driven business solutions that will improve their business creativity and potential, and reward those women who have used technology to grow their business. TWIB targets women entrepreneurs who use enterprising technological innovations to increase the production and enhance the quality of their products. Their business must be a profit-making enterprise that demonstrates diffusion of technology.

The Technogirls Programme encourage girls to pursue careers in engineering, and science and technology by facilitating access to educational information, career opportunities, and academic and extra-mural learning programmes. The current theme of the programme is "A Girl Today, a Successful Entrepreneur Tomorrow". Through the campaign the aim is to encourage young girls to contribute to the country's economic development and growth by becoming the creators of wealth and job opportunities. The programme targets girls from previously disadvantaged communities. A total of 100 learners per province participate in the programme annually.

South African Women Entrepreneurs' Network (SAWEN) was initiated to fast-track support provided to women in addressing challenges faced when establishing, strengthening and sustaining their enterprises. SAWEN is a membership organisation with a mandate to represent and articulate the aspirations of all women entrepreneurs who operate within the South African SMME sector.

Women in Mining, Energy, Construction and Motor Trade Industry

In the post-1994 period South Africa adopted a number of strategies to open up the mining sector to historically disadvantaged South Africans, including women, as part of its economic empowerment policy. Among others, new mining legislation, such as the Mineral and Petroleum Resources Development Act (No. 28 of 2002) (Republic of South Africa [RSA], 2002) and the Broad-based Socio-economic Empowerment Charter for the South African Mining Industry (the Mining Charter) (RSA, 2004), was introduced. These pieces of legislation not only prohibited the exclusion of women but also require companies to actively change the demographic profile of their workforce by setting specific targets to be reached. Despite these laws and policies put in place, women in the South African mining industry continue to face a range of challenges – including that which only women working underground have to deal with⁹⁶.

Facilities of many mining industries only had men in mind when there were constructed. Lack of female toilets and changing rooms together with poor tunnel lighting is one among many problems that women face especially as underground miners. Health risks have risen due to lack of these facilities, for instance lack of proper water and sanitation facilities expose women to health hazards⁹⁷. It is a priority of the Minerals Council South Africa (Minerals Council) and its member companies to ensure that women working in the industry have the same opportunities open to them as men – and that they are confident that they are safe to pursue them.

Roughly 17% of the mining industry globally comprises female employees⁹⁸. SA's mining sector is shifting to increased mechanisation, and away from expensive underground mining, however, there is still some 22% of the total 53 100 women employed in the sector working in platinum and gold, most of which is found underground⁹⁹.

⁹⁶ Minerals Council South Africa: Fact Sheet 2017

⁹⁷ Gender Links: 2017: Promoting Gender Equality in the Mining Industry

⁹⁸ <https://www.fin24.com/Finweek/Featured/how-to-bring-more-women-into-mining-20181127>

⁹⁹ How to bring more women into mining: 2018. <https://www.fin24.com/Finweek/Featured/how-to-bring-more-women-into-mining-20181127>

Table 18: Participation of women in mining in South Africa 2017

Women in mining		
Category	Number of women employees	Percentage of women employees (%)
Top management	241	14.9%
Senior management	817	15.9%
Professionally qualified and middle management	3,436	18%
Skilled technical professionals	15,391	18%
Total women	53,179	12%

Source: Minerals Council South Africa

Efforts and activities to create enabling environments within the workplace for gender mainstreaming in the sector is generally hampered by a number of factors. These include lack of knowledge and understanding or ignorance, especially within the middle/supervisory and senior management levels, of gender mainstreaming and transformation, lack of personnel with relevant training and skills to drive gender mainstreaming programmes and initiatives within the companies, lack of appropriate internal gender educational awareness programmes for workers/employees, and finally the general capacity weakness of internal structures, such as the Women in Mining forum, intended to deal with and address fundamental issues of concern for women in the mining sector¹⁰⁰.

Thus women in the mining sector still face a number of challenges. Mine work has for a long time been seen as allowing for particular masculine self-formations and mineworkers embodying specific mining masculine subjectivities. The entrance of women in South African mines from 2004 and their allocation into occupations that were previously exclusively reserved for men is a significant challenge and a disruption to masculine subjectivities and the occupational culture¹⁰¹.

A 2015/2016 survey carried out by Sam Tambani Research Institute revealed that the two most critical challenges that women in the South African mining sector faced were lack of career progress and discrimination in decision making¹⁰². The same study found that sexual harassment and sexual favours are common in the mining, energy and construction sectors. According to the then South African Minister of Mineral Resources, the number of reported incidents of women miners experiencing harassment, rape and inhumane treatment by fellow workers in their underground workplaces was viewed as a matter of particular concern. The 2017 Revised Mining Charter includes provisions that can potentially mitigate these women-specific challenges under the sections on employment equity and human resource development.

According to the International Energy Agency the energy sector remains one of the least gender diverse sectors and closing this gender gap will be vital as women are key drivers of innovative and inclusive solutions¹⁰³. Globally a clean energy transition will require innovative solutions and business models to be adopted and greater participation from a diverse talent pool. The percentage of women in the industry's workforce drops over time and falls particularly sharply—from 25% to 17% - between the middle-management and senior-leadership career stages¹⁰⁴. In South Africa data from the South African Petroleum Industry Association (SAPIA) indicates that there is a small but steady increase in the number of women at top, senior and middle management within the industry.

¹⁰⁰ Commission for Gender Equality: 2016: Talking the Talk, Not Walking the Walk, pg. 61

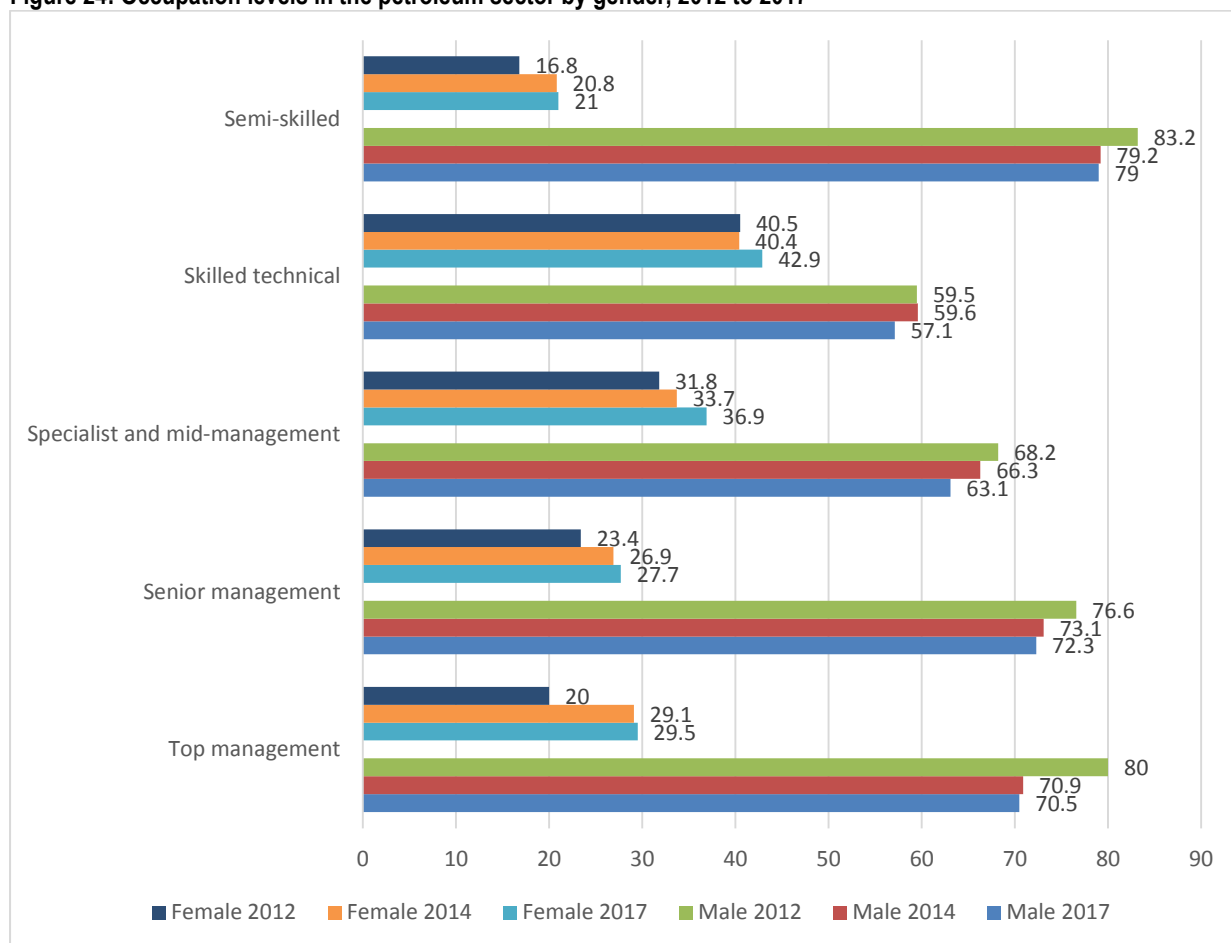
¹⁰¹ Benya, A.:2016: Women in mining: occupational culture and gendered identities in the making

¹⁰² Satri: 2016: Challenges Facing Women in the Mining, Energy and construction Sectors of South Africa.

¹⁰³ IEA, Energy and Gender at <https://www.iea.org/topics/energyandgender/>

¹⁰⁴ Boston Consulting Group: 2018: Women Are Woefully Underrepresented in the Oil and Gas Industry at <https://www.bcg.com/d/press/12july2017-untapped-reserves-gender-balance-oil-gas-164673>

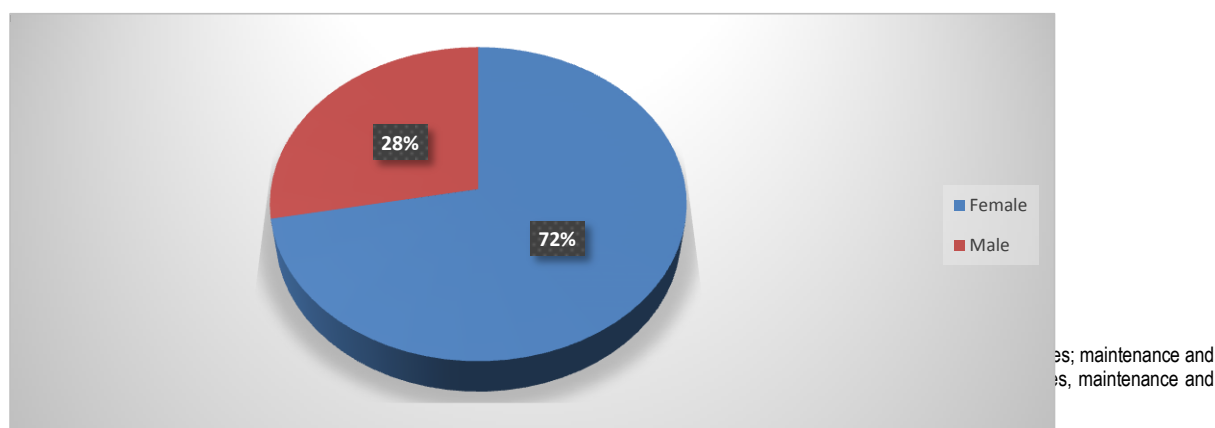
Figure 24: Occupation levels in the petroleum sector by gender, 2012 to 2017



Source: SAPIA Annual Reports, own calculations

The motor and manufacturing trade industry is one of the important sectors in the South African economy. Motor trade activities include authorised car dealers, filling stations, car brokers and independent dealers, authorised and independent service and repair operators and equipment and parts suppliers, among others¹⁰⁵. The data show that the motor trade industry is male dominated¹⁰⁶. The figure below shows that 72% of the employees in the motor trade industry in 2015 were males. The dominance of male employees was also observed across different motor trade types¹⁰⁷. This situation still persists and the Employment Equity Report: 2017/18 corroborates this phenomenon – the sector remains male dominated.

Figure 25: Employment in the auto trade industry by sex, 2015



An online survey on Sexism in the Auto Industry undertaken by Automotive News in 2017 found that many women reported: (i) being asked inappropriate questions during the recruitment process; (ii) were routinely expected to conduct lower-level tasks, such as watering the office plants, despite having executive titles; (iii) excluded from after-work social networking events; and (iv) been subjected to unwanted sexual advances from bosses, colleagues and customers¹⁰⁸.

Women and Informal Trading

Informal trade, commonly referred to as street trade, is one of the largest sub-categories of informal work in South Africa¹⁰⁹. The informal economy is the diversified set of economic activities, enterprises, jobs, and workers that are not regulated or protected by the state. The concept originally applied to self-employment in small unregistered enterprises¹¹⁰.

In South Africa, and globally, the informal economy is one of the few areas of employment growth. Many women and men have no choice but to work under precarious conditions – creating their own employment in the informal sector as own account workers, finding employment within informal and formal sectors or in households, largely as domestic workers. Informal trading involves selling any goods or supplying any service for reward in a public space.

Street trade emerges as a response to economic opportunity, a preference for independence, and a creative option beyond low-waged formal employment. Street traders are predominantly black women, driven into the informal economy by desperation for work¹¹¹. They engage in survivalist forms of street trade such as selling sweets, chips or vegetables and are at risk of being further displaced into marginal income-generating options as competition grows in the informal economy. Household and reproductive responsibilities combined with poverty drive women into flexible, low risk economic activity. Street trade occurs in unprotected and unsecured places thereby restricting street traders' income generation and increasing their vulnerability to injury, illness and chronic diseases. Street traders tend to have limited access to affordable and appropriate health care for themselves and their families and may not seek care, especially when they have an insecure legal status, or are concerned with the potential expense or loss of income associated with seeking care.

The informal economy has since the early 1990s grown considerably. According to the 3rd quarter 2018 Quarterly Labour Force Survey statistics, 3,017,000 South Africans work in the informal sector. Although far smaller than developing country counterparts, this still represents 13.4% of total employment in the country. Notwithstanding this, unlike most other developing countries, the informal economy in South Africa continues to be small. What is more remarkable however is the change in the informal-sector component of male and female employment, which shows a significant divergence¹¹². The informal sector is a declining source of employment for women. This divergence demonstrates a rapid, significant and sustained decrease in the informal-sector share of total female employment in the period between 2008 and 2014. The data suggest that there has been a particular drop in women's participation in trade, and a significant decline in street vendors selling food – an occupation that traditionally has been dominated by women¹¹³.

¹⁰⁸ Survey data at <https://www.autonews.com/article/20171022/OEM02/171029978/sexism-alive-and-well-in-auto-industry>

¹⁰⁹ In line with International Conference of Labour Statisticians (and Statistics South Africa) norms, informal employment identifies persons who are in precarious employment situations irrespective of whether or not the entity for which they work is in the formal or informal sector. Stats SA uses the lack of a written contract and basic benefits such as pension and medical aid as key variables.

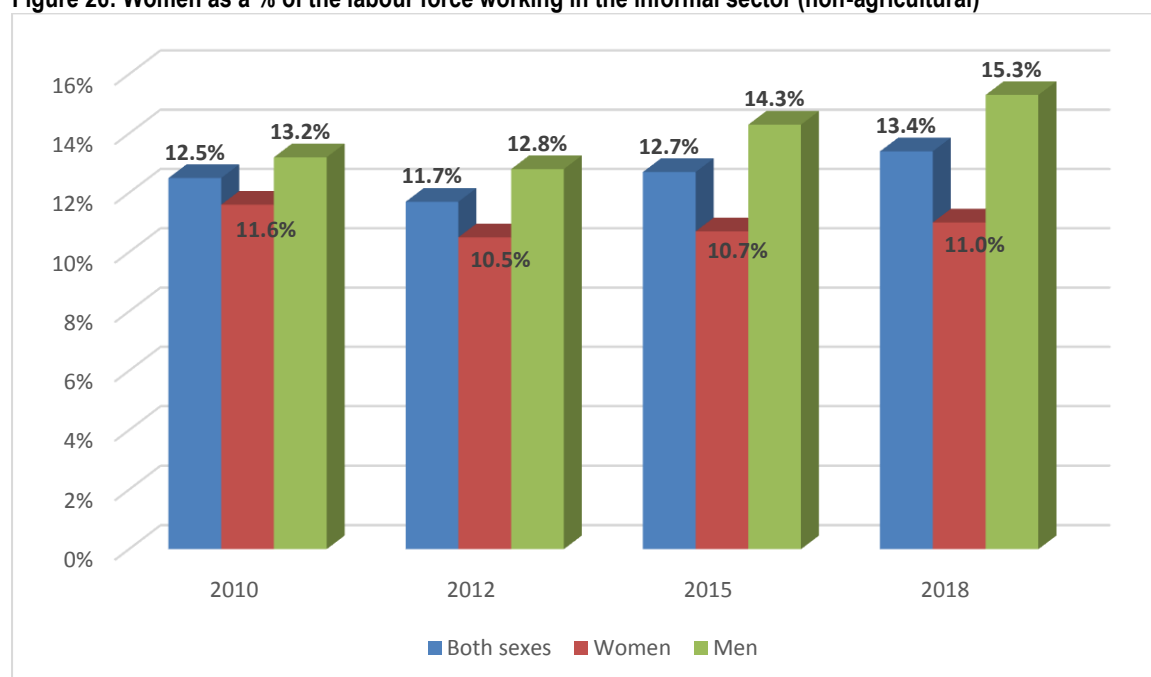
¹¹⁰ WIEGO: <http://www.wiego.org/informal-economy/about-informal-economy>

¹¹¹ Sassen, S., Galvaan, R. and Duncan, M.: 2018: Women's experiences of informal street trading and well-being in Cape Town, South Africa *South African Journal of Occupational Therapy* — Volume 48, Number 1, April 2018

¹¹² Rogan, M. and Skinner, C.: 2017: The nature of the South African informal sector as reflected in the quarterly labour-force survey, 2008-2014

¹¹³ Ibid.

Figure 26: Women as a % of the labour force working in the informal sector (non-agricultural)



Source: StatsSA Quarterly Labour Force 2010, 2012, 2015, 2018

An integral aspect of the informal economy is informal cross-border trade. Informal cross-border trade is defined as largely unrecorded trade of goods and services passing through, and in the neighbourhood of, the established customs points along the borders of the countries in a region¹¹⁴. The fact that women are over-represented in informal cross-border trade reflects their exclusion from other sectors of the economy, a consequence of long-established patterns of gender inequality.

Two-thirds of illiterate African adults are women and more women than men are employed in the informal sector. Women traders often face poor conditions and harassment when crossing the border. Although most small traders are informal—that is, they are not formally registered as a business—many cross the border through official crossings and are processed by officials from customs, immigration, and other agencies. Women traders report having to pay a bribe to cross borders, and many suffer from physical harassment and abuse, including beatings, verbal insults, stripping, sexual harassment, and even rape¹¹⁵. Much of this abuse is unreported.

Women in vulnerable sectors, including domestic workers and farm workers

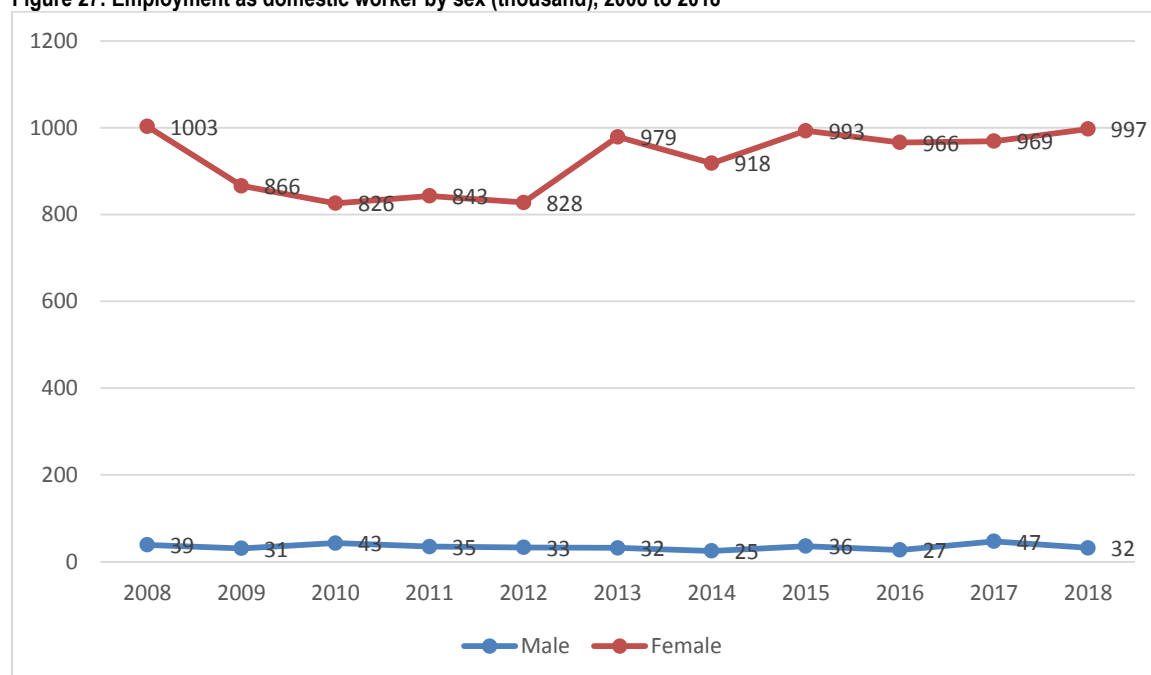
Domestic workers

According to Stats SA, in 2018 elementary and domestic workers represented close to 30% of the South African workforce – of which, domestic workers account for 6.1%. Domestic service is one of the largest sources of employment for black women in South Africa. Women constitute the vast majority of domestic workers, with little variation between 2008 (96.1%) and 2018 (96.8%). The graph below indicates the trend pattern for domestic employment by sex and is reflective of gendered roles in society and the gendered division of labour.

¹¹⁴ Kiratu, S. and Roy, S.:2010: Beyond Barriers: The Gender Implications of Trade Liberalization in Southern Africa

¹¹⁵ The World Bank: 2014: Women and Trade in Africa: Realizing the Potential.

Figure 27: Employment as domestic worker by sex (thousand), 2008 to 2018



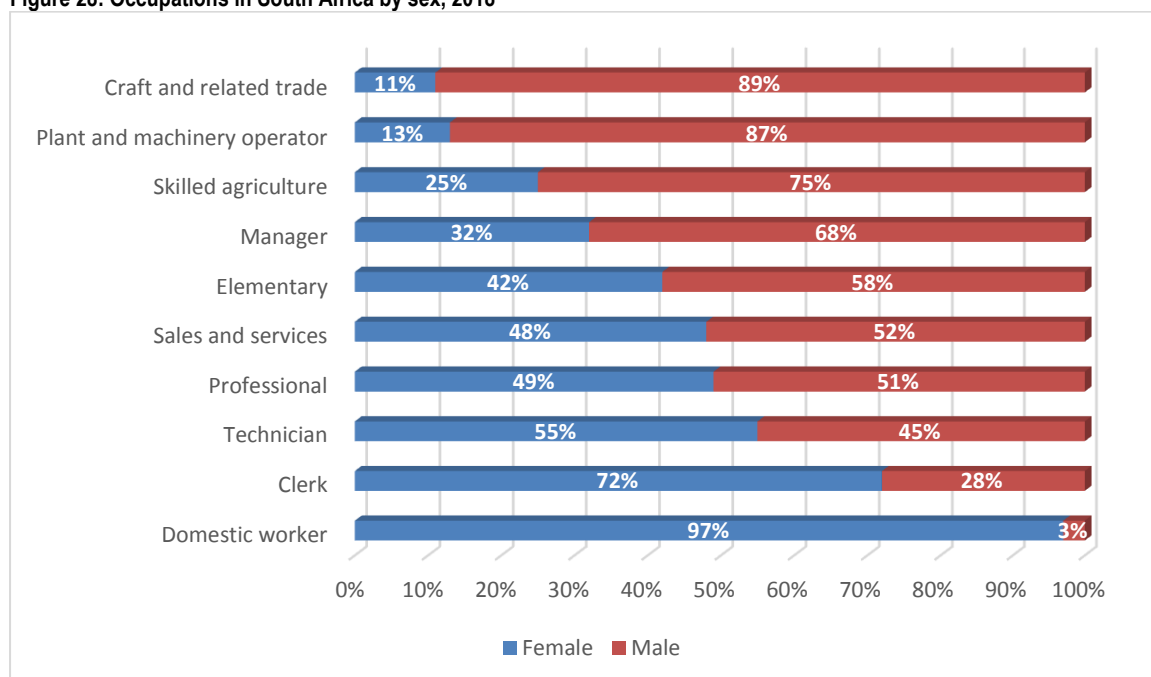
Source: StatsSA Quarterly Labour Force Surveys

Historically, the impact of apartheid has been to skew the analysis of employment relationships in domestic workspaces in South Africa so that the power asymmetry and exploitation that so characterise these relationships have been labelled an artefact of the apartheid regime and its legislation. Domestic workers in South Africa were and still are predominantly Black African women with lower levels of education. Domestic worker jobs are increasingly at risk in South Africa as the economy and changes to wage regulations add increasing pressure on the households, or on the economic sector which typically makes use of their services.

The Basic Conditions of Employment Act (1997) and the Sectoral Determination 7: Domestic Worker Sector was designed to address the vulnerability and exploitation of women and men working in domestic service. Under this legislation employers are required to pay at least the prescribed minimum wages as indicated in the Sectoral Determination. The sectoral determination also lays down conditions of employment for domestic workers such as hours of work, leave, termination of employment, contribution to the Unemployment Insurance Fund and so on. It also prescribes the minimum wage rates that employers are required to pay.

The figure below illustrates very clearly the predominance of women as domestic workers at 97%, while in occupations historically regarded as male domains, women are at 11% and 13%.

Figure 28: Occupations in South Africa by sex, 2018



StatsSA: QLFS June 2018

StatsSA data shows that foreign-born migrants are much more likely to be doing precarious jobs such as domestic work than South Africans are. This pattern is happening because many employers exploit the willingness of foreign-born migrants to accept more precarious work¹¹⁶. Foreign-born workers also often hope to use precarious jobs as stepping stones to jobs in the formal labour market. Sometimes this works, but often it does not as they find themselves stuck in precarious jobs. It's very similar to the situation of workers who migrate for work in the rest of the world where they often will accept jobs with poor working conditions and very low wages. In that kind of work around the world labour laws are often not followed by employers (for example, no or little paid leave; long hours; no notice periods; no UIF contributions paid, etc.). Workers in these types of jobs either have no contract or a very basic form of contract which doesn't have the minimum legal benefits. The jobs do not offer stable employment and frequently are very short-term or only for some months of the year and reinforce the vulnerability of female domestic workers in particular.

Women Farm workers

South African agriculture embarked on a process of extensive restructuring post-1994. This process of restructuring, including changes to the regulatory framework governing employment of farm workers, as well as a myriad of other factors, had a substantial impact on the agricultural sector, and by extension on employment in the sector, including the working and living conditions of farm workers and farm dwellers¹¹⁷.

Within South Africa, the deeply entrenched process of industrialization, 'de-agrarianisation' and proletarianization have made for a highly dichotomous and racialized countryside one where agricultural modernity exists alongside widespread poverty and deprivation¹¹⁸. Financial services to farmers were also curtailed in this period. Subsidies were cut and the Agricultural Credit Board was

¹¹⁶ Friedrich Ebert Stiftung: 2017: Fact sheet on foreign workers in South Africa

¹¹⁷ Visser, M. and Ferrer, S.: 2015: Farm Workers' Living and Working Conditions in South Africa: key trends, emergent issues, and underlying and structural problems.

¹¹⁸ David Neves: 2016: Presentation at the IIPPE 7th International Conference in Political Economy - Agrarian Change Working Group. Livelihoods & social differentiation in 'post-agrarian' South Africa

closed down on the recommendation of the Strauss Commission (1996). Apart from casualised and externalised workers, another sub-category of vulnerable workers are female farm workers. Traditionally they been employed on seasonal contracts, or just seasonally, without a contract, and their employment has often been tied to that of their partner or father. As they are employed year in and year out on seasonal contracts, they have traditionally been paid the lowest wage of all farm workers, even subjected to payment with alcohol such as wine through what was called the “Dop” system. However, where female workers have been appointed on permanent contract and farmers have cut costs, women have disproportionately been the victims of the casualisation process.

Aggregate data covering all sectors of formal employment clearly shows a decline in the average real wages of both female workers and unskilled workers between 1995 and 2005¹¹⁹. Anecdotally, it has been reported that the primary casualties of the introduction of the new minimum wage have been female workers, who have either been retrenched or are now working shorter hours.

It was only once the Basic Conditions of Employment Act 75 of 1997 was promulgated that farm workers were no longer specifically excluded from general labour legislation. For the first time, they were on par with other employees in South Africa and could participate in the general structures created by labour legislation. In general, most employees are protected by the Basic Conditions of Employment Act which sets the standard for minimum conditions of employment in the farming industry where Sectoral Determination 13 regulates the basic conditions of employment and remuneration of farm workers in South Africa.

The Extension of Security of Tenure Act of 1997 (“ESTA”) regulates the relationship between the people that live on land they do not own, but with the consent (express or tacit) of the owner or person in charge of the farm. The Act places substantive rights and responsibilities on both parties, sets out processes of eviction, and more importantly provides instruments to enable Government to provide long-term security of tenure to those who live on farms and peri-urban land they do not own. After a lengthy consultation process the Minister of Rural Development and Land Reform published Amendments to the Regulations under the Extension of Security of Tenure Act 1997 (“ESTA”) in 2018 adjusting the qualifying income for protection under the Extension for people living in rural and peri-urban land that they do not own¹²⁰.

The state’s main vehicle for providing assistance for farm worker housing is the Farm Worker Housing Assistance Programme, which attempts to address the wide variety of housing needs of people working and residing on farms by providing a flexible package of housing models to suit the local context¹²¹. Yet, that programme only provides subsidies for on-farm housing for permanent workers if producers agree to provide security of tenure (and often increased security of tenure) to permanent farm workers.

The Sectoral Determination prescribes full maternity benefits for all workers including seasonal workers. Pregnant workers are entitled to at least 4 consecutive months of maternity leave. This is because maternity continues to be a source of discrimination in employment and in access to employment. Pregnant women continue to lose their jobs, even those covered by protective legislation¹²². What is also difficult to ascertain is the number of farm workers who are victimised on foreign work when they exercise their rights. This is important given that there are very low levels of unionisation, information

¹¹⁹ Sender, J: 2012: Overcoming Backward Capitalism in Rural South Africa? The Example of the Eastern Cape

¹²⁰ Department of Rural Development and Land Reform at <http://www.ruraldevelopment.gov.za/legislation-and-policies/file/5987-regulations-amendment-extension-of-security-of-tenure-act-1997-act-no-62-of-1997>

¹²¹ Department of Human Settlements: 2010: National Housing Policy and Subsidy Programmes.

¹²² Labour Research Service: 2018: Lessons and Insights from the Struggle for Maternity Protection at <http://lrs.org.za/articles/Lessons-and-Insights-from-the-Struggle-for-Maternity-Protection>

and extremely limited legal advice available to farm workers. This is worsened by social relations in farming areas and the hostility of many farmers to government regulation¹²³.

Foreign female farm workers are an extremely vulnerable segment of the labour force. South Africa's current labour migration policy framework, consisting of bilateral agreements between South Africa and some neighbouring countries on the one hand, and limited legal channels of entry and job opportunities for low-skilled workers on the other hand, has created a context in which labour brokers play a pivotal role in managing labour migration and/or employment in the agricultural sector¹²⁴. Between South Africa and Mozambique, formal labour brokers facilitate the movement, recruitment and wage payment system for farm workers in Mpumalanga. In parallel, an informal system of labour-broking is also happening that facilitates migration of foreign workers and works outside of legal channels. On farms in the Western Cape, social networks and informal labour brokers facilitate employment and logistics on a seasonal basis. The common practice of informal labour-broking outside of labour laws results in poor working conditions and widespread exploitation on the farms where it is happening.

POVERTY ERADICATION, SOCIAL PROTECTION AND SOCIAL SERVICES

This section seeks to provide progress made against (i) Critical Area of Concern A on Women and Poverty; (ii) Critical Area of Concern B on Education and Training of Women; (iii) Critical Area of Concern C on Women and Health; (iv) Critical Area of Concern I on Human Rights of Women; and (v) Critical Area of Concern L on the Girl Child. The section also seeks to respond to the UN Women Guidance Note – Section 2, Questions 9-12

In 1994 the democratic government inherited an economy characterised by very high inequality, with deep poverty unmatched in other comparable middle-income economies, co-existing with conspicuous affluence. The new Government committed to transform the economic path through 'reconstruction and development' to redress the racial and class discrimination of the apartheid era and make future growth inclusive of the poor. (Seekings: 2015)¹²⁵.

The poverty narrative in South Africa requires understanding of the triple challenge of the interface between poverty, high levels of unemployment and persistent increasing of inequalities. Accordingly, social wages in South Africa are packaged in different targeted forms. These include free primary health care; no-fee paying schools; social grants, (such as old age pensions, and child support grants) and RDP housing; provision of basic and free basic services in the form of reticulated water; electricity; sanitation and sewerage as well as solid waste management to households and in particular those categorized as indigent. In this regard and since 2001 the indigent households is entitled to a monthly free six kiloliters of water, fifty kWh of electricity, R50 worth of sanitation, sewerage and refuse removal. The Municipal Indigent Policy was approved in 2005 to provide the indigent with free basic water, sanitation, electricity and refuse removal¹²⁶.

The 2017 Poverty Trends Report states that there is still a significant disparity in poverty levels between population groups and sex of individuals. In general, black African females, children (17 years and younger), people from rural areas, and those with no education are the main victims in the ongoing struggle against poverty (Statistics South Africa, 2017). The findings show higher proportion of females (41.7%) in 2015 living below the Lower Bound Poverty Level (LBPL) compared to males (38.2%).The

¹²³ Jara, M.: 2006: Monitoring Compliance with the Sectoral Determination for Farm Workers in 5 Western Cape Farming Districts: Report of an Exploratory Study, Women on Farms Project.

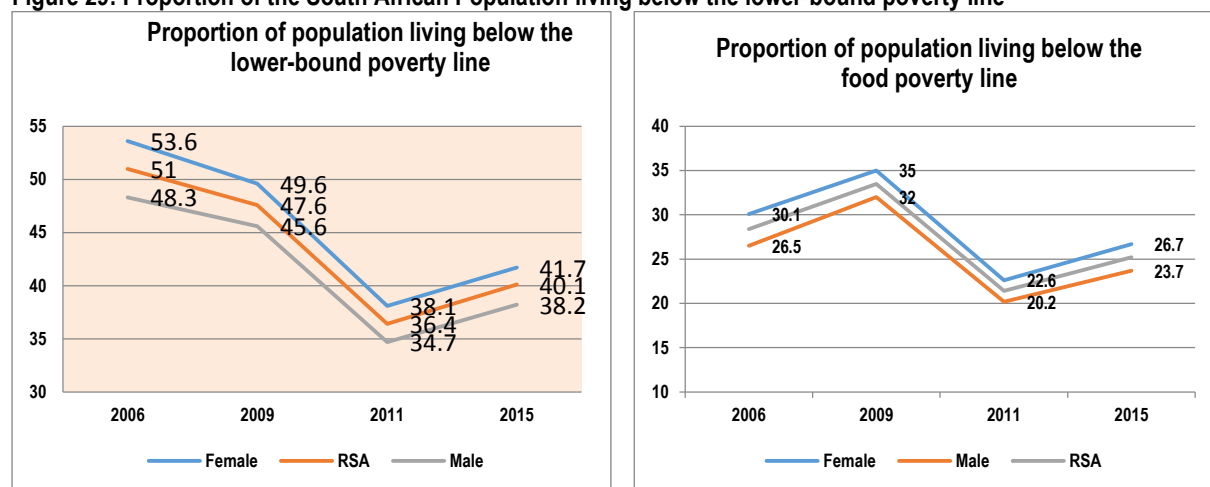
¹²⁴ Freidrich Ebert Stiftung: 2017: Fact sheet on foreign workers in South Africa.

¹²⁵ Seekings, J.: 2015: 'The Developmental' and 'Welfare' State in South Africa: Lessons from the Southern African Region., Centre for Social Research, UCT.

¹²⁶ The South African Human Rights Investigative Hearing Report: 2015: Access to Housing, Local Governance and Service Delivery. <http://www.sahrc.org.za>

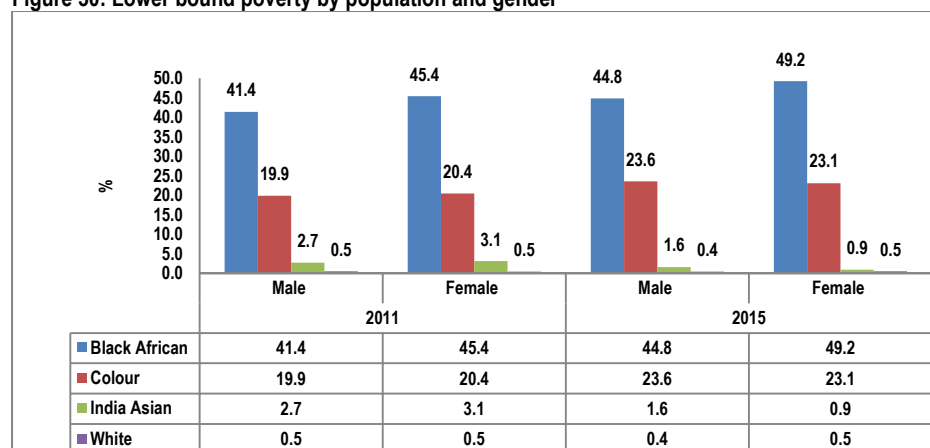
higher proportion trend for females has been persistent since 2006. The trend below further indicates that although there is a decrease in the poverty gap, more women still remain poorer.

Figure 29: Proportion of the South African Population living below the lower-bound poverty line



In 2011 and 2015, Black Africans females carried a disproportionate burden of poverty levels compared to males in both years. Between 2011 and 2015 the proportion of people living below the lower bound poverty line increased for both males and females for all population groups except among Indians and declined marginally for white males.

Figure 30: Lower bound poverty by population and gender



StatsSA: Poverty Trends in South Africa (2017)

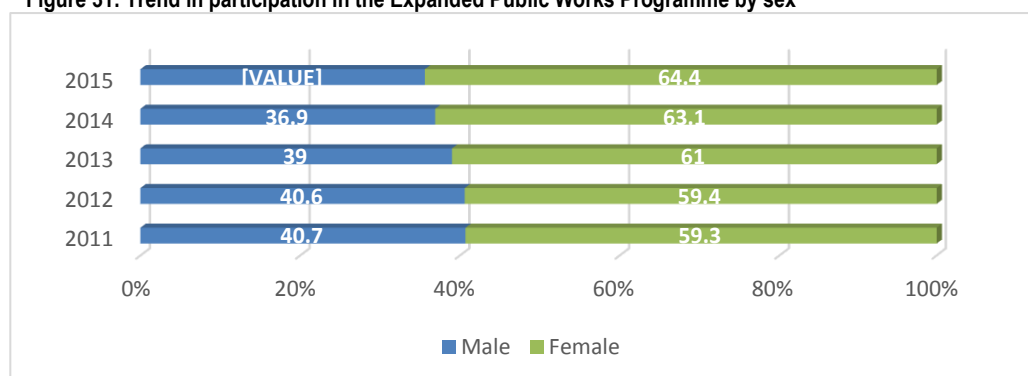
Evidence from household surveys conducted in the country by Statistics South Africa points out that individuals living in households headed by females remain more vulnerable, with these households continuing to experience higher levels of poverty than male-headed households regardless of the poverty line used. Individuals living in female-headed households also continue to account for shares in poverty that are larger than their shares in the population.

A household headed by a female has a 48% probability of being poor compared to a 28% probability for a household headed by a male. Four reasons are given for this: (1) female-headed households are more likely to be in rural areas where poverty is concentrated; (2) female-headed households tend to

have fewer adults of working age, (3) female unemployment rates are higher and (4) there is a gap between male and female wages¹²⁷.

One of the poverty alleviation programmes undertaken by Government is the Expanded Public Works Programme, which is aimed towards relieving poverty in the poorest areas, in particular rural areas; assist in human development and capacity-building; provide jobs by involving the community; providing infrastructure in poor areas; having an impact on house-holds in which single women are the breadwinners and seeking project sustainability in the long term. Projects funded by the Expanded Public Works Programme are required to adhere to the criteria that 60% of temporary and permanent jobs created should be reserved for women¹²⁸. The success achieved in this regard is illustrated in the figure below.

Figure 31: Trend in participation in the Expanded Public Works Programme by sex



Source: Statistics South Africa

Other Poverty Alleviation Programmes Benefitting Women

By 2005 fourteen government departments were involved in the Poverty Relief Programme which included activities under Land Care, Food Security, Investing in Culture, Rural School Building, ABET, Tourism Development; Coastal Management; Waste Management; Household Nutrition projects; Social Rental Housing; Employment Services and Social Plan Information; Social Plan Technical Support Facility; Local Economic Development and Social Plan; Community-based Public works Programmes; Agricultural Processing Projects; Social Development Programmes; Building for Sport and Recreation; Rural Roads and Bridges; Working for water; Community Water Supply and Sanitation and Spatial Development Initiatives.

Many of the opportunities created by these poverty-relief programmes went to women. The Community-based Public Works Programme created 125 000 jobs between 1998 and 2002 of which 25% were allocated to female heads of households. By 2002 a total of 1, 3 million houses were built or under construction, of which 48% were allocated to female heads of households¹²⁹.

Key poverty-alleviation programmes that have benefited women include the Project for Unemployed Women with Young Children; National Biodiversity Strategy and Plan; Integrated Sustainable Rural Development Programme (ISRDP); Women and Natural Resources projects namely Kgabane Rural Women Craft Project; Women in Oil and Energy South Africa (WOESA); Women in Nuclear; Technology for Women in Business (TWIBI); Levhuvhu River Government Scheme; Water for Food

¹²⁷ Social Protection in Africa: A review of Potential Contribution and Impact on Poverty Reduction. Study Report, 2014. <http://www.za.undp.org/>

¹²⁸ The Presidency, Republic of South Africa, 2005: Report on the Implementation of the Beijing Platform for Action from 1995-2005 (Beijing +10 Report), Pretoria

¹²⁹ IBID (Beijing +10 Report, 2005: 7)

Movement; Provincial Poverty Projects and Local Government projects such as relief packages; food and farming implements and involvement of local communities in game-farming and environmental conservation projects.(Beijing +10 Report, 2005: 7).

In 1994 Government launched the accelerated and sustainable National Electrification Programme (NEP) as part of the RDP Programme. By 1999 the programme increased electrification from about 36% to 66% nationally. The RDP Programme required government to ensure grid electrification of 2, 5 million households by the year 2000, raising the percentage of electrified households to 70% by 2001. The progress made by female-households is faster in comparison with male-headed households. (Beijing +10 Report, 2005: 9).

Whilst challenges emerge, it must be acknowledged that the expansion of social assistance was the primary cause of the income poverty decline in the 2000s. The replacement of the State Maintenance Grant with the Child Support Grant had wide-reaching and positive impact on the lives of poor people, especially poor black African women. The threshold age for accessing these grants were raised to 18 years and the threshold for men was reduced to age sixty years (in line with that for women). By 1994 about 2.4 million people received social pensions or grants increasing to more than 17 million such grants by 2018, majority of whom were women¹³⁰. Government developed a service delivery model for social services, integrating social intervention with economic development, emphasising a developmental approach to social welfare.

Table 19: Type of poverty alleviation grants by sex and number of recipients, 2009 and 2017

Type of poverty alleviation grants by sex and number of recipients, 2009 and 2017										
Type of grant	Type of poverty alleviation grants by sex and number of recipients, 2009 and 2017									
	2009					2017				
	Male		Female		Total	Male		Female		Total
	N ('000)	%	N ('000)	%	N ('000)	N ('000)	%	N ('000)	%	N ('000)
Child support grant	4 591	50	4 586	50	9 177	6 463	49,6	6 561	50,4	13 024
Old age grant	1 023	35,8	1 834	64,2	2 858	1 098	35,1	2 030	64,9	3 128
Disability grant	672	47,7	736	52,3	1 408	511	51,5	481	48,5	992
Care dependency grant	126	51,8	117	48,2	243	23	49,3	24	50,7	47
Foster care grant	325	47,7	356	52,3	681	148	51,1	142	48,9	289

Source: Statistics South Africa

Access to Social grants by Women

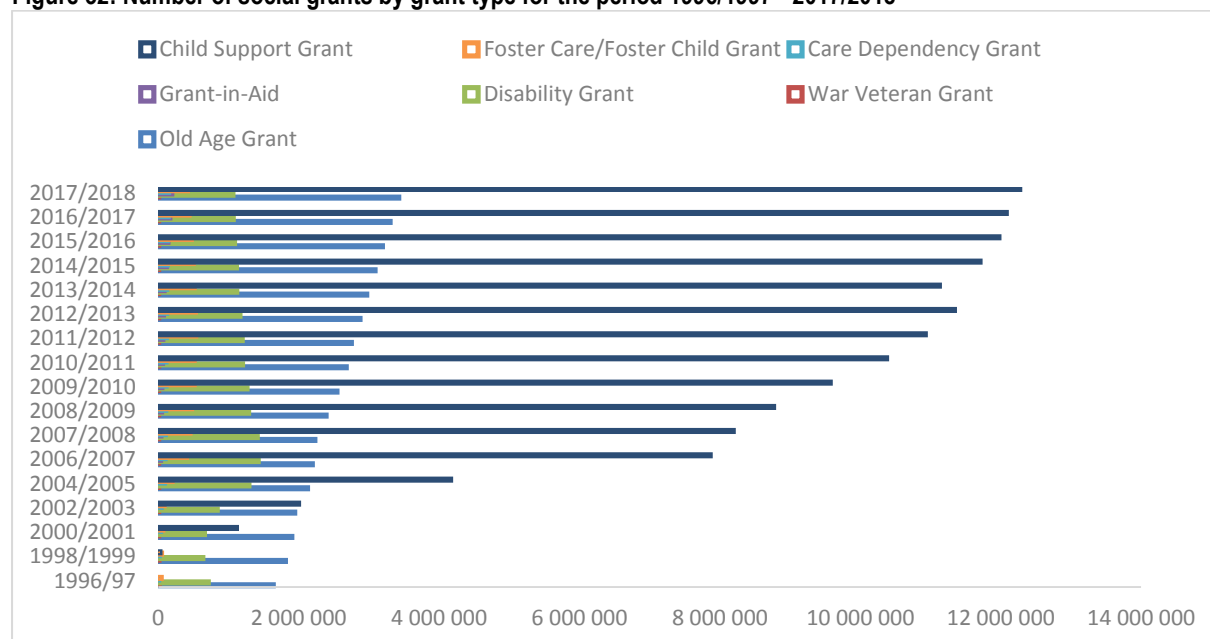
Social grants contribute towards food security and reducing poverty in the country. The National Development Plan recognizes that reducing the cost of living is essential for broadening economic participation and eliminating poverty. According to the WHO (2011), in the period from 1999 to 2003, approximately 2.6 million South Africans received social grants and by 2007 this figure increased to 12 million. Despite this remarkable achievement, not all South Africans who qualify for grants are managing to access them. In 2013 social assistance contributed to the monthly incomes of over 16 million people¹³¹. By 2018, 17.5 million people received social assistance. In 2018, 29% of the South African population was in receipt of a social grant. By December 2018, 64.88% of the country's children were in receipt of a social grant (SASSA, 2018)¹³².

¹³⁰ Statistics South Africa

¹³¹ Republic of South Africa: National Treasury: 2013 Social Security and social wage: Review

¹³² Republic of South Africa: SASSA: 2019: Fourth Quarter Report on Social Assistance, 2018

Figure 32: Number of social grants by grant type for the period 1996/1997 - 2017/2018

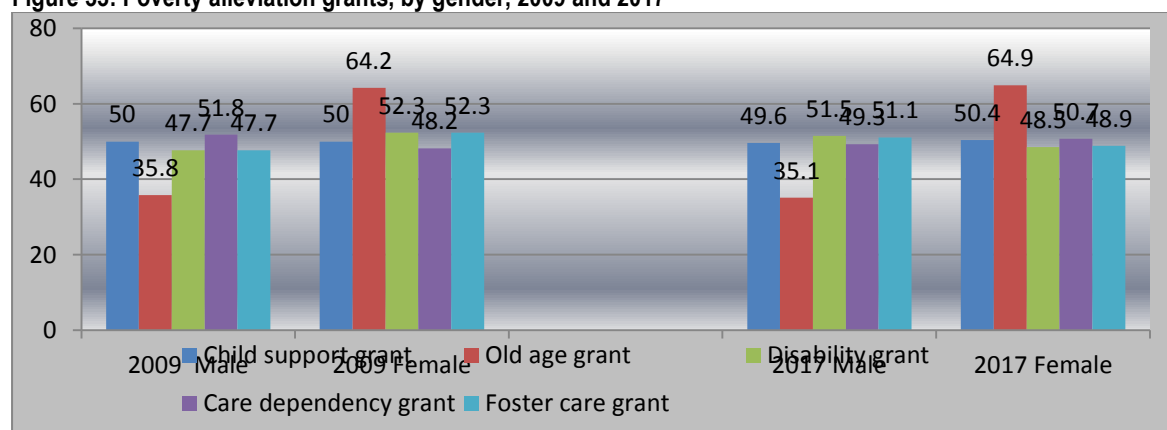


Source: DPME; SASSA Annual Report, 2017/2018

The figure above illustrates that child-support grants have shown a steady increase over the years from 21 997 in 1996/1997 to 12 269 084 in 2017/2018. According to StatsSA, 71.3% of poor households headed by females received child support grants whereas only 50.7% of poor male-headed households are supported by child support grants. The 20.6 percentage point difference highlights the increased pressure on female headed households and their need for child support. By 2015, the proportion of older females receiving an old-age grant was at 94.5% compared with 77.2% of all South African older persons.¹³³

In South Africa, women account for a larger share of social grant beneficiaries compared to men. There is a fairly even distribution of social grants between boys and girls. The social grant programme is able to effectively reach women and girls through categorical targeting and means testing because of their disproportionate representation among the poor¹³⁴.

Figure 33: Poverty alleviation grants, by gender, 2009 and 2017



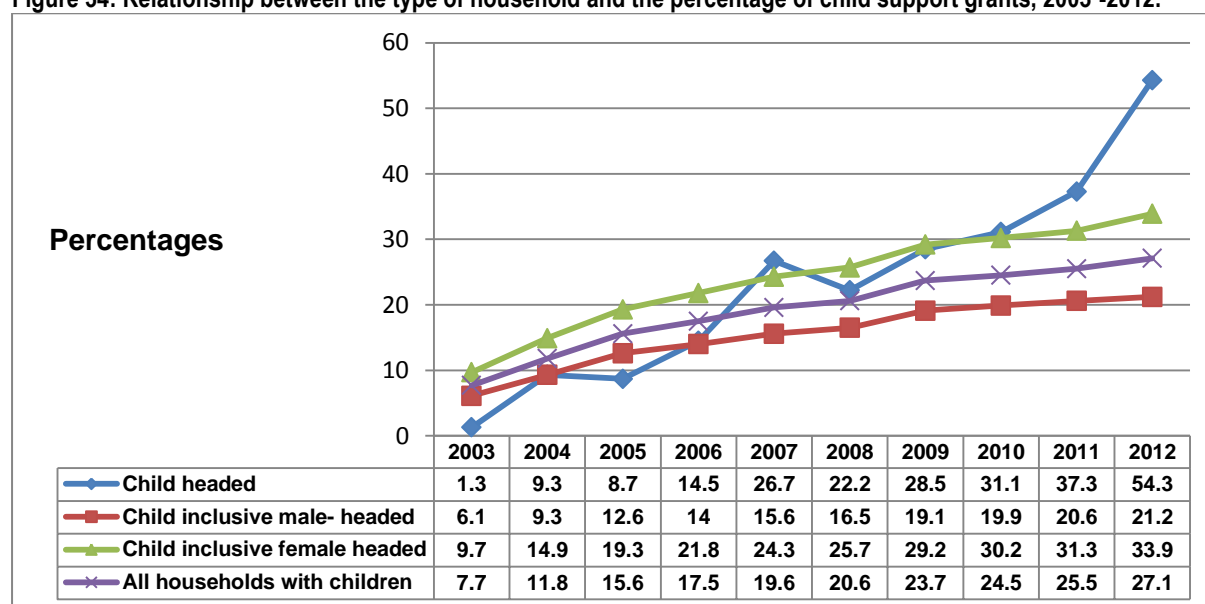
Source: Statistics South Africa

¹³³ Poverty trends in SA, 2006 and 2015, Statistics South Africa.

¹³⁴ Social Protection in Africa: A review of Potential Contribution and Impact on Poverty Reduction. Study Report, 2014. <http://www.za.undp.org/>

According to Statistics South Africa the percentage of individuals who benefited from social grants increased from 12.8% in 2003 to 30.8% in 2017. The percentage of households that received at least one social grant increased from 30.8% in 2003 to 43.8% in 2017¹³⁵. Household multi-dimensional poverty reduced from 17.1% in 2001 to 8.0% in 2011 and fell to 7.0% by 2016. However, the national poverty-gap for the lower- bound poverty line (LBPL) increased from 14.3% in 2011 to 16.6% in 2015. The poverty gap increased from 6.3% to 8.2% for coloured females compared to 6.1% in 2011 to 8.4% in 2015 for coloured males; from 18.1% in 2011 to 20.8% in 2015 for black African females compared to 16.3% to 18.6% for black African males¹³⁶.

Figure 34: Relationship between the type of household and the percentage of child support grants, 2003 -2012.



Source: Statistics South Africa.

The figure above illustrates that children in child-inclusive female headed households were consistently more likely to access child support grants than children in child-inclusive male headed households. There has been a rapid increase in the uptake of Child Support Grants since 2003 particularly in child-headed households. The percentage of children that lived in child-headed households and received a grant increased from 1.3% in 2003 to 54.3% in 2012.

In South Africa, social transfers have also contributed to lower inequality. The Gini coefficient is 7 percentage points lower as a result of the social transfer programme. In South Africa, cash transfers have reduced the poverty gap by 48%. Social protection makes it possible for households not to adopt coping strategies that will leave them worse off than prior to the shock. For example, a cash transfer can enable households to purchase food and children to continue attending school. The old age pension in South Africa reduces the country's overall poverty gap by 21% and by 54% for households with older people¹³⁷.

In response to overwhelming social challenges, in 2014 the Gauteng Provincial through the Department of Social Development launched the Welfare-to-Work Programme (W2WP) to address economic challenges facing young women in the province. The programme aimed to transit youth who are on welfare into decent employment or provide further education opportunities. The programme has restored the dignity of thousands of young women who were dependent on child support grants as their

¹³⁵ Statistics South Africa: 2017: General Household Survey

¹³⁶ Statistics South Africa: 2017: Poverty trends in SA, 2006 and 2015

¹³⁷ Social Protection in Africa: A review of Potential Contribution and Impact on Poverty Reduction. Study Report, 2014. <http://www.za.undp.org/>

only source of income and has reduced the dependency on the welfare system. A total of 28 769 young women benefited from the programme: 326 in 2014/2015, 4 506 in 2015/16, 11 917 in 2016/17 and 12 020 in 2017/18¹³⁸.

Access to Basic Services for Women as part of the Comprehensive Social Protection Package

Government has sought to promote women's rights through targeted interventions, putting measures in place to address access to basic services, which includes water, electricity, sanitation, housing and food security, affordable transport and access to information. Given that women are the poorest of the poor in the country, special measures especially in the access to basic services took on a significant element in transforming the quality of lives of women. This in turn impacts on the well-being of the family and children. Over the past 25 years some gains have been achieved in this regard, yet much more needs to be done. When the access to basic services are affected negatively, the impact is felt the strongest by women by virtue of the gendered division of labour and the gendered roles and responsibilities that women play in the family and in the up-bringing of children.

Towards alleviating the immense impact of persistent poverty, increasing unemployment and growing inequalities on people, especially women and children and in particular Black African women, young girls and children, social wages are packaged in different targeted forms. These include among others already mentioned in the report, the provision of basic and free basic services in the form of reticulated water; electricity; sanitation and sewerage as well as solid waste management to households and in particular those categorized as indigent.

In this regard and since 2001 the indigent households is entitled to a monthly free six kiloliters of water, fifty kWh of electricity, R50 worth of sanitation, sewerage and refuse removal. The Municipal Indigent Policy was approved in 2005 to provide the indigent with free basic water, sanitation, electricity and refuse removal¹³⁹.

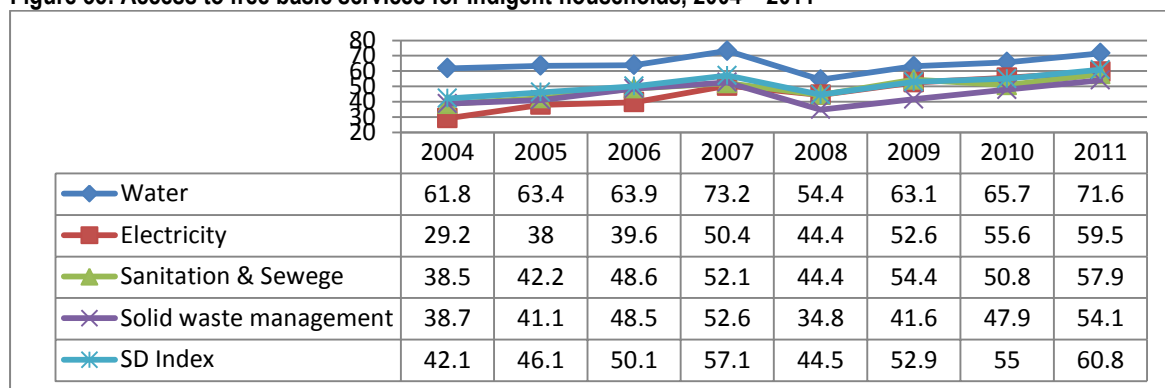
Women carry the biggest burden of household chores, including cooking, washing, cleaning and caring for the young, elderly sick and frail. In this regard, access to clean drinking water, electricity for cooking and easy and close sanitation facilities would enable women to undertake these responsibilities with a minimal effort. Unfortunately this is not the case across South Africa. The impact of the lack of such facilities is felt strongly in rural areas and in urban human informal settlements. Once more the impact is felt the strongest by the women and young girls living in these areas.

In terms of access to free basic services by indigent households in all four service areas outlined above, a significant improvement has been made from 2004 to 2011. The proportion of indigent households with access to free water, electricity, sanitation and sewerage as well as solid waste management increased by 9.8, 30.3, 19.4 and 15.4 percentage points respectively from 2004 to 2011. These basic services illustrate the extent to which the poor in South Africa access different types of services and have their living conditions cushioned against debilitating vicissitudes of poverty.

¹³⁸ Gauteng Provincial Government: 25 Year Review input, 2018.

¹³⁹ The South African Human Rights Investigative Hearing Report: Access to Housing, Local Governance and Service Delivery (2015). <http://www.sahrc.org.za>

Figure 35: Access to free basic services for Indigent households, 2004 – 2011



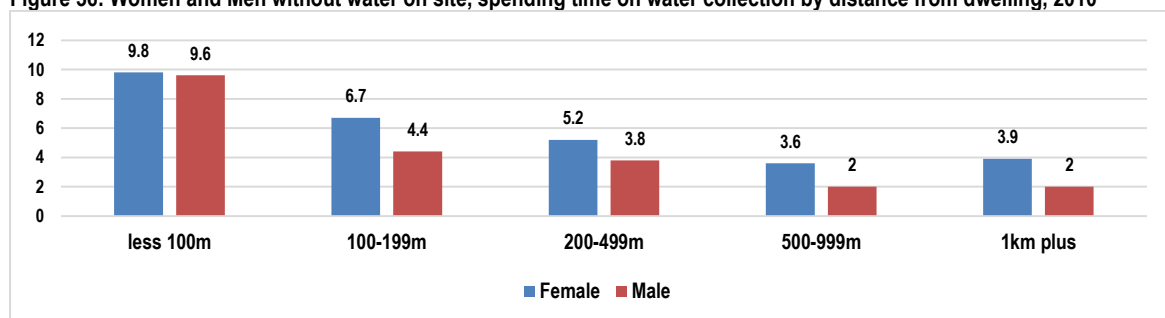
Source: Statistics South Africa

Access to Water by Women

Evidence demonstrate that in comparison to the lived experiences of women under Apartheid South Africa, in particular black women, who were marginalised in terms of access to basic services, women have benefited from the transformation policies of the democratic government. However, more women than men are still without water on site and more women than men spend time on water collection and more women than men have to travel far to access water.

In 1996, 60% of households had access to piped water in the dwelling or site. 93% of house-holds headed by men with education beyond matric had piped water, compared to 83% of households headed by women with comparable education. At the other end of the scale, 37% of people living in households headed by men with no schooling, and only 30% of those in households headed by women with no schooling, had access to piped water on site or in the dwelling.

Figure 36: Women and Men without water on site, spending time on water collection by distance from dwelling, 2010



Source: Statistics South Africa

The figure above indicates that women are spending time on water collection and travel as far as 1km to collect water. According to StatsSA, among both women and men, those in rural **formal** areas were most likely to spend time on fetching of wood and collection of water, compared with women and men in urban formal areas who were least likely¹⁴⁰. Statistics SA data indicates that in 2002 84.4% households had access to piped- or tap water in their dwelling while in 2017 this figure increased to 88.6%. Of those who do not have access to piped- or tap water on site, the Census survey of 2001 indicated that 50.5% of the total households belonged to Africans, decreasing to 34.9% in the Census 2011. This was above the national norms of 41.3% in 2001 and 28.4% in 2011. Although there is improvement in the provision of this basic service over the years the challenge still remains for the Black African particularly black African women. In 2011 only 1.4% of white households remained

¹⁴⁰ Statistics South Africa: 2013: A survey of Time Use 2010, Pretoria

without piped water or tap water on site. Coloured households also continue to have poorer access to piped water on site than Indian/Asian and white households.

Access to Sanitation by Women

The democratic government has over the past 22 years focused on ensuring universal access to sanitation. Significant progress has been made, although basic services are not yet available and accessible to all citizens. In 2016 Cabinet approved a new National Sanitation Policy. This National Policy was collaborated upon between the Department of Water and Sanitation and the Department of Women to ensure that the policy was mainstreamed with issues related to women and young girls. It is envisaged that going forward issues of sanitation and hygiene, as it relates to women's and girls' rights and dignity will be fully and effectively implemented through the National Sanitation Policy of 2016.

Alleviating poverty and inequality in South Africa are associated with the quality of service delivery that municipalities render in different communities, particularly sanitation and energy. The main aim of government is to ensure that all households have access to decent toilets – a clean environment that remains free of harmful impacts of sanitation system (Statistics South Africa, 2016 Community Survey).

In 1996, 44% of people were living in households with the use of a flush or chemical toilet, 37% were in households with use of a pit latrine, 5% in dwellings with a bucket latrine and 14% in households without any sanitation facilities. Overall 3% of people living in urban areas compared to 26% of people living in rural areas were in households without access to sanitation. Those living in households headed by men were more likely than those living in households headed by women to have access to sanitation.

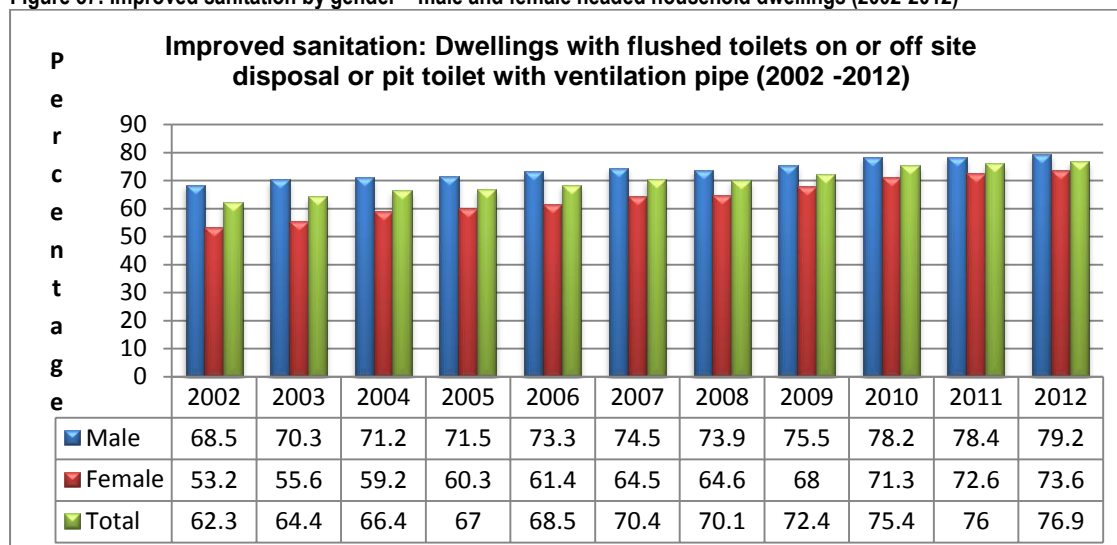
In 2017, nationally the percentage of households with access to improved sanitation was at 82.2%, increasing from 61.7% in 2002.¹⁴¹ The figure below indicates that access to sanitation has improved for male and female headed households from 62.3% in 2002 to 76.9% in 2012. Male-headed households still continue to enjoy better access compared to female headed households. According to Statistics South Africa, the distribution of households by toilet facilities between 2001 and 2016 has improved with 60.6% of households having access to flush toilets connected to sewerage systems compared to 49.1% in 2001. There is a decline in households using pit toilets without ventilation from 22.8% in 2001 to 13.7% in 2016¹⁴². The percentage of households that have no toilet facility or have been using bucket toilets decreased from 12.6% in 2002 to 3.1% in 2017¹⁴³.

¹⁴¹ Statistics SA

¹⁴² Stats SA: 2017: Community Survey, 2016, Pretoria

¹⁴³ Stats SA: 2018: General Household Survey, 2017, Pretoria

Figure 37: Improved sanitation by gender – male and female headed household dwellings (2002-2012)



Source: Statistics South Africa

Toilet facilities should be in a safe space and also accessible to people with disabilities. In 2016, 49.5% of toilets were located in the yard of households; 45.6% in the dwelling and 4.9% outside the yard¹⁴⁴. This has tremendous impact on the lives of women and young girls who are at increased vulnerability and risk to gender based violence especially at night. Over the past twenty five years, it has been reported that women and young girls are sexually molested, raped, abused and murdered when accessing toilet facilities that are a distance from their dwelling, particularly in urban informal settlements. In addition, the lack of easy access to toilets bears immensely on the menstrual health, hygiene issues and human dignity for especially young women.

The evidence pointed out in the General Household Survey, 2017 conducted by Stats SA clearly corroborates this. It highlights that the problems experienced by households that share sanitation facilities include: (i) breakages in municipal system (4.1%); (ii) repairs taking longer than 5 days (5.9%); (iii) toilets blocked up (6%); (iv) inadequate enclosure (12.3%); (v) poor maintenance (13%); (vi) no water to flush the toilet (13.7%); (vii) physical safety threatened (16.3%); (viii) no water to wash hands (17.9%); (ix) long waiting times (19.3%); (x) poor hygiene (21.6%); and (xi) poor lighting (23.7%).

Access to electricity and fuels for energy by Women

Prior to 1994 the commercial sector and the white minority were the beneficiaries of the government's energy investments. The deliberate neglect of the apartheid government to render basic services to the black majority prior 1994 resulted in gas, wood and paraffin serving as the major source of domestic energy in the country.

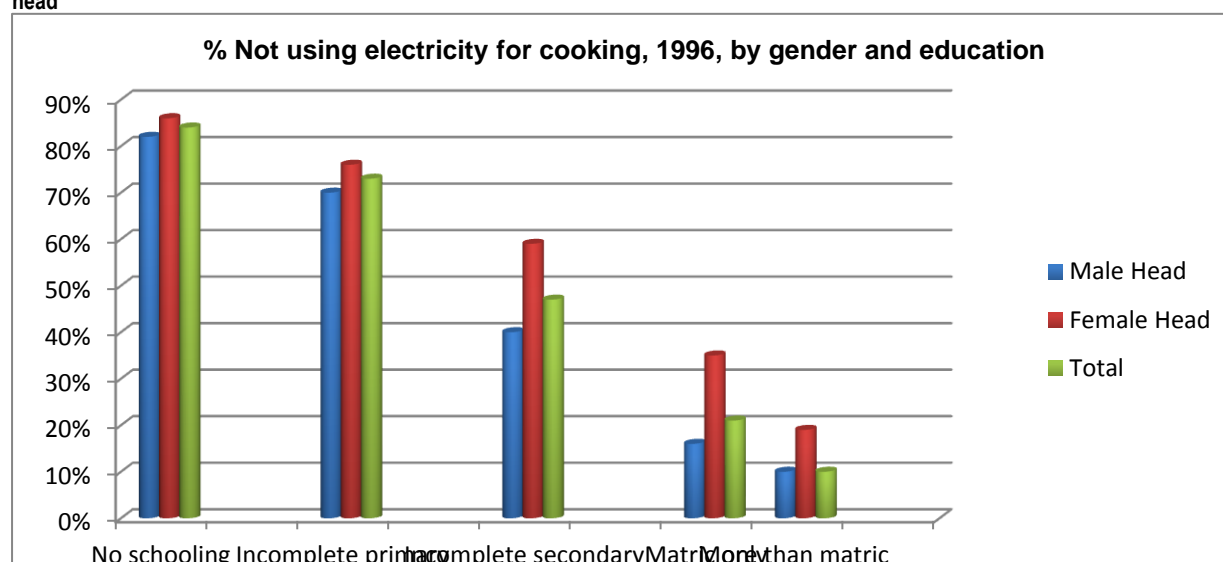
In 1996 households were more likely to use electricity for lighting than for cooking. In October 1996, 58% of the population were living in households that were not using electricity as their main fuel for cooking¹⁴⁵. Close to 73% of rural residents were in households that did not use electricity for lighting compared with 21% of urban residents. The figure below illustrates that the use of electricity increased among male and female headed households with increasing levels of education. The levels of access to more convenient forms of fuel for energy were lower for female-headed than male headed households at all levels of education. The differences between female- and male-headed households

¹⁴⁴ Statistics South Africa: 2017: Community Survey, 2016, Pretoria

¹⁴⁵ Statistics South Africa: 2001: Education in SA. <http://www.statssa.gov.za/publications/EducationInSA/EducationInSA1996.pdf>

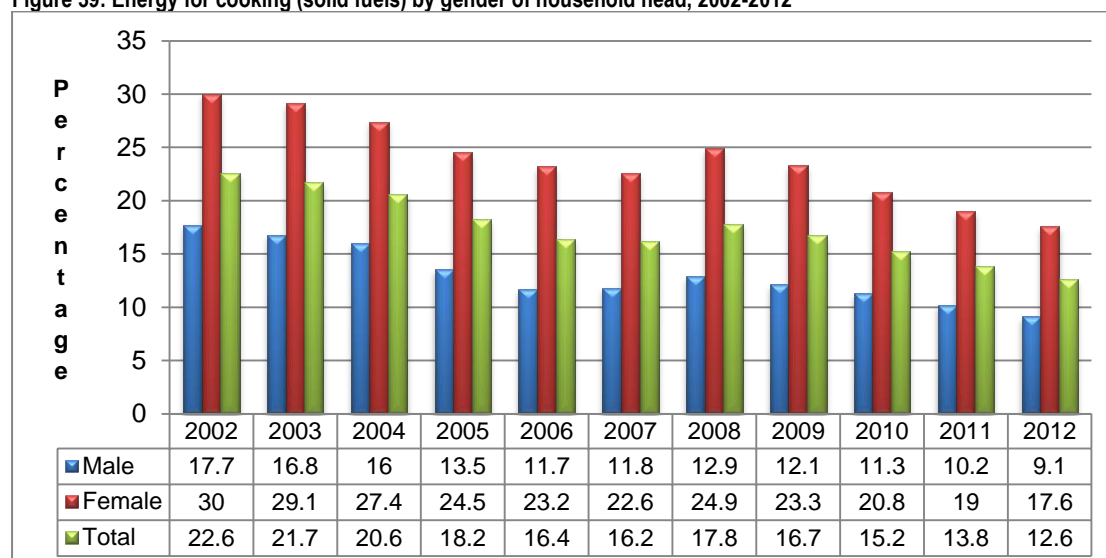
were small at lower levels of education. They became more marked for households where the head had incomplete secondary education or higher. (Statistics South Africa: 2001). The percentage of households who used energy for cooking increased from 57.5% in 2002 to 79.9% in 2014, before declining to 75.9% in 2017¹⁴⁶.

Figure 38: Percentage of people in households using cooking fuel other than electricity by education level and sex of household head



Source: Statistics South Africa, 1996¹⁴⁷.

Figure 39: Energy for cooking (solid fuels) by gender of household head, 2002-2012



Source: Social Profile of vulnerable groups, 2002-2012.

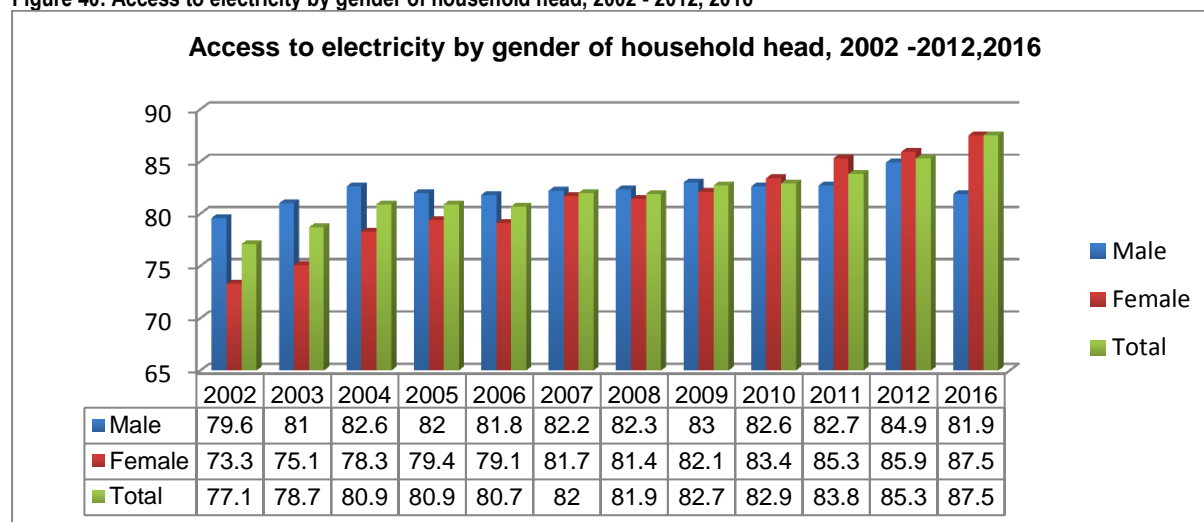
The use of solid fuels for cooking has decreased from 22.6% in 2002 to 12.6% in 2012. Female-headed households were still more inclined to use solid fuels for cooking than male-headed households. Solid fuels are used by many households for cooking and heating as it is cheaper than electricity. Solid fuels generate emissions of many health damaging pollutants. Women and children carry the largest burden of health risk from these exposures

¹⁴⁶ Statistics South Africa: 2018: General Household Survey, 2017, Pretoria

¹⁴⁷ Ibid.

The Integrated National Electrification Programme (INEP) was implemented as part of the RDP to increase access to electricity in South Africa, especially towards historically disadvantaged communities¹⁴⁸. INEP increased the rate of electrification from 36% in 1994 to 87% in 2016. (Sustainable Energy, Africa, 2016)¹⁴⁹. Between 1994 and March 2016 over 6.7 million households had been connected to electricity. The percentage of South African households that were connected to the mains electricity supply increased from 76.7% in 2002 to 84.4% in 2017.

Figure 40: Access to electricity by gender of household head, 2002 - 2012, 2016



Source: General Household Survey, 2017. Social Profile of Vulnerable groups, 2002 – 2012. (StatsSA)

The figure above shows that the percentage of male and female headed households connected to mains electricity increased over the years. Female-headed households were lagging behind male-headed households from 2002 -2012. However their access to electricity has improved over the past few years. In 2016 female-headed households and male-headed households almost have equal access to electricity, with male-headed households slightly lagging behind female-headed households.

Access to Housing for Women

The guarantee of the right to access to adequate housing is found in section 26 of the Constitution. Since 1994, the South African state has created a raft of legislation and policies to give effect to this right.

By 2015, South Africa had made significant progress with the provision of an estimated 3.7 million housing opportunities providing to around 12.5 million people, along with further improvements in access to other basic services including adequate water, sanitation, electricity and refuse removal. Despite these gains the country faces significant challenges to provide access to adequate housing to poor and vulnerable persons, especially black African women who live without access to basic services or economic opportunities to escape poverty (SAHRC Report, 2015:9). In 2016, 79.3% of households lived in formal dwellings compared to 73.3% in 2002, indicating that 8 out of every 10 households live in a formal dwelling. The number of households living in informal dwellings increased from 13.2% in 2002 to 13.9% in 2016, indicating that 1 in 7 households still lived in informal housing (Selebalo & Webster, 2017)¹⁵⁰. The country's state subsidized housing programmes are almost unparalleled internationally

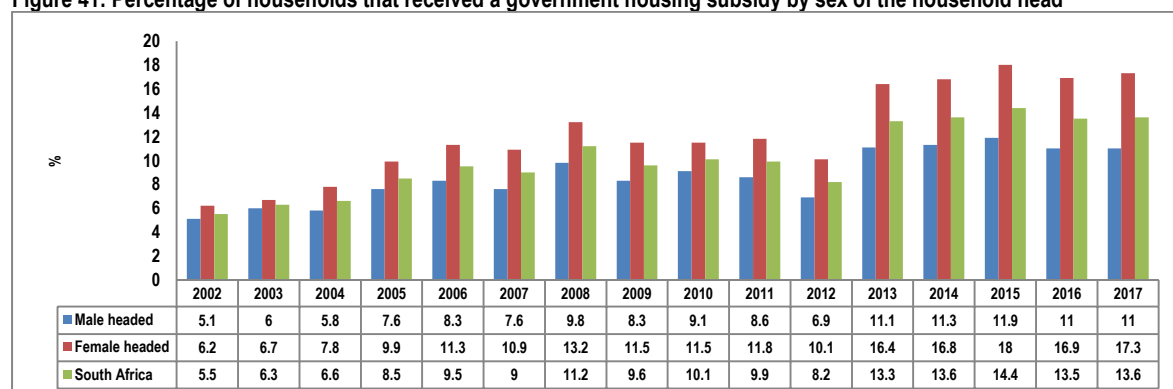
¹⁴⁸ INEP. Available at <https://www.gov.za/about-government/government-programmes/inep>

¹⁴⁹ Sustainable Energy Africa: 2016: .Energy, Poverty and Gender in Urban South Africa: https://za.boell.org/sites/default/files/status_quo_report_-_urban_energy_poverty_and_gender_in_south_africa_final-1.pdf

¹⁵⁰ Selebalo, H & Webster D: 2017: Monitoring the Right to Access of Adequate Housing in South Africa. Studies in Poverty & Inequality Institute (SPIII) http://spii.org.za/wp-content/uploads/2018/02/Right-to-Housing_2017.pdf

and have expanded access to adequate housing to many poor households, despite major challenges. (Selebalo & Webster, 2017)¹⁵¹

Figure 41: Percentage of households that received a government housing subsidy by sex of the household head

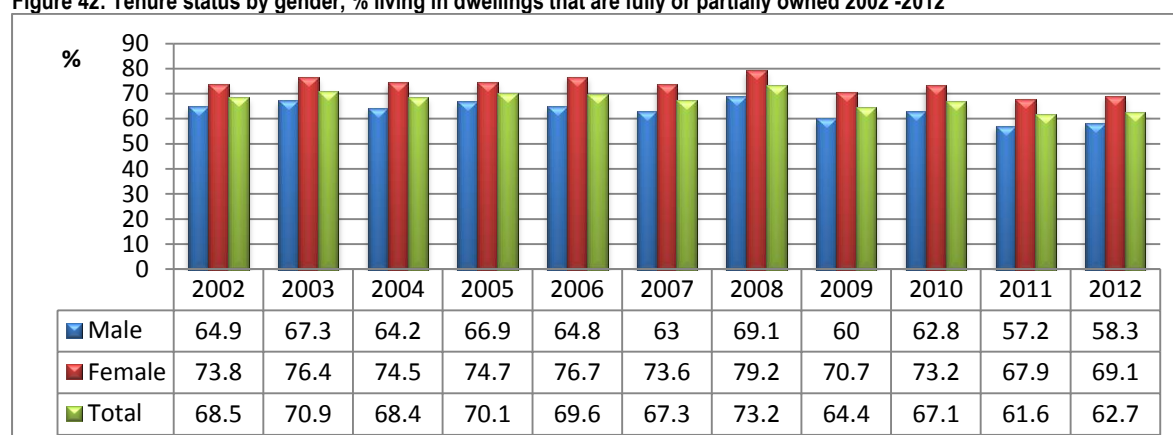


Source: Statistics South Africa

There has been a steady increase in government housing subsidies allocated to female headed households from 2002 to 2008 with a slight decline from 2009 and a significant increase from 2013 to 2015, with a slight decrease in 2016.

According to StatsSA, by 2017, slightly over 80.1% of South African households lived in formal dwellings, followed by 13.6% in informal dwellings and 5.5% in traditional dwellings¹⁵².

Figure 42: Tenure status by gender, % living in dwellings that are fully or partially owned 2002 -2012



Source: Social Profile of Vulnerable Groups, 2002-2012. (StatsSA)

The figure above illustrates that female-headed households are more likely to live in dwellings that were fully or partially owned, compared to male-headed households. The tenure status of female headed households increased from 73.8% in 2002 to 79.2% in 2008, with a decline in 2009 to 2012.

Access to Food Security for Women

The history of Apartheid South Africa meant that pre-1994 food security for the poor, in particular the black majority, were not a priority. The Democratic Government approved the country's Integrated Food Security Strategy in 2002 to address the challenge of food insecurity. The strategy aims to attain physical, social and economic access to sufficient, safe and nutritious food by all South Africans at all times to meet their dietary needs and food preferences for an active and healthy life. According to the

¹⁵¹ IBID

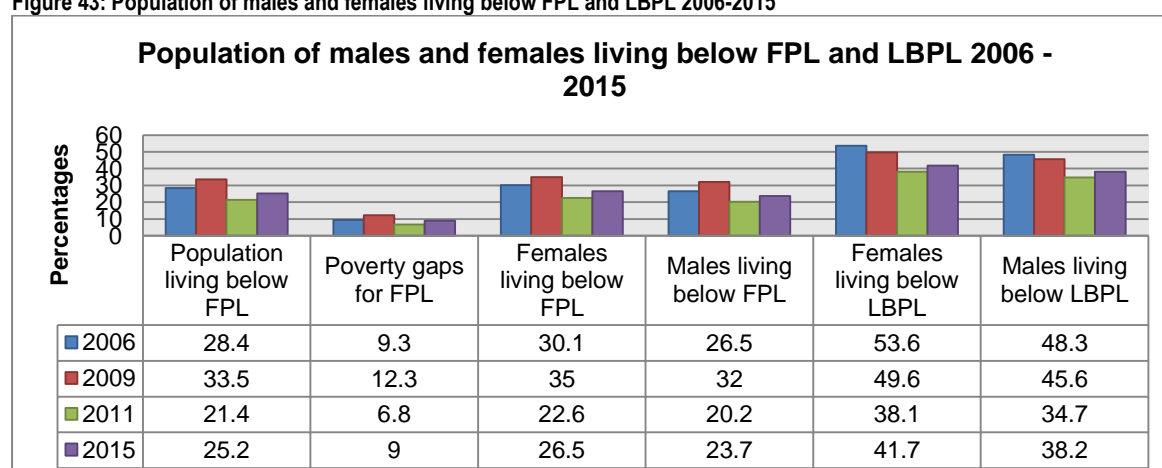
¹⁵² Statistics South Africa: 2018: General Household Survey, 2017, Pretoria.

World Health Organization (WHO), the level of inequality that exist in the country played out through poverty and unemployment, irrespective of the political and economic advances that South Africa has made since the dawn of democracy, the steep food and fuel prices, high energy tariffs and increasing interest rates, creates adverse conditions for ordinary South Africans to meet household obligations¹⁵³. The concept of food accessibility implies an ability of households to secure food in the market place by growing it or from other sources such as transfers, gifts or grants¹⁵⁴.

A study by the WHO in South Africa between 1999 and 2008 found a reduction in the prevalence of food insecurity in South Africa. This reduction is linked to policy implementation during the period between 1999 and 2008. The Government recognized the constitutional right to food and implementation of several policies led to food fortification, food supplementation, school feeding programmes and day care centre schemes. Since 1999, the government has allocated more than R450 million to the National School Nutrition Programme¹⁵⁵.

Nutritional security acknowledges that gender, education, access to water and sanitation all impact on nutrition status, over and above the simple problem of food availability. Despite expansion of social grants, school feeding schemes and other efforts to combat hunger, there may be targeting of issues which continue to leave households vulnerable to food insecurity.

Figure 43: Population of males and females living below FPL and LBPL 2006-2015



Source: Statistics SA, Poverty trends in SA 2006-2015

The figure above shows that proportion of females living below the FPL decreased from 30.1 in 2006 to 26.5% in 2015. Compared to males, females are more inclined to be vulnerable to hunger and experience poverty.

Table 20: Households who skipped a meal in 2016, by gender of household head

Table 20. Households who skipped a meal in 2010, by gender of household head					
Sex of Household Head		Skipped meal in the past 12 months			
	Yes		No		Total
	Nr	%	Nr	%	
Male	1 224 245	12,4	8 671 284	87,6	9 895 529
Female	1 023 256	14,7	5 945 410	85,3	6 968 666
Total	2 247 501	13,3	14 616 694	86,7	16 864 195

Source: Statistics South Africa, Community Survey, 2016.

¹⁵³ World Health Organisation (WHO): 2011: Food Security in South Africa: a review of national surveys <https://www.who.int/bulletin/volumes/89/12/11-089243/en>

¹⁵⁴ Scott Drimie & Shaun Ruysenaar: 2010: The Integrated Food Security Strategy of South Africa: An institutional analysis, Agrekon: Agricultural Economics Research, Policy and Practice in Southern Africa <http://dx.doi.org/10>

¹⁵⁵ WHO: 2011: Food Security in South Africa: a review of national surveys <https://www.who.int/bulletin/volumes/89/12/11-089243/en>

The table shows that of 2 247 501 (13.3%) of South African households that has skipped a meal in the past twelve months preceding the community survey in 2016, 1 023 256 (14.7%) were female headed households and 12.4% were male headed households.

Government through SASSA awarded 461 750 applications for social relief distress in 2016/2017 and 573 196 in 2017/2018. This policy is needs driven and responds to the Zero Hunger Project that addresses malnutrition challenges. This initiative is implemented in collaboration with various stakeholders, including the Departments of Social Development; Basic Education and Health together with municipalities¹⁵⁶.

A positive spin-off from the food security and nutrition programmes in the country is that the local economic development programme is also seen to stimulate the creation and operation of mainly women's co-operatives. Some nutrition programmes have an agricultural stimulation outcome. If the food is sourced from local farmers, this offers them a sustained market, stable prices, and may encourage better production techniques¹⁵⁷. This has huge import for women's lives especially with regard to their economic opportunities. In provinces where procurement favours SMMEs and co-operatives, they can benefit as service providers. An area with the potential to benefit schools and communities and stimulate local agriculture is through the local sourcing of vegetables. This may provide a regular market for local agricultural produce¹⁵⁸. For example, the Department of Agriculture Forestry and Fisheries implemented a female entrepreneurship award and since 1999 a total of 336 women have been rewarded for their contribution to food security and economic growth. The programme includes skills development and international educational exposure inclusive of agro-processing, grain and vegetable production.

The Comprehensive Agricultural Support Programme (CASP) of Government provide post settlement support to targeted beneficiaries of land reform and to other producers who have acquired land through private means and are engaged in value-adding enterprises domestically or involved in export. The CASP criteria determine that 70 per cent of the infrastructure grants should be allocated to food production initiatives (crop and livestock production) in support of the Fetsa Tlala programme. Since 2004 to 2014, the programme supported 473 542 beneficiaries of whom 42% are women.

According to the General Household Survey, 2012 by Stats SA, the percentage of persons that experienced hunger decreased from 29.3% in 2002 to 12.1% in 2017. The percentage of households that were vulnerable to hunger declined from 24.2% in 2002 to 10.4% in 2017. The percentage of persons that had limited access to food decreased from 29.1% in 2010 to 24.7% in 2017. The percentage of households with more limited access to food declined from 29.1% in 2010 to 24.7% in 2017. Unfortunately the data is not disaggregated by sex in order to show specific gender trends.

Food fortification programmes

In 1994 government initiated the implementation of a national food fortification programme. South Africa's first prevalence study (1994)¹⁵⁹ on anthropometric status, vitamin A status, iron status and immunization status were released by the South African Vitamin A Consultative Group in 1995. The study found that almost one in four children was stunted and one in ten children was underweight. Stunting is a major problem in the country and is more prevalent in rural areas than in urban areas.

¹⁵⁶ Republic of South Africa: SASSA: 2018: Annual Report, 2017/2018.

¹⁵⁷ Ibid.

¹⁵⁸ Republic of South Africa: Department of Basic Education 2014. Case Study of the National Nutrition Programme in South Africa, October 2013

¹⁵⁹ https://www.researchgate.net/publication/257143575_Children_Aged_6-71_Months_in_South_Africa_1994_Their_Anthropometric_Vitamin_A_Iron_and_Immunisation_Coverage_Status

That 1 520 000 children were stunted because of long-term malnutrition and 660 000 pre-school children were malnourished. According to international criteria, the national prevalence (33%) marginal vitamin A status found in the study identified the country of having a serious public health problem of vitamin A deficiency. Children living in rural areas and whose mothers were poorly educated were the most disadvantaged regarding vitamin A status. Three out of twenty children appeared to have had an underlying infection or inflammation¹⁶⁰. In 1997 research under the auspices of the Health Systems Trust, a non-governmental institution, further confirmed the findings of the 1994 study and concluded that up to 25% of pre-school children and at least 20% of primary school children were stunted as result of malnutrition. The study referred to fortification as a possible strategy to increase the intake of essential nutrients¹⁶¹.

In 1995 the Minister of Health appointed the National Committee on Nutrition to develop a nutrition strategy for South Africa. In 1997 the Integrated Nutrition Strategy (INS) was incorporated into the Department of Health's White Paper for the Transformation of the Health System. The INS became the Integrated Nutrition Programme (INP) and ran concurrently with the National Programme of Action for Children (NPA) in 1996.

The Government recognized that maize and bread are the staple food of the large majority of South Africans. In 2003 legislation¹⁶² came into effect making it mandatory to fortify white and brown bread flour and maize meal with eight micronutrients in sufficient quality. In 2003 the government launched a Fortification Programme in partnership with the Global Alliance for Improved Nutrition (GAIN) and UNICEF, aimed to improve the nutritional status of vulnerable groups, in particular women and children.

Despite evidence that food fortification programmes have improved the micronutrient status of South African children, they have failed to improve dietary diversity and overall macronutrient intake. Stunting^{163 164} still affects a large proportion of South African children, although a decline has been achieved from 31.5% in 1994 to 27.4% in 2016¹⁶⁵. By 2004 the prevalence of stunting for girls (% under age 5) was at 30.5 compared to boys (% under age 5) at 35.20¹⁶⁶. Improvements in nutrition have been registered by South African households receiving cash transfers. Children who live with recipients of old age pensions are reported to be up to 3.5 centimetres taller than children who do not. This shows that grandparents use their pension to care for children. Similar though slightly lower, impacts on nutrition have resulted from the child support grant¹⁶⁷.

Rural Transformation and Access to Land by Women

According to UN Womenwatch¹⁶⁸, the progress of rural women against the Millennium Development Goals (MDG's) indicates that globally, rural women fare worse than rural men and urban women and men for every indicator for which data are available. Rural women's poor access to infrastructure in rural areas limits their opportunities to reduce poverty and hunger. If rural women had the same access to productive resources as men, they could raise total agricultural output in their countries by 2.5% to

¹⁶⁰ Ibid.

¹⁶¹ A Reflection on the South African Maize Meal and Flour Fortification Programme, 2004-2007, Dept of Health and UNICEF.

¹⁶² The Regulation is contained in the Foodstuffs, Cosmetics and Disinfectants Act (Act No. 54) of 1972.

¹⁶³ According to the South African Vitamin A Consultative Group (SAVACG) findings in 1995, 1.5million children were stunted and 660 000 pre-school children being identified as malnourished. The study focused on anthropometric status, vitamin A status and Iron status. https://www.unicef.org/southafrica/SAF_resources_wheatfortificationn.pdf

¹⁶⁴ World Bank: 2016: Prevalence of stunting: 1994-2016: South Africa. <https://data.worldbank.org/indicator/SH.STA.STNT.ZS?locations=ZA>

¹⁶⁵ Ibid.

¹⁶⁶ Ibid.

¹⁶⁷ Social Protection in Africa: A review of Potential Contribution and Impact on Poverty Reduction. Study Report, 2014. <http://www.za.undp.org/>

¹⁶⁸ Rural Women and the Millennium Development Goals: <http://www.un.org/womenwatch/feature/ruralwomen/facts-figures.html>

4%, in turn reducing the number of hungry people in the world by 12% to 17%. Rural female headed households have more limited access than male-headed households to a whole range of critical productive assets and services required for rural livelihoods¹⁶⁹.

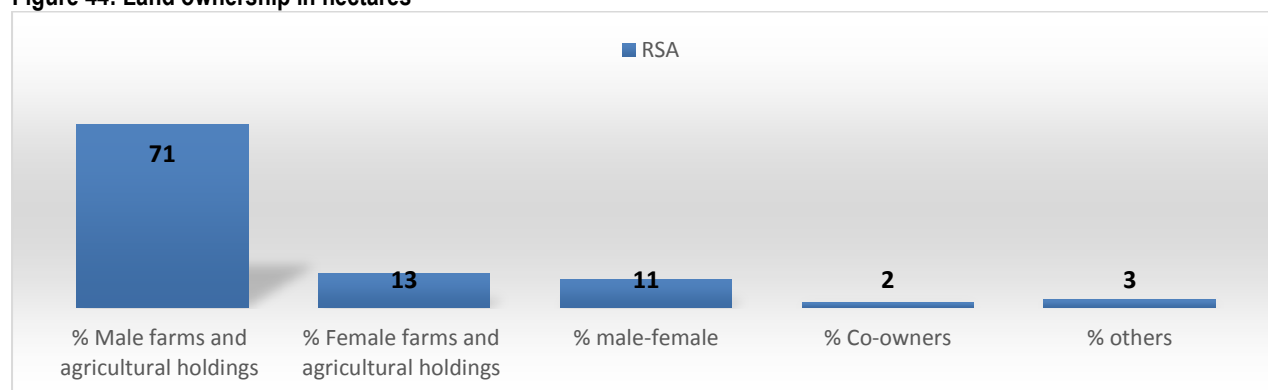
This situation is no different in South Africa. Rural women remain one of the most vulnerable categories making up the women's sector. According to the 1996 Census¹⁷⁰ women made up 51.9% of the total population in the country. Approximately 46.3% of the total number of women lived in non-urban areas compared to 53.7% of women who lived in urban areas.

Colonialism and implementation of apartheid policies such as the Natives Land Act, 1913, resulted in large-scale racially-based dispossessions of land ownership rights which in turn resulted in a highly inequitable distribution of land ownership. In the pre-democracy era most agricultural land was owned by whites (83%) and only 17% of the land was available to black people in the former homelands. There was a dualistic agricultural system with environmentally degraded arable land in the former homelands and a flourishing white commercial sector in the highest - potential agricultural land.

In 1994, 60 % of the South African population called rural areas home, with some 17 million people living mainly in the areas of the former homelands, which had been incorporated into the new South Africa.¹⁷¹ Some 70% of the rural population was poor compared with 45.5% of the urban population.

The democratic Government committed itself to ensuring that the country develop sustainable rural communities by focusing on land reform, agrarian reform, improving rural household food security and rural services and creating employment in rural areas, skills development, youth development, cooperative and small business development and improving planning and coordination capacity for rural development across government. Legislation was also introduced to protect farmworkers from unfair evictions.¹⁷²

Figure 44: Land ownership in hectares



Source: DRDLR, Land Audit Report, 2017.

By 2017, males own more land in hectors compared to females. Whites own more land in hectors compared to any other racial groups. Africans own less land in hectors compared to whites, coloured and Indians.

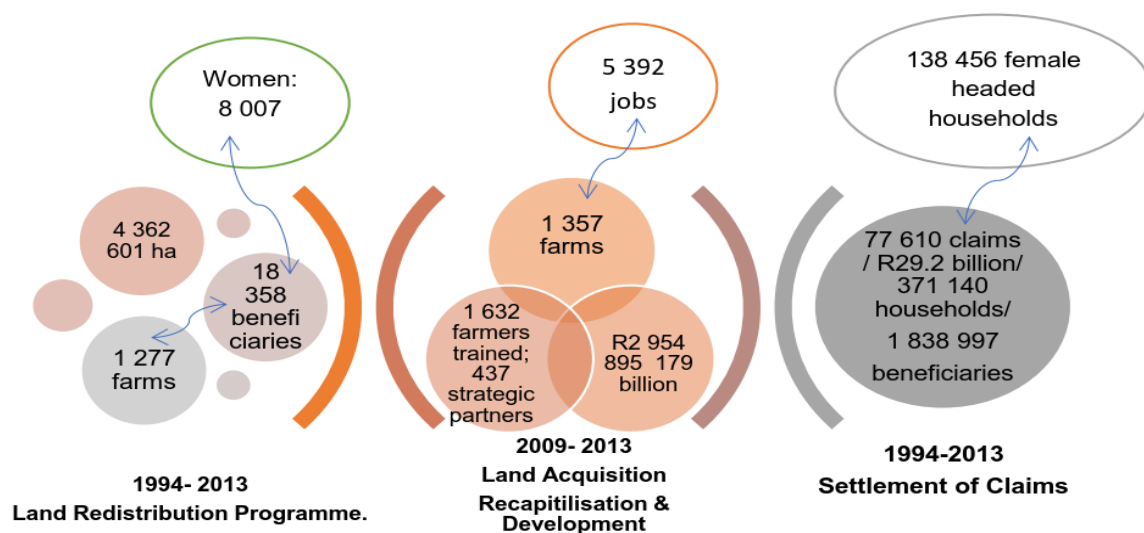
¹⁶⁹ UNWomenWatch: <https://womenwatch.unwomen.org>

¹⁷⁰ Statistics South Africa: 1996 Census in brief

¹⁷¹ Department of Planning, Monitoring and Evaluation: 2014: South Africa: 20 Year Review

¹⁷² Ibid.

Figure 45: Land Reform 1994 - 2013



Source: DRDLR, End of Term Report 2009–2014

From 1994 to 2013, the total land delivery is 4 362 601 ha of which 1 243 117 ha (1 277 farms) were distributed from April 2009 to December 2013 to 18 358 beneficiaries of which 8007 are women, 5 992 are youth and 48 are persons with disabilities.

The Agricultural Growth Initiative, based on a partnership between government, the private sector and the Land Bank, supports emerging and commercial farmers with access to funding, water and markets¹⁷³.

The State Land Lease and Disposal Policy (SLLDP) of 2013 apply to farms acquired through a proactive land acquisition strategy (PLAS), which has replaced the LRAD programme. It identifies four categories of beneficiaries: (1) households with no or very limited access to land; (2) small-scale farmers farming mainly for subsistence and selling some produce locally; (3) medium-scale farmers already farming commercially but constrained by insufficient land; and (4) large-scale commercial farmers with potential to grow but disadvantaged by location and farm size. This policy appears to be aimed mainly at medium-scale and large black commercial farmers. It assumes that there will be only one lessee per farm, and no mention is made of subdividing large farms¹⁷⁴.

Table 21: RSA Land Restitution Programme 2009 -2013

RSA Land Restitution Programme: Settlement of Claims 1994 -2014	
Claims Settled	77610
Households	371140
Female headed households	138456
Hectares Settled	3078948
Land Cost	R 17 072 585 157
RN Comp	R 8 046 280 782
Grants	R 4 152 435 169
Total Award	R 29 232 934 609

Source: DRDLR, 2009-2014.

The table shows that since 1994, 77 610 claims were settled to the value of R29.2 billion which consist of R17 billion for land costs, R8 billion for financial compensation and grants to the value of R4.1 billion. This process assisted 371 140 households of which 138 456 are female headed households. Female

¹⁷³ Radical socio-economic transformation: <http://www.treasury.gov.za>

¹⁷⁴ Ibid

headed households formed 37.3% of the household cohorts compared to 62.7% of the rest of the household cohort.

The 2013 review of the Recapitalisation and Development programme found that between 2009 and 2013, the State invested R2.14 billion towards programme implementation. Almost 250 000 people benefited from the programme of whom over 50 000 are women, 32 000 youth and 674 persons with disabilities. Since inception of the programme over 7 400 jobs were created¹⁷⁵.

Women and Health

This section responds to the UN Women Guidance Note – Section Two, Question 11.

The South African health system prior to 1994 resembled the fragmentation and failed system of apartheid. The health system was characterised by abject discrimination, unequal distribution of resources, a lack of coordination and accountability, unethical execution of responsibilities by health practitioners and large-scale complicity in upholding the system of apartheid with first-world health care experiences being the exclusive preserve of Whites. The apartheid government spent less money on health care for Black people, lacked a coherent primary health care strategy and focused on the privatisation of health care which produced inequalities in health. The National Health Act 61 of 2003 promulgated by the new Government provides an overarching policy framework of the entire health system¹⁷⁶.

In 1994 South Africa introduced the Policy on Universal Access to Primary health, which formed the basis for healthcare delivery programmes. Pregnant women and children under the age of six years receive free health care. Access to reproductive health care programmes and antenatal care services are amongst the achievements of the health care system. Ten most effective strategies to increase access to health care include amongst others legislation and gazetted policies such as free primary health care, essential drugs programme, choice on termination of pregnancies, anti-tobacco legislation and community service for graduating health professionals. Better management systems included greater parity in district expenditure, clinic expansion and improvement, hospital revitalisation programme, improved immunization programme and improved malaria control¹⁷⁷.

In 2002 the Government developed the Gender Policy Guidelines for the Public Health Sector, to focus health policy specifically on women's health. This policy framework ensures that in all spheres of life, equitable attention and sensitivity is given to the health needs of women and girls. The policy ensures a gender-focused approach to health planning and programming.

The National Sexual Assault Policy (2005) aimed to improve healthcare after sexual assault for women, children and men. The policy guides the institutional framework within the Department of Health in terms of collaboration and cooperation between different Directorates; to establish designated, specialised, accessible, 24 hour health care services, for the holistic management of patients to improve health status after sexual assault; to operate as an intersectoral service establishing and maintaining links with the community, key stakeholders at all levels of government and service provision; and to provide training structures and utilise monitoring and evaluation as a tool to ensure quality of sexual assault services.

¹⁷⁵ DRDLR: 2013: Three Years Review of Recapitalisation and Development Programme

¹⁷⁶ South African Human Rights Commission: 2007: Public Inquiry: Access to healthcare services, 2007

¹⁷⁷ An Overview of Health and Health care in SA from 1994-2010. Priorities, Progress and Prospects for New Gains.(2009).

Female Life expectancy and Female Mortality

In 2018, women are outliving their male counterparts. The life expectancy of South Africans has continued to increase from 2005 to 2016 as shown in the table below. Female life expectancy increased from 54.8 years in 2005 to 65.1 years in 2016. Male life expectancy increased from 52.8 years in 2005 to 59.7 years in 2016¹⁷⁸.

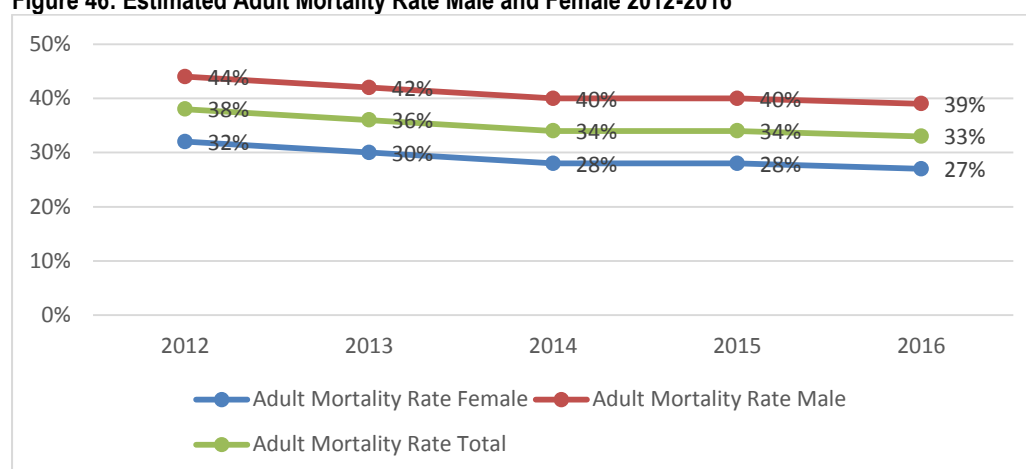
The Rapid Mortality Surveillance Report of the SA Medical Research Council¹⁷⁹ established in 2009 reflects an increase in life expectancy for females from 59.7 years in 2009 to 66.4 years in 2015 whilst that for males in 2009 was 54.6 years and 60.3 years in 2015 for males. Life expectancy has shown rapid progress between 2010 and 2011.

Table : Life Expectancy (LE) 2005 -2016

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
LE Males (StatsSA)	52.8	53.0	53.4	54.2	54.7	55.3	56.2	57.4	58.3	58.9	59.3	59.7
LE Females (StatsSA)	54.8	55.0	55.5	56.9	57.9	58.6	60.2	62.2	63.6	64.2	64.7	65.1
LE Combined (StatsSA)	53.8	54.0	54.5	55.5	56.4	57.0	58.3	59.9	61.0	61.6	62.1	62.4
LE Male RMS					54.6	56.0	57.8	58.5	59.4	60.0	60.3	60.8
LE Female RMS					59.7	61.2	63.2	64.0	65.1	65.8	66.4	66.9
LE Combined RMS					57.1	58.5	60.5	61.3	62.2	62.9	63.3	63.8

Source: DPME, Indicators 2016.

Figure 46: Estimated Adult Mortality Rate Male and Female 2012-2016



Source: Rapid Mortality Surveillance Report, 2016. MRC

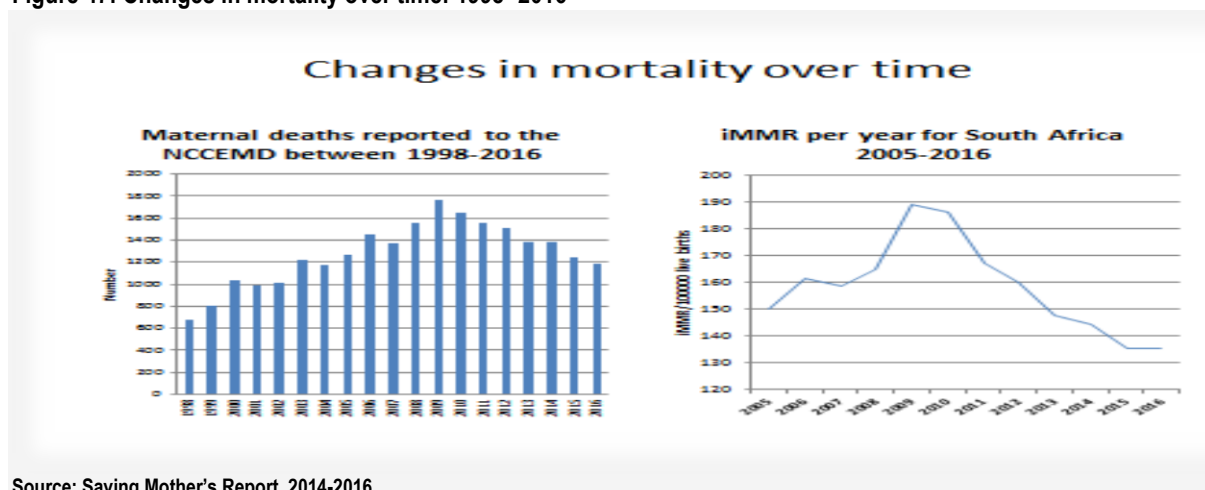
The figure above shows that there has been a decline in the mortality rates in South Africa over the past twenty five years. The adult mortality rate for females has been lower than both the mortality rate for males and for the country as a whole during the period 2012 to 2016. Female mortality rates declined from 32% in 2012 to 27% in 2016, compared to male mortality rates that declined from 44% in 2012 to 39% in 2016. The decline in adult mortality rate from 38% in 2012 to 33% in 2016 is as result of the extensive roll-out of Antiretroviral (ARV) treatment and due to the more responsiveness by women to accessing testing, treatment and care for HIV over the years.

¹⁷⁸ Statistics South Africa

¹⁷⁹ Dorrington RE, Bradshaw D, Laubscher R, Nannan N (2018). Rapid mortality surveillance report 2016. Cape Town: South African Medical Research Council; ISBN: 978-1-928340-30-0. <http://www.mrc.ac.za/sites/default/files/files/2018-02-22/RapidMortalitySurveillanceReport2016.pdf>

The South African Government prioritized women's health through implementation of various interventions aimed at ensuring access to health services and improving the quality of care for pregnant women. The Confidential Enquiries system of recording and analysing maternal deaths has been in operation since 1 October 1997. The first comprehensive report into maternal deaths in South Africa was published in October 1999 and dealt in detail with maternal deaths occurring during 1998. The second to sixth comprehensive reports covered the trienniums 1999-2001, 2002-2004, 2005-2007, 2008-2010 and 2011-2013. These reports all described the magnitude of the problem of maternal deaths, the pattern of disease-causing maternal deaths, the avoidable factors, missed opportunities and substandard care related to these deaths and made recommendations concerning ways of decreasing the number of maternal deaths in South Africa¹⁸⁰.

Figure 47: Changes in mortality over time: 1998 -2016



Source: Saving Mother's Report, 2014-2016.

The figures above show that there has been a reduction in maternal deaths by 12.8% from 2008-2010 to 2011-2013 and 12.5% from 2011-2013 to 2014-2016. There has been an overall reduction of 24% from the peak in 2008-2010, an overall reduction of 1152 deaths from 2008-2010 to 2014-2016. There have been 339 fewer deaths in 2016 than 2011 and 580 fewer maternal deaths in 2016 than at the peak in 2009. The institutional maternal mortality ratio (iMMR) declined from 150.2 in 2005 to 140.81 in 2014¹⁸¹. The Campaign on Accelerated Reduction on Maternal and Child Mortality in Africa was launched in 2012 to reduce maternal and infant mortality. During the period 2012 -2016 the Department of Health implemented a Strategic Plan for Maternal, New-born, Child and Women's Health and Nutrition in South Africa.

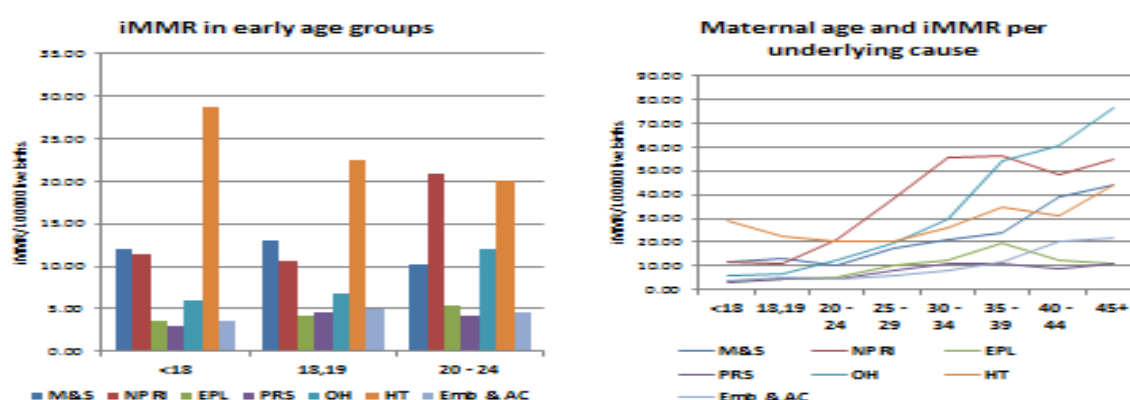
The figure below further shows a decrease in the iMMR for potentially preventable deaths, with a decrease from 100 per 100 000 live births in 2008-2010, to 92.6 and then to 83.3 in 2011-2013 and 2014-2016 respectively. This indicates a slow but steady decline in the number of potentially preventable deaths. This confirms an improvement in the quality of care. The figure below illustrates the high mortality in women younger than 18 years due to hypertensive disorders in pregnancy. There is a relationship between maternal age and underlying causes of death. Women younger than 18 are at an increased risk of pregnancy related hypertension. The latter is one of the major contributors to preventable maternal deaths. As age progresses the mortality risk increases. This is most marked in women dying due to obstetric haemorrhage. The importance of providing contraception for teenagers

¹⁸⁰ Republic of South Africa: Saving Mother's Report, 2014-2016 Seventh triennial report on confidential enquiries into maternal deaths in South Africa: Executive Summary

¹⁸¹ Republic of South Africa: Saving Mothers Report, 2014-2016.:Seventh triennial report on confidential enquiries into maternal deaths in South Africa: Executive Summary

and women over 34 years is clearly demonstrated by the increased risk of maternal deaths that the women face in these age groups¹⁸².

Figure 48: Maternal age and iMMR per underlying cause of maternal death

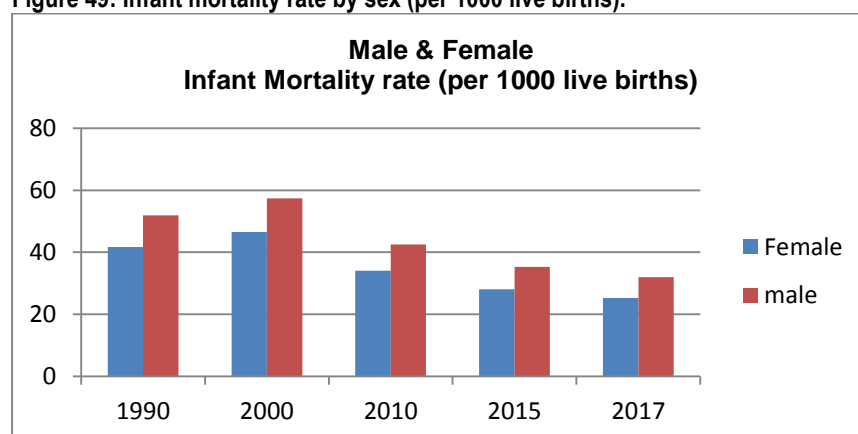


Source: Saving Mother's Report, 2014-2016.

Female Infant mortality

The infant mortality rate in South Africa has declined over the years and by 2017 it is the lowest it has ever been in the history of the country. In 1974 the infant mortality rate was 90.7%, decreasing to 28.8% in 2017. The female infant mortality rate decreased from 41.7% in 1990 to 25.3% in 2017. The male infant mortality rate decreased from 51.9% in 1990 to 32% in 2017¹⁸³. The figure below illustrates this major reduction.

Figure 49: Infant mortality rate by sex (per 1000 live births).



Source: World Bank

The Under-5 infant mortality (U5MR) decreased from 71.5% in 2004 to 44.4% in 2016¹⁸⁴. Since 1994 the Government has implemented various initiatives to increase public health. The Department of Health launched the MomConnect programme in 2017, recording 917 053 pregnant women in early antenatal services. By March 2018 a total of 818 688 pregnant women and mothers were engaged through the programme. According to the 2014-2016 Saving Mother's Report, 97% of women give birth in health facilities and 96% of women attend antenatal care.

¹⁸² Ibid.

¹⁸³ Infant Mortality rate (per 1000 live births): South Africa: <https://data.worldbank.org>

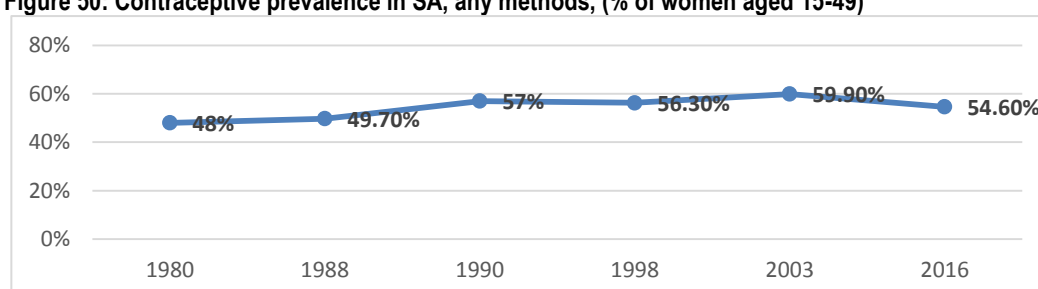
¹⁸⁴ StatsSA: 2017: Mid-Year Population Estimates

Promoting sexual and reproductive health for girl children, adolescent girls and women

South Africa has progressive legal frameworks in place to guarantee access to sexual and reproductive health rights. The Child Care Act 1983 (Act No. 74 of 1983) states that minors of 14 years and older may consent to their own medical treatment without the assistance of parents/guardians. In 1998 the Government approved the National Contraception Policy Guidelines to remove barriers that restrict access to contraceptives, to increase public knowledge of client's rights, contraceptive methods and services and to provide high quality contraceptive services. Contraceptives have been freely available in public medical clinics in South Africa since 2001.

Contraceptive use is influenced by a number of factors including socioeconomic development; urbanisation; women's education and status in society; cultural norms and beliefs; and the knowledge and attitudes of individuals. Contraceptive, maternal, child, adolescent and women's health services, together with STI/HIV prevention and management, are integral components of sexual and reproductive health care. Persistent gender inequality in the economic, social and private spheres continues to undermine the sexual and reproductive rights of women. High rates of unintended pregnancy among adolescents', points to the need for effective appropriate sexual education and services. Accessible youth friendly services help young people to make informed decisions about their fertility.

Figure 50: Contraceptive prevalence in SA, any methods, (% of women aged 15-49)



Source: World Bank

The figure above illustrates that in 1980 the contraceptive prevalence, any methods, for women aged 15-49 years in South Africa was at 48%. It increased to 60% in 2003, but unfortunately has decreased in 2016 to 55%. Despite this, these figures indicate that over the twenty five year period, contraceptive prevalence increased, indicating that more women have access to contraceptives. However, there needs to be further research undertaken to determine the reasons for the decline in the last few years.

Table 23: Number of contraception methods dispensed, Couple Year Protection Rate (CYPR), 2013/2014 -2015/2016

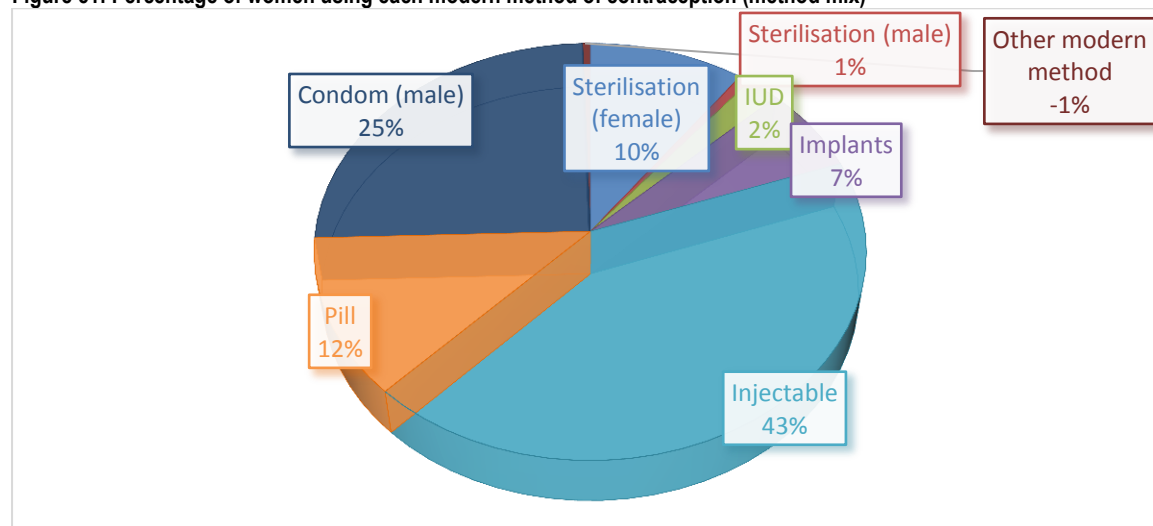
Type of contraceptive dispensed	2013/2014		2014/2015		2015/2016	
	Number	Contraceptive years dispensed	Number	Contraceptive years dispensed	Number	Contraceptive years dispensed
Female condoms	13 254 328	66 271	21 099 517	105 497	27 005 805	135 029
Male condoms	506 431 299	2 532 156	712 387 234	156 672	839 874 751	60 600
IUCD inserted	41 817	167 268	39 168	3 561 936	15 150	4 199 373
Medroxyprogesterone	5 762 721	1 440 680	5 510 430	1 377 607	5 578 228	1 394 557
Norethisterone enanthate	4 277 194	712 865	3 676 445	639 000	3 676 445	621 740
Oral pill cycles	3 815 539	293 503	3 560 421	273 878	3 591 382	276 260
Sterilisation female	31 551	631 020	32 074	641 480	33 134	662 681
Sterilisation male	1 120	11 200	877	8 770	772	7 720
Sub-dermal implant inserted	175 948		87 189 ¹⁸⁵	527 844	261 567	261 567
Totals		5 854 963		7 292 684		7 619 527

Source: Mureithi L, (2017)¹⁸⁶

¹⁸⁵ Sub dermal implants for 2015/16 were reported by only four provinces.

The table above illustrates that male condom use continue to dominate as an individual contraceptive method, whilst female condom usage increased from 2013/2014 to 2015/2016. Female sterilisation increased from 2013/2014 to 2015/2016 whilst male sterilisation decreased in the same period.

Figure 51: Percentage of women using each modern method of contraception (method mix)



Source: DHS 2016

According to the 2016 South African Demographic Health Survey Indicator Report, (2017), the proportion of women who want to stop child-bearing or are sterilised increases rapidly with the number of living children, from 24% of women with one child, to 61% of women with two children and 88% of women with four or more children. More than half of married women aged (15-49 years), (58%) and 8% who have been sterilised or whose partners are sterilised, do not want any more children. Among sexually active unmarried women, 64% are currently using a contraceptive method. Among currently married women and sexually active unmarried women combined, 58% are using modern contraceptive methods. Currently, amongst married women 15% have an unmet need for family planning, whilst among sexually active unmarried women 24% have an unmet need for family planning. The demand for family planning among married women and sexually active unmarried women is 77% and at present 76% of the demand is met by modern methods¹⁸⁷.

During the pre-1994 era, unsafe abortions caused over 400 maternal deaths among impoverished African women each year¹⁸⁸. By 1997 it was further estimated that more than 44 000 women arrived at hospitals each year with complications from “back street” abortions which cost the State an estimated R18.5million each year¹⁸⁹. The legalization of abortion is associated with reduction in abortion-related morbidity and mortality. During the period 1994-2000 a 91% decline in abortion-related mortality occurred¹⁹⁰.

According to a study by the South African Medical Research Council in 2010, 49% of abortions undergone by young people between the ages of 13 and 19 years took place outside a hospital or clinic and will therefore likely be unsafe. South Africa has one of the most progressive abortion laws in the world with abortion on demand. However, it estimated that 50% of abortions in South Africa occur

¹⁸⁶ Mureithi L.: 2017: Reproductive health. Health Systems Travel: www.hst.org.za

¹⁸⁷ Statistics South Africa: 2016: SADHs Indicator Report, 2017.

¹⁸⁸ Mosley E. A. et al: 2018: Abortion Attitudes Amongst South Africans: Findings from 2013 Social Attitude Survey

¹⁸⁹ Health Systems Trust: 1997: South Africa Health Review

¹⁹⁰ Mosley E. A. et al: 2018: Abortion Attitudes Amongst South Africans: Findings from 2013 Social Attitude Survey

outside of designated health facilities. Reportedly, many women who opt for illegal abortion services experience complications and seek care in the formal health sector, adding strain to an already resource-constrained health system¹⁹¹.

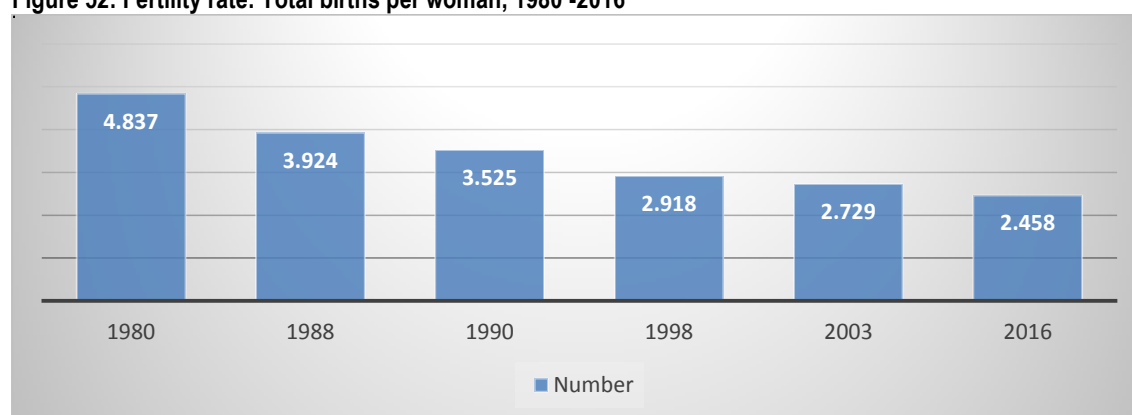
The table below illustrates that during the period 2014/2015 and 2016/2017 pregnancy terminations increased from 88,807 to 105,358 in South African facilities. During the period 1996-2000, 216 718 terminations of pregnancy were performed¹⁹².

Table 24: Pregnancy terminations in designated South African facilities: 2014/2015-2016/2017

	2014/2015	2015/2016	2016/2017
Eastern Cape	14,096	12,782	12,977
Free State	6,145	5,632	6,441
Gauteng	18,288	14,741	28,491
KwaZulu-Natal	9,564	12,300	15,714
Limpopo	8,378	9,656	10,845
Mpumalanga	2,405	1,806	3,724
Northern Cape	1,756	1,362	1,380
North West	8,186	6,531	6,235
Western Cape	19,989	18,988	19,551
Total	88,807	83,707	105,358

Source: AfrikaCheck, Department of Health, 2018.

Figure 52: Fertility rate: Total births per woman, 1980 -2016



Source: World Bank.

The figure above shows that in 1980 the fertility rate of total births per woman was 4.837 compared to 2.458 in 2016¹⁹³. The total fertility rate in the country has declined consistently, decreasing from 2.87 per woman in 2001-2006 to 2.53 children per woman in 2011-2016. (Statistics South Africa, Mid-Year Population estimates, 2015). The decline in fertility rates is associated with improved education of women and better access to contraceptives. According to the 2016 South African Demographic Health Survey (SADHS) Indicator Report, (2017)¹⁹⁴, fertility is higher among non-urban women than urban women.

According to the SADHS Data Quality Report, 57 % (1998) and 49.9% (2016) of women with no living children wanted to have another within two years. Women who wanted no more children increased from 43.6% in 1998 to 49.7% in 2016. The percentage of women who did not have a child and did not want

¹⁹¹ Country Fact Sheet: South Africa. Unsafe abortions

¹⁹² The Presidency, RSA: 2005: Beijing +10 Report

¹⁹³ World Bank

¹⁹⁴ Statistics South Africa: 2017: SADHS Indicator Report

to have a child more than doubled from 5.7% in 1998 to 13.3% in 2016. This may be linked to the increase of the phenomena of childlessness¹⁹⁵.

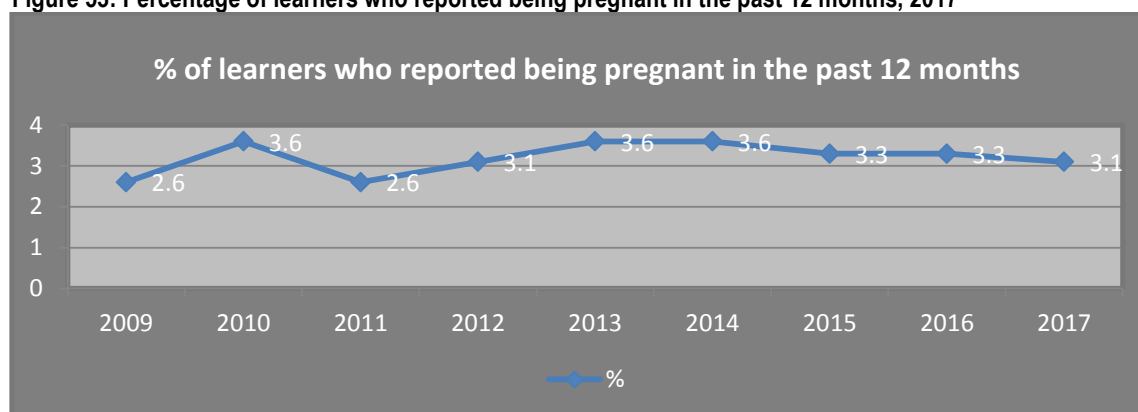
Adolescent Fertility

Adolescent fertility is important on both health and social grounds. Teenage mothers are more likely to experience adverse pregnancy outcomes and are more constrained in their ability to pursue educational opportunities than young women who delay child-bearing. (Data Quality Report, SADHS, 2016). According to the Census 1996, 2% of girls within the age group 12 -15 years reported to have given birth to at least one child. Between the ages of 16-25 years, 43% of girls reported to have given birth to at least one child¹⁹⁶.

By 2016, 16% of women aged 15 -19 years in South Africa have begun child-bearing, 12% have given birth and 3% were pregnant with their first child. Early child-bearing among young women is more common in non-urban areas (19%) than in urban areas (14%)¹⁹⁷.

By wealth, the percentage of teenagers who have begun child-bearing is highest in the second wealth quintile (22%) and is lowest in the highest wealth quintile (7%). The percentage of women aged 15 -19 who have begun child-bearing is unchanged relative to 1998 (16% in both 1998 and 2016)¹⁹⁸. The adolescent fertility rate declined from 76 in 1998 to 71 births per 1000 girls aged 15 -19 years in 2016¹⁹⁹.

Figure 53: Percentage of learners who reported being pregnant in the past 12 months, 2017



Source: General Household Schooling Survey, 2017.

The 'She Conquers' campaign launched in September 2016 by the Government through the Department of health complemented, the Yolo and Zazi programmes of the Department of Social Development, the multi-partner DREAMS initiative and the young women and girls' programmes funded by the Global Fund are programmes that prioritise action to decrease teenage pregnancies, prevent gender-based violence, keep girls in school, and increase economic opportunities for young people, especially young women²⁰⁰.

¹⁹⁵ Statistics South Africa: 2016: SADHS Data Quality Report

¹⁹⁶ Statistics South Africa: 1996: Education in SA: <http://www.statssa.gov.za>

¹⁹⁷ Statistics South Africa: 2016: SADHS Data Quality Report

¹⁹⁸ Statistics South Africa: 2017: SADHS Indicator Report

¹⁹⁹ Statistics South Africa: 2016: SADHS Data Quality Report

²⁰⁰ SANAC National Strategic Plan for HIV, TB and STI's 2017 -2022.

The North West province launched the Girl Child Campaign, a multi-sectoral structure that consists of the provincial government, civil society, NGOs and business community coming together in a concerted effort to address the plight of girls in the province, especially the issue of teenage pregnancy and the increased HIV infection rate²⁰¹.

Well-being of learners

The Integrated School Health Programme (ISHP) contributes to the health and well-being of learners through screening for health barriers to learning. A cumulative total of 4 339 875 learners have been screened through this programme since its inception in 2012. Since inception of the programme, 504 803 learners were identified with various health barriers to learning, and referred for treatment²⁰².

The human papilloma virus (HPV) vaccine targeting girls in Grade 4 was introduced to protect them from acquiring cervical cancer – a major cause of death especially among African women. The programme was largely successful, reaching 82.6% of eligible girls for the 1st dose HPV immunisation, and 61.3% for the 2nd dose HPV immunisation coverage²⁰³.

In April 2017 the National Health Council adopted the National Adolescent and Youth Health Policy 2017, which prescribes a comprehensive package of services to be offered to young people aged 10-24 years during dedicated clinic times, known as the “Youth Zone”. In order to strengthen the involvement and participation of young people, the Minister of Health appointed an Adolescent and Youth Advisory Panel (AYAP)²⁰⁴.

Women, alcohol and public health

Alcohol consumption in South Africa has a long and complex social, cultural and political history. During colonialism from 1652 to 1948 settlers introduced the ‘dop’ system whereby farm workers were partially paid with alcohol for their labour (Olivier, L: 2016)²⁰⁵. Although the use of alcohol as payment was outlawed in 1961, the free dispensation of wine as a “gift” resulted in on-going application of the practice. In 2004, when the President signed the Liquor Act of 2003, the practice of using alcohol as an inducement to employment was finally prohibited²⁰⁶. During the Apartheid era alcohol was used paternalistically to economically and socially control mine and farm workers²⁰⁷. The historical influence of the ‘dop-system’ has shaped drinking patterns amongst farm workers and South Africans in general, resulting in racially aligned alcohol consumption patterns and preferences.²⁰⁸

According to the World Health Status Report, 2018, South Africa has one of the riskiest patterns of alcohol consumption and the highest reported alcohol consumption in Africa. In 2011, among those who consume alcohol, nearly one in two men (48.1%) and two in five women (41.2%) engage in heavy episodic drinking. South African adults 15 years and older consume an average of 9.5 litres each year²⁰⁹. This pattern of consumption results in high levels of alcohol related harms, including

²⁰¹ Commission for Gender Equality Annual Report: 2018

²⁰² Department of Health: 2-18: Annual Report 2017/18

²⁰³ Ibid

²⁰⁴ Ibid

²⁰⁵ Olivier L.: 2016: Foetal Alcohol Spectrum Disorders: Prevalence Rates in South Africa: Foundation for Alcohol-related Research (FARR).

²⁰⁶ Lubbe M, van Walbeek C, Vellios N.: 2017: The Prevalence of Foetal Alcohol Syndrome and its impact on a Child's Classroom Performance: A case study of rural SA School. *Int. J. Environ. Res. Public Health* 2017, 14, 896; doi:10.3390/ijerph14080896

²⁰⁷ Olivier L.: 2016: Foetal Alcohol Spectrum Disorders: Prevalence Rates in South Africa: Foundation for Alcohol-related Research (FARR).

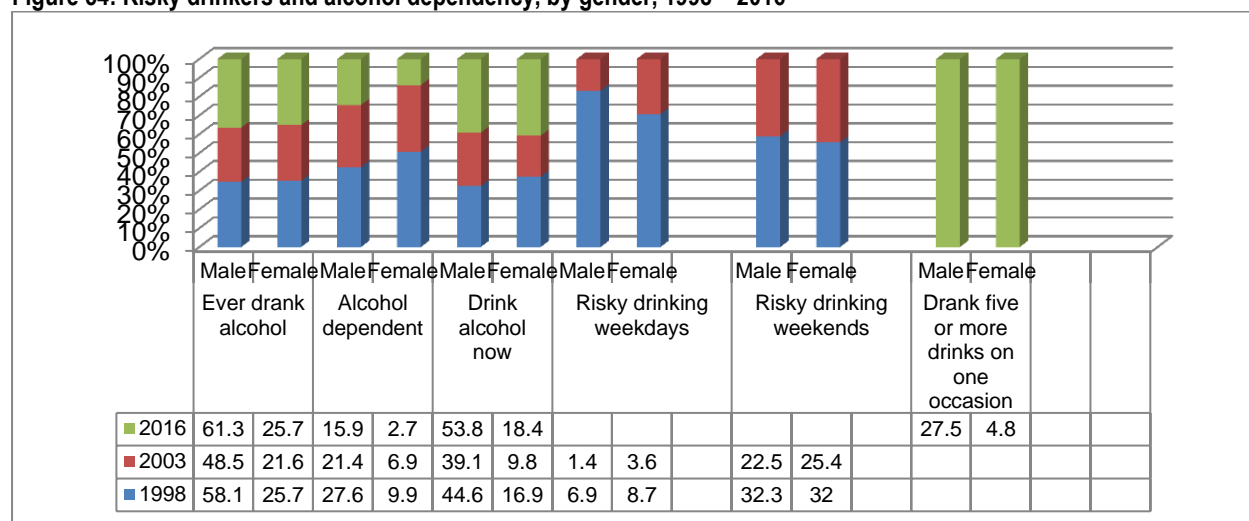
²⁰⁸ UNICEF: 2008: Foetal Alcohol Disorder in South Africa: Situational and Gap Analysis, 2008. https://www.unicef.org/southafrica/SAF_resources_fetalalcohol.pdf

²⁰⁹ World Health Status Report: 2018.

interpersonal violence, traffic crashes and HIV/AIDS²¹⁰. In 2016 the total per capita (15+) consumption (drinkers only) was 29.9% for both males and females. Males (37.5%) had a higher prevalence rate compared to females (13.7%)²¹¹.

According to Statistics South Africa the total alcohol consumption in 1998 was 28% (SADH Survey, 1998). In 2003 the proportions of men (49%) and women (22%) that ever consumed alcohol is substantially less than was reported in 1998 for males (58%) and for females 26% (SADHS Survey, 1998). According to the SADHS Key Indicator Report, by 2016 alcohol consumption was more common among men (61%) than women (25.7%). The levels of drinking in South Africa differ by population group and gender. In 2003 the highest levels of drinking was reported by white males, (53%) followed by Coloured and Indian males (36%) (SADHS Key Indicator Report: 2016).

Figure 54: Risky drinkers and alcohol dependency, by gender, 1998 – 2016



Source: SADHS: 1998, 2003; SADHS Key Indicator Report, 2016: Statistics South Africa.

In 2016, by age, risky drinking among women is low amongst all age groups and was most common in the 20-24-year age group (9%) and lowest among women age 15-19 and 65 and older (2% each). Ten percent of coloured women reported risky drinking compared with 5% of black African women and 4% of white women. Risky drinking is more common in urban areas (6%) than in non-urban areas (3%), with risky drinking higher among men in urban areas (29%) versus non-urban areas (24%) (SADHS Key Indicator Report: 2016). In 2016, 4.8% of women reported risky drinking compared with 27.5% of men.

The vulnerability of females to alcohol-related harm is a major public health concern because alcohol use amongst women has been increasing steadily in line with economic development and changing gender roles. (Global: Status Report, Alcohol and Health, 2014).

Women are more inclined to abstain from drinking alcohol, compared with men. South Africa has a high alcohol abstinence rate, with 53.5% of individuals being lifetime abstainers. In this group females have a 68% prevalence compared with males (38.4%).

Frequency of Foetal Alcohol Syndrome (FAS) in South Africa: 1985, 1995-1999, 2008, 2017.

According to Croxford & Viljoen (1999)²¹², a 12-month birth survey undertaken at Somerset Hospital in Cape Town in 1985, reported a frequency of FAS as 1/281 live-birth infants. In 1995 to 1996 a study of 636 pregnant women voluntarily attending

²¹⁰ World Health Organisation

²¹¹ World Health Status Report: 2018

²¹² Croxford J & Viljoen D: 1999: Alcohol consumption by pregnant women in the Western Cape: Vol 89, No 9, SAMJ.

17 antenatal clinics in poorer socio-economic areas in the Western Cape found that 364 (57.2%) women claimed to abstain from alcohol use during pregnancy and that 272 (42.8%) admitted to varying degrees of alcohol ingestion. The study found 59.7% of women were aware that alcohol could be harmful to the foetus and 88.1% of women classified as significant drinkers were indicating awareness in this regard. The study found as many as 40% of those drinking moderately or heavily in the sample of 636 women (i.e. 60 individuals) will produce FAS –affected babies. The 9.5% frequency represents the highest rate of FAS in a large, general population anywhere in the world. As this is the most common cause of preventable mental retardation worldwide, more resources need to be directed into efforts of prevention and intervention, particularly in SA (Croxford & Viljoen (1999)).

In 2009 the Human Science Research Council (HSRC) reported that FAS in South Africa is the highest ever recorded. Research conducted in the Western Cape (Wellington, a wine growing region) found the prevalence of FAS among grade 1 students to be 41-46 per 1000 in 1997, rising to 65-74 per 1000 in 1999. In a non-wine growing region in Gauteng a similar rate was reported (10 per 1000 among first-grade children), when FAS and deferred diagnoses were combined, the median prevalence was 26.5 per 1000 children²¹³ (HSRC, 2009).

In 2008 UNICEF reported that based on the burden of disease estimates, it is estimated that the prevalence of FAS in South Africa could be 14/1000²¹⁴. According to the 2017 American Medical Association report, of 187 countries, South Africa was estimated to have the highest prevalence of Foetal Alcohol Spectrum Disorder (FASD) at 111.1 per 1000 population followed by Croatia at 53.3 per 1000 population, followed by Ireland at 47.5 per 1000 population²¹⁵. FASD is a prevalent alcohol-related developmental disability that is largely preventable (2017 American Medical Association report)²¹⁶. A national hospital-based birth defects surveillance system has been established in South Africa in line with the Department of Health policy. The DoH has established a National FAS task team (UNICEF: 2008)²¹⁷.

Addressing the impact of HIV, STIs and TB on women

The National Development Plan states that by 2030 mother-to-child transmissions rates should drop to below 2% nationally and new HIV infections reduced more than four times among young women aged between 15 and 24 years. Furthermore that by 2030 the generation of under-20s is largely free of HIV²¹⁸.

South Africa has implemented the world's largest HIV/AIDS treatment programme²¹⁹. The number of people on antiretroviral treatment (ART's) increased from 125 334 in 2005 to 3.67 million in 2016²²⁰. The Government introduced the HIV, AIDS and STD Strategic plan for South Africa in 2000 to respond to the growing challenge of HIV-infection, implemented through the South African National Aids Council, chaired by the Deputy President²²¹. In 2012 Government also launched a strategic Plan for Maternal, New-born, Child and Women's Health and Nutrition in South Africa²²².

The HIV burden varies widely by geography, age and gender, and for key and vulnerable populations. There is substantial variation in HIV by province, with KwaZulu-Natal having the highest prevalence (18%), followed by Mpumalanga (15%). The Northern Cape and Western Cape have the lowest HIV prevalence, at 6.8% and 6.6%, respectively. Within provinces, there is substantial variation in HIV prevalence, with people living in urban informal areas having the highest HIV prevalence (19.9%),

²¹³ Peltzer K & Ramlagan S: 2009: Alcohol use trends in South Africa, Human Sciences Research Council and University of Free State

²¹⁴ UNICEF: 2008: Foetal Alcohol Spectrum Disorder in South Africa. Situational and Gap Analysis: March 2008, MRC, Universities of Pretoria and Cape Town

²¹⁵ JAMA Paediatrics Journal: 2017: Global Prevalence of Foetal Alcohol Spectrum Disorder Among Children and Youth, 2017: <https://jamanetwork.com/journals/jamapediatrics/fullarticle/2649225>

²¹⁶ Ibid.

²¹⁷ UNICEF: 2008: Foetal Alcohol Disorder in South Africa: Situational and Gap Analysis, MRC, Universities of Pretoria and Cape Town

²¹⁸ Republic of South Africa: 2015: National Development Plan (NDP), Chapter 10.

²¹⁹ South African National Aids Council: South Africa's National Strategic Plan for HIV, TB and STIs 2017-2022.

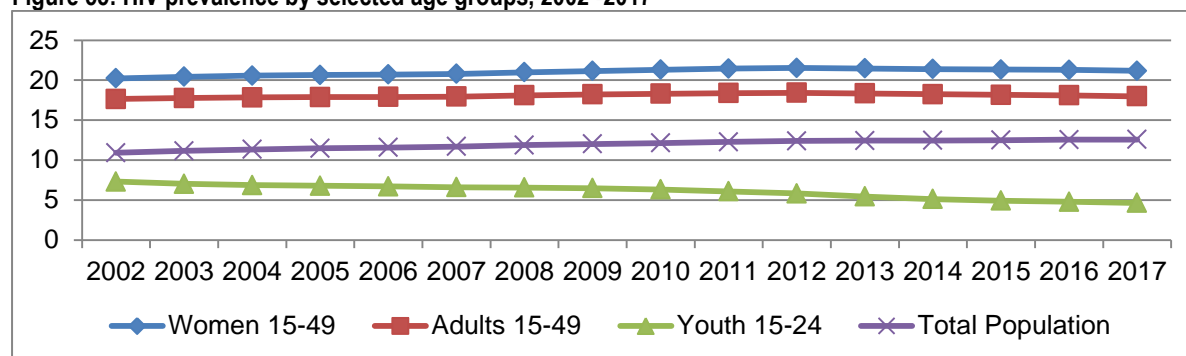
²²⁰ Statistics South Africa: 2018: Mid-year Population Estimate.

²²¹ South African National Aids Council: <https://sanac.org.za/>

²²² Republic of South Africa: National Department of Health: Input into 25 Year Review, 2018.

followed by residents in rural informal areas (13.4%). New HIV infections declined from 360 000 in 2012 to 270 000 in 2016.²²³

Figure 55: HIV prevalence by selected age groups, 2002 -2017

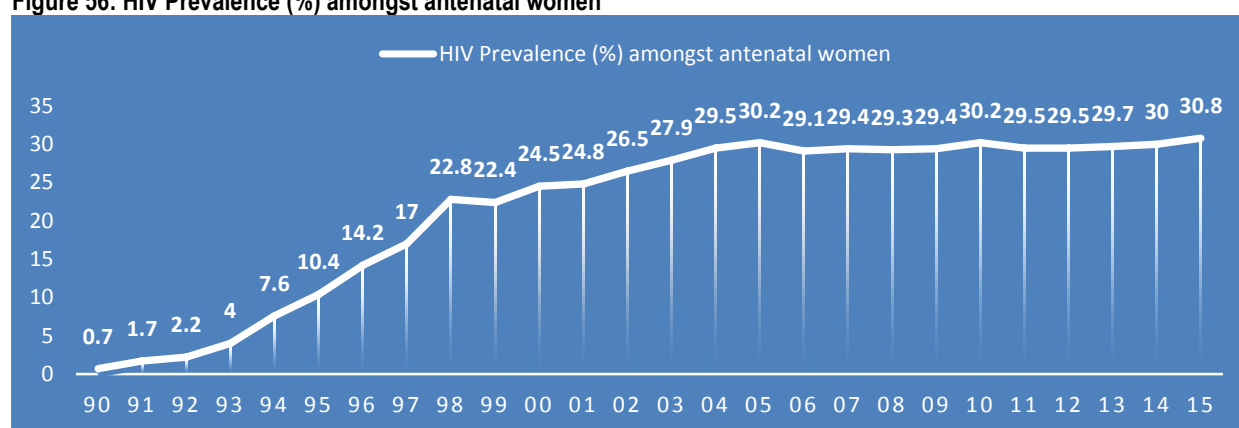


Source: Statistics South Africa.

The figure above shows that for women within the age group of 15-49 years, the HIV prevalence was at 20.23% in 2002, increasing to 21.17% in 2017. The HIV Prevalence rate for women in this age group is higher than that for all adults in that same age group and when measured against the prevalence rate for the entire population. For adults (male and female) the HIV prevalence increased from 17.65% in 2002 to 17.98% in 2017, while for youth aged 15 -24 it decreased from 7.31% in 2002 to 4.64% in 2017. The HIV prevalence for the total population increased from 10.91% in 2002 to 12.57% in 2017²²⁴.

Whilst much has been achieved over the past years, South Africa still has high rates of HIV and unintended pregnancies, with one in three young women aged 15-24 years experiencing an unintended pregnancy before age 20. Among females aged 15-24, HIV incidence is four times higher than the incidence of males in the same group. The total number of persons living with HIV in South Africa increased from an estimated 4.25 million in 2002 to 7.52 million by 2018. In 2018, an estimated 13.1% of the total population was HIV positive. Approximately one-fifth of South African women in their reproductive ages (15–49 years) are HIV positive. HIV prevalence among the youth aged 15–24 has declined over time from 6.7% in 2002 to 5.5% in 2018²²⁵.

Figure 56: HIV Prevalence (%) amongst antenatal women



Source: Statistics South Africa

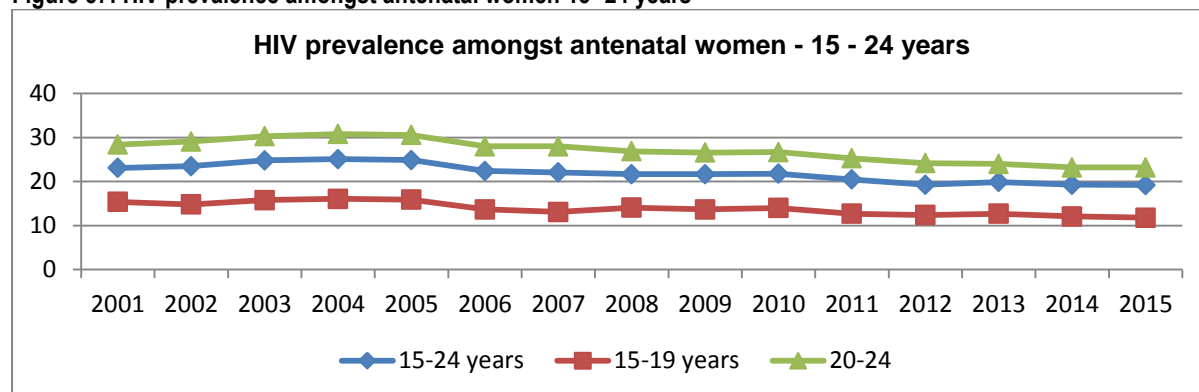
²²³ SANAC: South Africa's National Strategic Plan for HIV, TB and STIs 2017-2022.

²²⁴ Statistics South Africa: 2018: Mid-year Population Estimate

²²⁵ Ibid

The figure above illustrates that in 2015, the point estimate for HIV prevalence amongst women who attended antenatal care was 30.8%. There is an indication that the HIV burden is not decreasing as shown in the prevalence trend. The 2015 HIV estimate percentage is the highest point prevalence observed since 1990.²²⁶

Figure 57: HIV prevalence amongst antenatal women 15 -24 years



Source: 2015 National Antenatal Sentinel HIV & Syphilis Survey Report Published October 2017

The figure above shows that HIV prevalence within the 15-24-year age group of antenatal women has shown a steady decline since 2005, and has dropped from 20.5% in 2011 to 19.2% in 2015. Both of the sub age groups 15-19 years and 20-24 years show a similar trend²²⁷.

In 2016/2017, 95.1% antenatal clients were initiated on antiretroviral (ART) treatment and 96% of pregnant women tested for HIV at public health facilities²²⁸. In 2017, 84% of pregnant women accessed ante-natal clinic-based HIV testing²²⁹. In 2012, 81.6% of HIV positive pregnant women were put on Highly Active Antiretroviral Therapy (HAART)²³⁰. By 2017, 95% of pregnant women living with HIV received most effective ARV's for prevention of mother-to-child transmissions (PMTCT)²³¹. The Mother-to-Child HIV transmission rate decreased from 8.5% in 2008 to 2.6% in 2012 to 1.8% in 2014²³², and the rate decreased from 3.6% at 6 weeks in 2011 to 1.5% at 6 weeks in 2016²³³. The PMTCT programme has demonstrated that the programme saved approximately 80 000 to 85 000 new-born babies per year, since 2010, from early HIV infection²³⁴. New infections declined among children from 25 000 in 2010 to 13 000 in 2017. This is due to the success of the PMTCT programme. However, in 2017, an estimated 280 000 children (0-14 years) were living with HIV in South Africa; only 58% of the children were on antiretroviral treatment²³⁵.

Young women (aged between 15 and 24 years) have the highest HIV incidence of any age or sex cohort, at 2.01% in 2015. Young women in their early 20s have a four-fold burden compared to their male peers, with approximately 2 000 new HIV infections occurring every week, or 100 000 of the 270 000 new infections a year. Responding to the social and structural drivers of this vulnerability (which leads young women towards having sexual relationships – many of which are transactional in nature –

²²⁶ Department of Health: 2017: National Antenatal Sentinel HIV & Syphilis Survey Report 2015

²²⁷ Ibid

²²⁸ National Department of Health: 2018: Input into 25 Year Review

²²⁹ <https://data.unicef.org/topic/hiv/aids/emtct/>

²³⁰ National Department of Health: 2018: Input into 25 Year Review

²³¹ <https://data.unicef.org/topic/hiv/aids/emtct/>

²³² National Department of Health: 2018: Input into 25 Year Review

²³³ SANAC: South Africa's National Strategic Plan for HIV, TB and STIs 2017-2022.

²³⁴ Department of Health: 2018: Annual Report

²³⁵ SANAC: 2018: Annual Report 2016-2017

with men who are five to ten years older than they are) is key to controlling the epidemic²³⁶. New infections among adolescent girls and young women (aged 15 -24) remain a concern. In 2016 the Government launched the *SHE CONQUERS* campaign to address the high infection rate among adolescents and young women aged 15 -24 years; decreasing teenage pregnancies, gender-based violence and keeping girls at school.

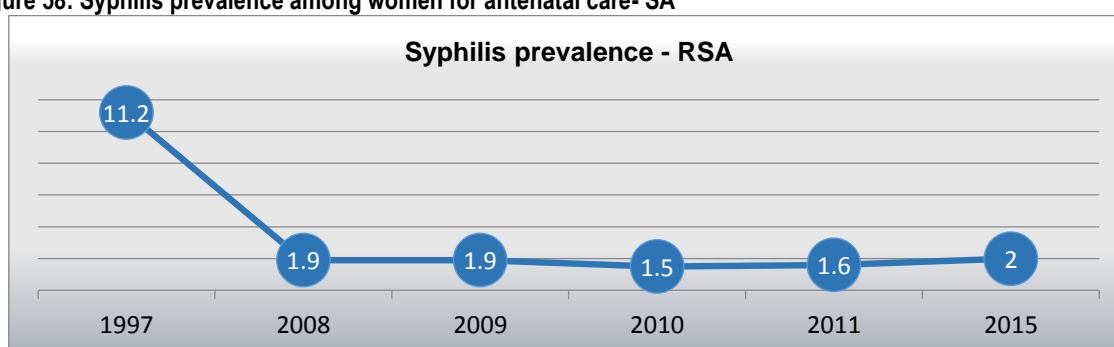
Much progress has been made overall by the South African Government in responding to the HIV epidemic. Notable success over the past years further includes 10 million people voluntarily tests annually for HIV/AIDS; Implementation of the World Health Organization (WHO) evidence-based Universal Test and Treat (UTT) guidelines from September 2016; The National Sex Worker Plan for HIV and draft Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Strategy were developed; The Higher Education and Training HIV/AIDS Programme (HEAIDS) drove HIV testing for students. HIV among infants decreased from 70 000 in 2004 to 6 000 in 2016. The HIV mortality rate decreased from 33% in 2012 to 27.9% in 2016. There are 7.1 people currently living with HIV and by June 2016, 50% (3.7 million) were treated²³⁷.

Despite these improvements, there are still vulnerable population groups. HIV prevalence among the approximately 150 000 female sex workers ranges from 48% to 72%, compared to 14.4% among adult women in the general population²³⁸. The implementation of the National Sex Worker Plan for HIV aims to address this risk.

The HIV, AIDS and STI National Strategic Plan for South Africa 2007-2011 identified male circumcision as an emerging HIV prevention measure (HSRC, 2009). It is important to note that 'traditional' circumcision that did not involve the complete removal of the foreskin would provide much less protection than a medical circumcision²³⁹. According to the Department of Health, male circumcision has been shown to reduce men's risk of becoming infected with HIV by between 51% and 60%. Studies also show a reduced risk of human *papillomavirus*, genital ulcers, herpes simplex virus type 2, syphilis, bacterial vaginosis, and *T vaginalis* in women whose partners are circumcised²⁴⁰.

STI's overall remain a serious problem and add to the risk of HIV infection. Young women have STI prevalence rates of 17–42% for chlamydia, 71% for HPV, 6.2% for syphilis, 10.9% for gonorrhoea and 42–47% for bacterial vaginosis. Syphilis prevalence among sex workers was 19.6% in Cape Town and 16.2% in Johannesburg²⁴¹.

Figure 58: Syphilis prevalence among women for antenatal care- SA



²³⁶ SANAC: South Africa's National Strategic Plan for HIV, TB and STIs 2017-2022.

²³⁷ SANAC: South Africa's National Strategic Plan for HIV, TB and STIs 2017-2022.

²³⁸ Ibid

²³⁹ <http://www.aidsmap.com/Medical-male-circumcision-for-HIV-has-benefits-for-women-too/page/3159979/>

²⁴⁰ Ibid

²⁴¹ SANAC: South Africa's National Strategic Plan for HIV, TB and STIs 2017-2022.

According to SANAC, the prevalence of syphilis among antenatal patients in 1997 was 11.2%²⁴². In 2015, the estimate for syphilis prevalence among women who presented for antenatal care was 2.0%. From 2008 to 2011, syphilis prevalence estimates dropped slightly from 1.9% to 1.6%. However, the syphilis prevalence rose again in 2015 to levels seen in 2008 and 2009²⁴³. STI's are a co-factor in the transmission of HIV and one of the main strategies for HIV control.

Ensuring menstrual health and sanitary dignity

Menstruation is a defining moment in the sexual and reproductive health life of every young woman. It is a natural and beneficial monthly occurrence in adolescent girls and pre-menopausal women. This healthy rite-of-passage has been linked to various unhealthy menstrual hygiene behaviours and has exposed millions of girls and women across the globe and within South Africa to menstrual indignities such as cultural taboos, stigmatisation and unhygienic menstrual practices²⁴⁴.

Sanitary dignity in South Africa means that every girl child and women in the country can manage their menstruation in a dignified manner. This means that all girls and women would have the menstrual information and knowledge; menstrual products; safe, hygiene and private spaces to carry out their menstrual hygiene practices and would be able to walk away from these activities feeling clean and hygienic. A clean and reliable supply of water must be available to girls and women for these purposes, the toilets where they change their menstrual products should be clean, private and safe, they should have access to materials to clean themselves, such as soap and toilet paper, and have access to hygienically dispose of the used products. Water, sanitation and hygiene (WASH) is a fundamental requirement for achieving equity in sanitary dignity in South Africa²⁴⁵.

The government has re-affirmed its position on gender equality by dedicating resources to respond to society's gender imbalance in all sectors. Sanitary dignity is one area in which the girl-child is prejudiced against resulting in an unequal access to education, and emotional trauma linked to stigmatisation. "Period poverty" results in girls and women having to deal with menstruation without access to adequate menstrual products, water, sanitation, disposal systems and menstrual health and hygiene information. Socio-economically challenged women and girls cannot access basic sanitary products, resorting to alternatives such as toilet paper, tissues, cotton material, strips of clothes, grass and other materials²⁴⁶.

Research has shown that menstrual health is not merely an economic issue but also a social, health and productivity matter. One of the key issues of unhygienic menstrual practice is that it can increase susceptibility of women or girls to infection and can result in poor odours and staining of clothing which can stigmatise girls and women. These indignities have led to girls absenting themselves from schools for a number of days every month and women and girls having difficulty practicing healthy and hygienic menstrual management. These challenges all impact on the psychological and socio-economic development and progress of these individuals²⁴⁷.

²⁴² Ibid.

²⁴³ Department of Health: 2017: National Antenatal Sentinel HIV & Syphilis Survey Report, 2015

²⁴⁴ Minister Bathabile Dlamini: Address on International Women's Day: Sanitary Dignitary Programme. Free Sanitary Pads to Poor Girl Learners – The First Step to Achieving Equitable and Sustainable Sanitary Dignity in South Africa.

²⁴⁵ Ibid.

²⁴⁶ Ibid.

²⁴⁷ Ibid.

Research that featured a cross-sectional study to explore and document menstrual hygiene practices of girls aged between 13 and 20 years in three rural high schools of eThekweni Municipality in KwaZulu-Natal Province, South Africa found that one third of 99 respondents reported missing school during menstruation, which was typically one day during a menstruation period. The respondents reported fear of having an accident and/or showing blood during school was the primary reason for missing school, followed by physical pain and discomfort. Tiredness, lack of sanitary products, and fear that others may suspect the student is menstruating were other factors noted by the respondents²⁴⁸.

The Kwa-Zulu Natal study also emphasized the challenges of sanitary dignity at schools. 47.9 % of the respondents stated that they disposed of their sanitary pads in the toilet trash bins. However, during the observations at all three schools where the study occurred, none of the schools had disposal bins. The girls' responses may reflect a desired disposal method, but their school sanitation facilities did not provide the appropriate means of disposal²⁴⁹. The study also found that only 6% of girls learned 'how/where to dispose' of sanitary materials/ products from their primary informant regarding menstrual knowledge. The conditions within the sanitation facilities reflected the challenges of poor solid waste disposal and insufficient provision of basic hygiene materials. None of the schools provided soap or toilet paper to the students. The study found that inadequate sanitation facilities are contributing to poor menstrual health management and behaviours among girls who participated in the study²⁵⁰.

"Period poverty" in South Africa results in young girls missing school every month and having to suffer the indignity and emotional trauma of not having the means to adequately respond to their menstrual cycle. Civil society has over the years embarked on activism and campaigns for tax free sanitary pads as well as embarked on distribution of free sanitary pads to indigent and needy girls and women. Several organisations have been involved in this drive. Following this impetus some provinces have taken the lead in rolling out free sanitary dignity products in schools. Unfortunately this was done on an adhoc basis and not according to any policy prescriptions.

The Gauteng Provincial Government responded to the President's 2011 State of the Nation Address for government to provide sanitary towels to indigent women. The Dignity Pack was launched, and the distribution prioritizes orphaned and vulnerable girl children within fee paying / disadvantaged schools across the 15 Education Districts in Gauteng. A total of 1 304 857 young women and girls benefited from the programme during the period 2013/2014 to 2017/2018²⁵¹.

Thus in 2014/15 the Department of Women embarked upon the development of a National Policy on Sanitary Dignity for indigent girls and women in collaboration with key stakeholders, including National Treasury. The Draft Policy was tabled in Cabinet in late 2017 and Cabinet endorsed the need for such a programme in the country but recommended that an Implementation Framework be developed and to be piloted in three provinces where the need was critical: Kwa-Zulu Natal; Eastern Cape and Mpumalanga.

The Sanitary Dignity Programme, launched by Minister Bathabile Dlamini, Minister in the Presidency Responsible for Women in 2018, aims to empower young girls through the distribution of free sanitary pads. The Sanitary Dignity Implementation Framework is geared towards production, distribution, storage, education on menstrual health management, as well as access to sanitation and disposal and

²⁴⁸WASH in Schools Empowers Girls' Education: Menstrual Hygiene Management in Schools Virtual Conference (2013)https://www.unicef.org/wash/schools/files/WinS_Empowers_Girls_Education_MHM2013_proceedings.pdf

²⁴⁹ WASH in Schools Empowers Girls' Education: Menstrual Hygiene Management in Schools Virtual Conference (2013)https://www.unicef.org/wash/schools/files/WinS_Empowers_Girls_Education_MHM2013_proceedings.pdf

²⁵⁰ Ibid

²⁵¹ Gauteng Provincial Government: 2018: 25 Year Review inputs

promotes that all of these issues rests in the hands of women²⁵². The aim of the Framework is to promote sanitary dignity and to provide norms and standards in respect of the provision of sanitary products to indigent persons. It furthermore seeks to promote social justice and emphasises the basic human rights of indigent persons²⁵³.

The Framework also notes the critical importance of cross cutting enablers such as access to clean water supply and private toilets, sanitation, product disposal systems and menstrual social and behavioural change communication. Provision of free sanitary products needs to be supported by programmes to address and change unhealthy menstrual practices, messages and behaviours. Age-appropriate social and behavioural change communication is crucial to address inequity in sanitary dignity in the country²⁵⁴.

Recognising the relevance of menstrual management to the health, wellbeing and educational achievements of girls and women and the disparity in sanitary dignity in the country, the Minister of Finance in October 2018 announced in his Medium Term Budget Policy Statement the provision of free sanitary products to school-girls in non-fee-paying schools, as well as there will be no Value Added Tax (VAT) on sanitary pads with effect of 1 April 2019 (i.e. zero-rating on sanitary pads). Zero rating means that all input cost added along the production chain of the item will be eliminated from the consumer. This means that not only will this go a long way in restoring the dignity to women and girls, but that it plays a critical role in the fight against poverty of women and girls.

In the 2019/2020 National Budget Vote Speech, National Treasury has made available R157 million to provide free sanitary pads to quintile 1-3 schools across the provinces of the country. Accordingly, the Department of Women will work with provinces to prepare for the implementation²⁵⁵.

The national Sanitary Dignity programme will be informed by the sanitary pad distribution programmes which are already implemented in the Mpumalanga, KZN and Gauteng provinces. These programmes have already been able to distribute significant numbers of sanitary pads and dignity packs to needy girls in non-fee-paying schools. In 2018/19 alone, these provinces provided sanitary pads to more than a million girls. Significant success and lessons have been learnt from these programmes, all of which will be utilised to inform and guide the national programme²⁵⁶.

One of the major lessons from the provincial programmes is the focus on the distribution of products. It is not enough to provide a sanitary pad to a girl for her to achieve sanitary dignity. Sanitary dignity means that a 13-year-old girl from a poor household in the remote areas of the country must have the facilities (products, services and information) to safely and hygienically manage their first and all the following menstrual cycles as any other 13-year-old girl would do²⁵⁷.

The Sanitary Dignity Programme is also expected to be implemented with a focus on encouraging local business, women-owned business and women with disabilities to participate in the menstrual hygiene management value chain. There are a range of areas within the menstrual hygiene provision value chain where these businesses could play a role, such as local manufacture of sanitary products or

²⁵² DoW: 2018: Minister Bathabile Dlamini. Press Release: Minister Dlamini Calls on South Africans to ensure that gender equality remains everyone's responsibility

²⁵³ Ibid.

²⁵⁴ Ibid.

²⁵⁵ Ibid.

²⁵⁶ Ibid.

²⁵⁷ Ibid.

women-owned business packing and distributing the sanitary products of the non-fee-paying schools²⁵⁸.

The provision of sanitary products to non-fee-paying schools is only the first step in achieving sanitary dignity in the country. The programme is looking toward the future, planning for provision of sanitary dignity to all indigent women and girls in the country. A phased approach will be adopted, spanning the achievement of sanitary dignity firstly to girl learners, followed by women and girls in indigent households, public institutions and non-institutionalised women and girls²⁵⁹.

The country is embarking on a journey of addressing, inequity and inequality in sanitary dignity. Implementation of the SDIF and SD programmes in the provinces will be based on international best practice, learning from Menstrual Health Management (MHM) interventions in other countries and from NGOs. The success of implementing a sustainable SD programme across the country will enable South Africa to become a leader in this field and will demonstrate a national commitment to addressing gender inequities and disparities through improving social protection systems²⁶⁰.

Securing access to health for sexual minorities – lesbians, bisexual women, transgender women, intersex people (LGBTI)

In 2017 the South African National AIDS Council (SANAC) launched South Africa's national lesbian, gay, bisexual, trans and/or intersex (LGBTI) HIV Plan in Durban, Kwa Zulu-Natal on the penultimate day of the 8th South African AIDS Conference. South Africa became the first country in the world to produce an LGBTI national framework. This contribution came through extensive participation of the LGBTI civil society in the SANAC Civil Society Forum to ensure an inclusive healthcare approach for minority groups. The plan forms part of the South African National Strategic Plan (NSP) on HIV, TB and STI's for 2017 to 2022.

A 2014 study has highlighted that LGBTI people face numerous challenges when accessing public health care in South Africa. While some of these challenges can be attributed to the general lack of resources in the South African public health system, persisting homo- and transphobia among health care workers and administrative staff lead to systematic discrimination against people of non-normative sexual orientations and/ or gender identities. As a result, LGBTIQ+ people who already face health disparities based on their sexual orientation and gender identity lack access to culturally competent health services²⁶¹.

Women and Education

This section responds to the UN Women Guidnace Note – Section 2, Question 12.

South Africa has over the past twenty-five years introduced policies to facilitate gender equality and equity in education. This includes the South African Schools Act (1996) whose purpose and underlying philosophy includes amongst others combating sexism and all other forms of unfair discrimination and intolerance, and upholds the rights of all learners, parents and educators. The Employment of Educators Act (1998) contributes towards facilitating gender equality in schools. This Act (1998) also seeks to

²⁵⁸ Ibid.

²⁵⁹ Ibid.

²⁶⁰ Ibid.

²⁶¹ Muller A, (2014): Public Health Care for South African Lesbian, Gay, Bisexual and Transgender People: Health Rights Violations and Accountability Mechanisms. <https://www.researchgate.net/publication/267237378>

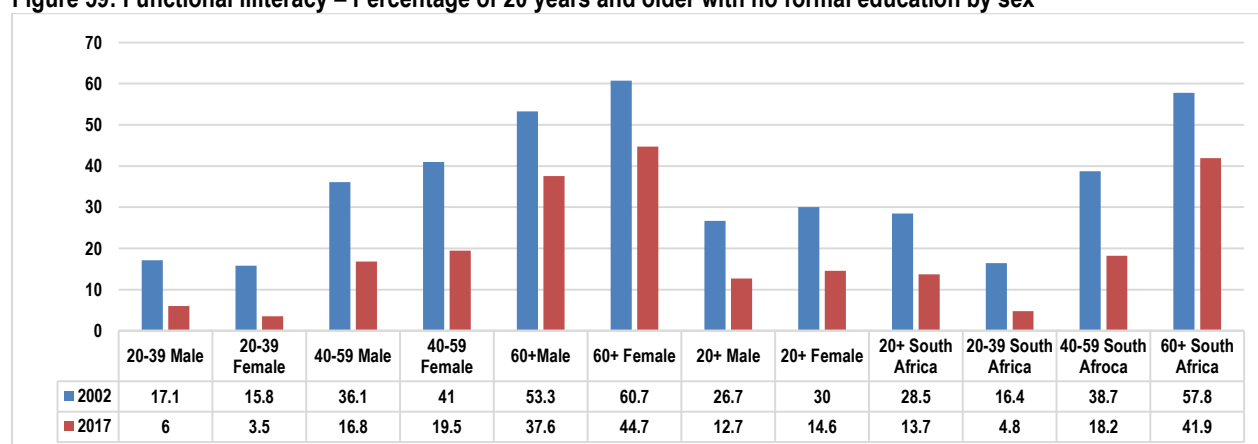
address the issue of sexual abuse of learners by teachers by making it unlawful to employ a teacher who has been engaged in sexual abuse of a learner.

The gender policy backdrop in education has seen a number of policies enacted that address gender issues in education. The 1997 Gender Equity Task Team report (Wolpe et al. 1997), which lays the foundation for these policies, outlined in detail the gender inequalities that were prevalent in the pre-1994 South African education sector and which still persist today. It strongly recommended the formulation of a national policy on gender and education. The absence of such a policy has resulted in what can best be described as a reactive response to gender issues in education (J Rarieya, N Sanger and B Moolman; HSRC; 2014).

Often, policies to deal with gender issues in education have been formulated based on what is perceived to be a prevalent gender issue at the time. For example, learner pregnancy has been identified as a major reason for girls dropping out of school (SAHRC 2012), and therefore the adoption of a 'return to school' policy for girls who fall pregnant while in school is an attempt to ensure the retention and equal participation of girls in schools. The Measures for the Prevention and Management of Learner Pregnancy Guidelines (2007) seeks to eradicate the expulsion of and unfair discrimination against girls who fall pregnant while in school. It also allows girls to return to school no later than 24 months after giving birth. Another policy example is the Guidelines for the Prevention and Management of Sexual Violence and Harassment in Public Schools (2008), which aims to deal with the pervading gender violence in schools by enhancing teacher and student knowledge of, and capacity to deal with, gender-based violence in schools. It is possible that the narrowing in the gender gap in terms of access, participation and performance in school, especially at the primary level (Moletsane 2010), can partly be attributed to the aforementioned policies (J Rarieya, N Sanger and B Moolman; HSRC; 2014).

There are different opinions and perceptions on the impact of these policies and programmes, however, the 2015 MDG country report indicates that South Africa succeeded in securing the universal enrolment of all children of primary school-going age, as well as gender parity, in schools across the country by 2009 (Millennium Development Goals: Country report 2015: Statistics South Africa).

Figure 59: Functional illiteracy – Percentage of 20 years and older with no formal education by sex

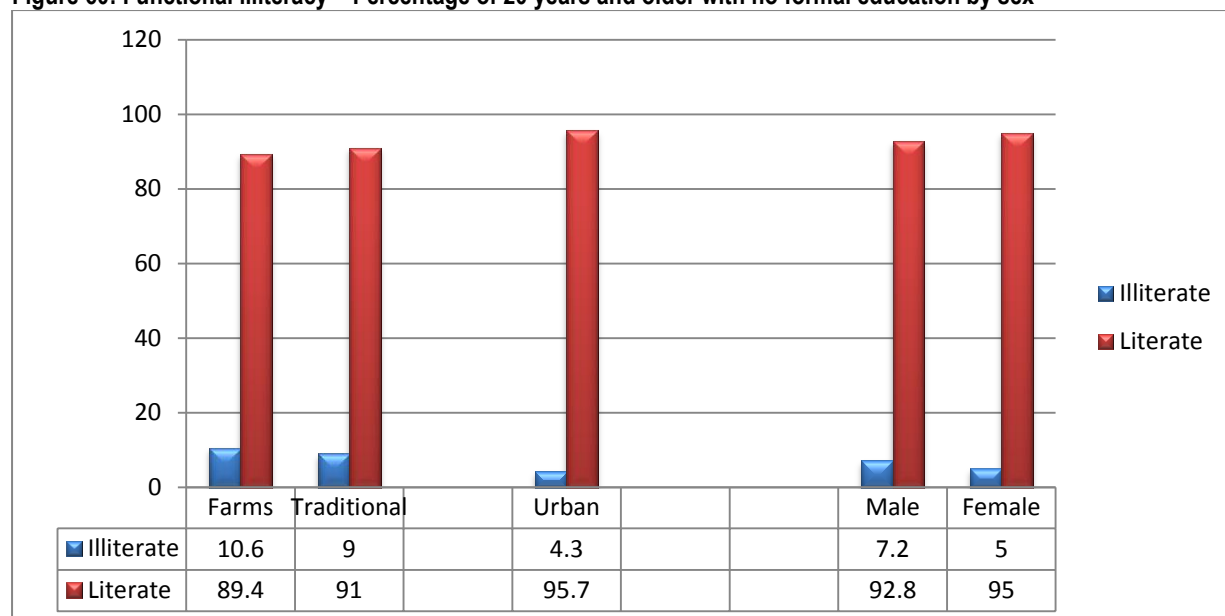


Source: StatsSA

The figure above indicates that the percentage of individuals over the age of 20 years who could be regarded as functionally illiterate has declined from 28.5% in 2002 to 13.7% in 2017. Between 2002 and 2017, the prevalence of functional illiteracy in the age group 20–39 years declined noticeably for both men (17.1% to 6.0%) and women (15.8% to 3.5%). With the exception of women in the age group 20–39, women remain more likely to be functionally illiterate across all age groups. The difference

between men and women has, however, declined significantly over time. Although a higher percentage of women (44.7%) than men (37.6%) over the age of 60 years were functionally illiterate in 2017, the difference has declined in each successive descending age group, to the point that, in 2017, a smaller percentage of women (3.5%) in the age group 20–39 were functionally illiterate than their male peers (6.0%) (2017 General Household Survey, StatsSA, 2018).

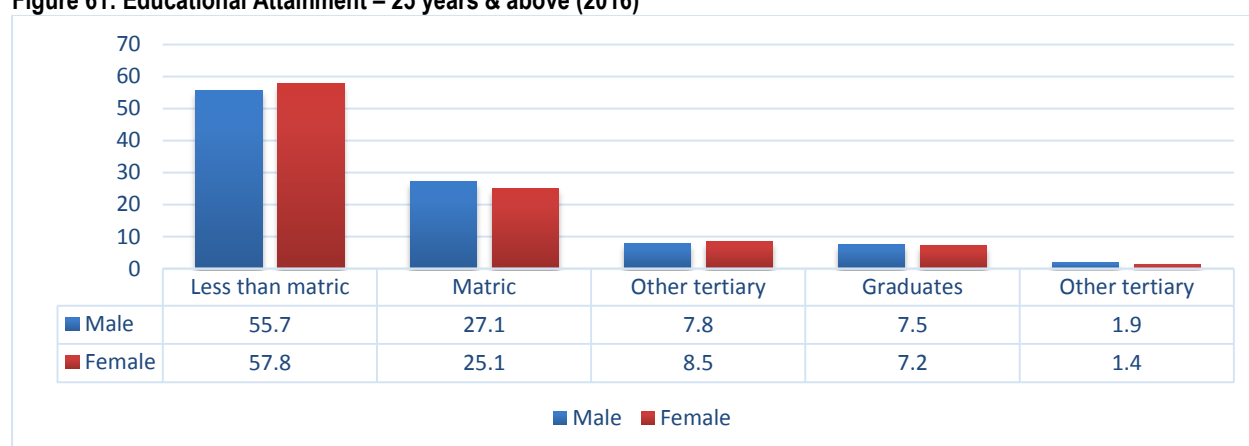
Figure 60: Functional illiteracy – Percentage of 20 years and older with no formal education by sex



Source: Statistics South Africa, 2016

The above figure shows that youth literacy rates differ by geographical type and gender. Youth literacy rates are much higher in urban areas (95.7%) compared to traditional areas (91%). The proportion of illiterate youth is higher in farm areas (10.6%). Close to 93% of male and 95% of female youth are literate. By 2016 females (youth) were more literate compared with male youth (Statistics South Africa, 2016).

Figure 61: Educational Attainment – 25 years & above (2016)



Source: StatsSA

In 2016, slightly more females than male had educational attainment below matric. There seems to be an almost even distribution for graduates and those with other tertiary qualifications.

Ensuring access for all girl children to early childhood development

Evidence attests to the significant dividends of the early years for human development and to the need for investing resources to support and promote optimal child development from conception. Lack of opportunities and interventions, or poor-quality interventions, during early childhood can significantly disadvantage young children and diminish their potential for success. Access to childcare is also important for women empowerment because where childcare is not available outside the family, it is usually the female members of the household who are responsible for this task. Statistics shows that the majority of children aged 0 to 4 years stay at home with parent or guardians. The 2017 General Household survey results shows that about 50,2 % of the those aged 0-4 stay at home with a parent or guardian and only 36.9% attends grade R, Pre-school, nursery school, crèche, and educare centres (Statistics South Africa: 2017 General Household Survey, June 2018).

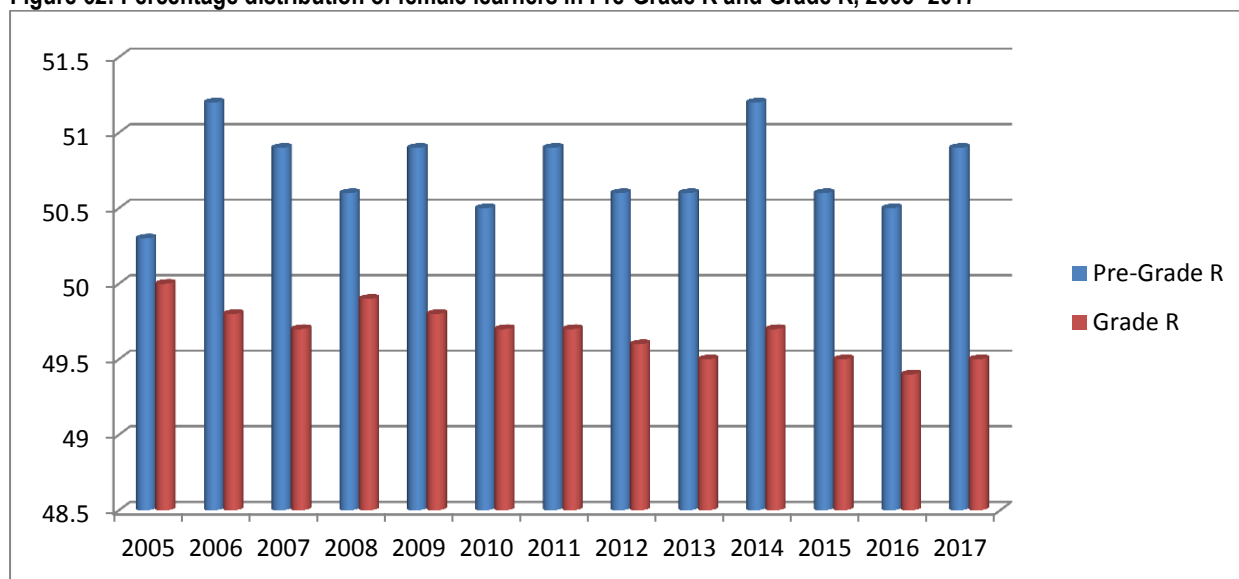
South Africa has made access to comprehensive early childhood development (ECD) programmes a very important educational priority. The significance of ECD is also underscored in the National Development Plan – Vision 2030. To this end, the National Integrated Policy for Early Childhood Development (ECD) was approved in December 2015. This Policy is aimed at transforming early childhood development service delivery in South Africa, in particular to address critical gaps and to ensure the provision of a comprehensive, universally available and equitable early childhood development services. The Policy covers the period from conception until the year before children enter formal school or, in the case of children with developmental difficulties and disabilities, until the year before the calendar year they turn seven (7), which marks the age of compulsory schooling or special education.

The President of the Republic further emphasised the importance of ECD during the 2019 State of the Nation Address when he announced that government will introduce two years of compulsory ECD for all children before they enter Grade 1.

In 1996 there were 10.1 million children aged 5-15 years in South Africa of whom more than half were girls and of whom 79% were attending school. In 1996, 23% of 5-year-old girls were attending school compared to 22% of 5-year-old boys. In 1996 both 15-year-old girls and boys were attending school at a similar rate (93%). By 1996 rural children started their schooling at a later age than urban children (between the age of six and fifteen years a higher proportion of urban children were attending school compared to rural children²⁶²).

²⁶² Statistics South Africa: 2001: Education in SA <http://www.statssa.gov.za/publications>

Figure 62: Percentage distribution of female learners in Pre-Grade R and Grade R, 2005 -2017

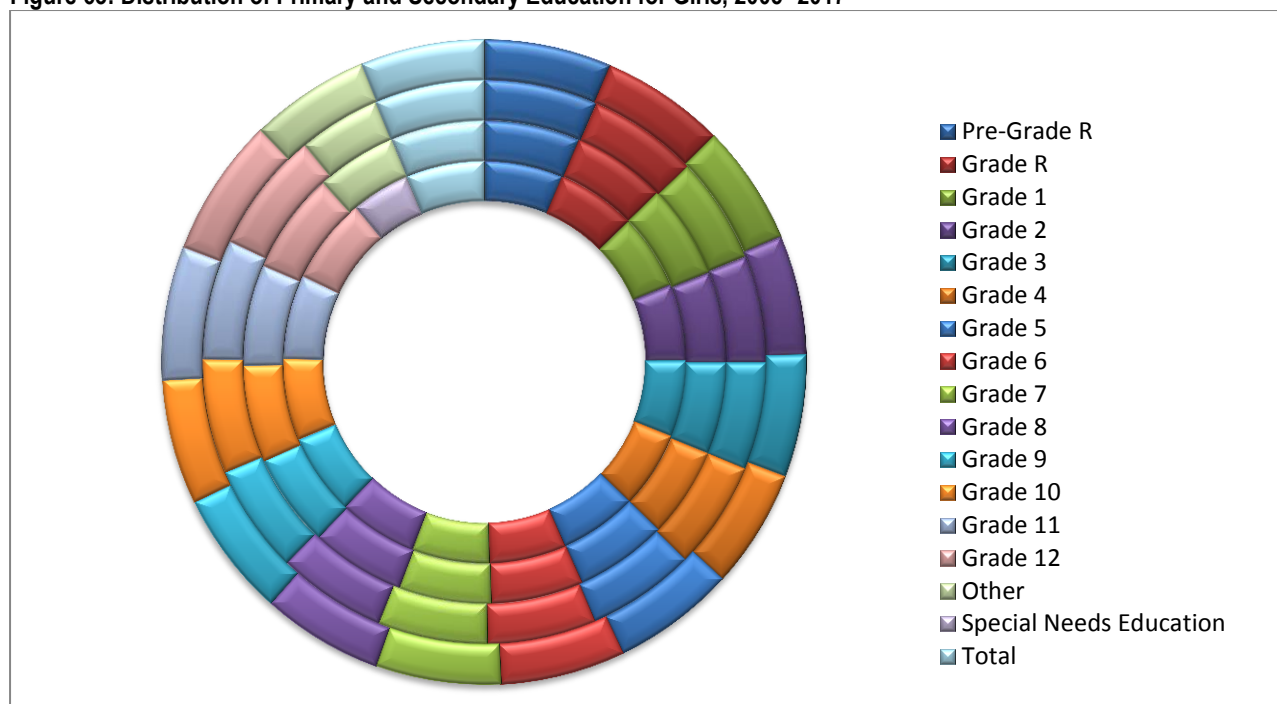


Source: School Realities, DBE: 2005 -2017.

The figure shows that whilst the distribution of female learners in Pre-Grade R remained fairly constant between 2005 (50.3%) and 2017 (50.9%), female learners in Grade R showed a slight decline from 50% in 2005 to 49.5% in 2017²⁶³. Policy measures aimed at increasing participation at early childhood development are beginning to bear fruit. However, in 2015, early childhood development phase education reached only about 39% of the eligible population.

Ensuring universal primary and secondary education for girls

Figure 63: Distribution of Primary and Secondary Education for Girls, 2005 -2017



²⁶³ Department of Basic Education: 2017: School Realities - 2005 - 2017

The figure above illustrates that the enrolment of female learners in Grade 1 remained consistent in 2005 (47.8%) and 2017 (47.6%). The enrolment of female learners in Grade 12 in 2005 (54.5%) and 2017 (55.4%) shows same consistency, with a slight increase in 2017. However, in 2005, 2011, 2014 and 2017 there were more female learners enrolled in Grade 11 and 12 compared with male learners. For the period 2005, 2011 and 2014 (Grade 10) more female learners enrolled compared with male learners. According to the DBE, in 2017 there were overall more male than female learners in the national schooling system, with more females than males in the Secondary Phase. In 2017, the lowest percentage of female learners in ordinary schools nationally was in Grades 1 and 4 (47.6%) and the highest percentage was in Grades 11 (53.5%) and Grade 12 (55.4%).

Table 25: Number of learners in ordinary public and independent schools by gender, phase and grade: 2000, 2017

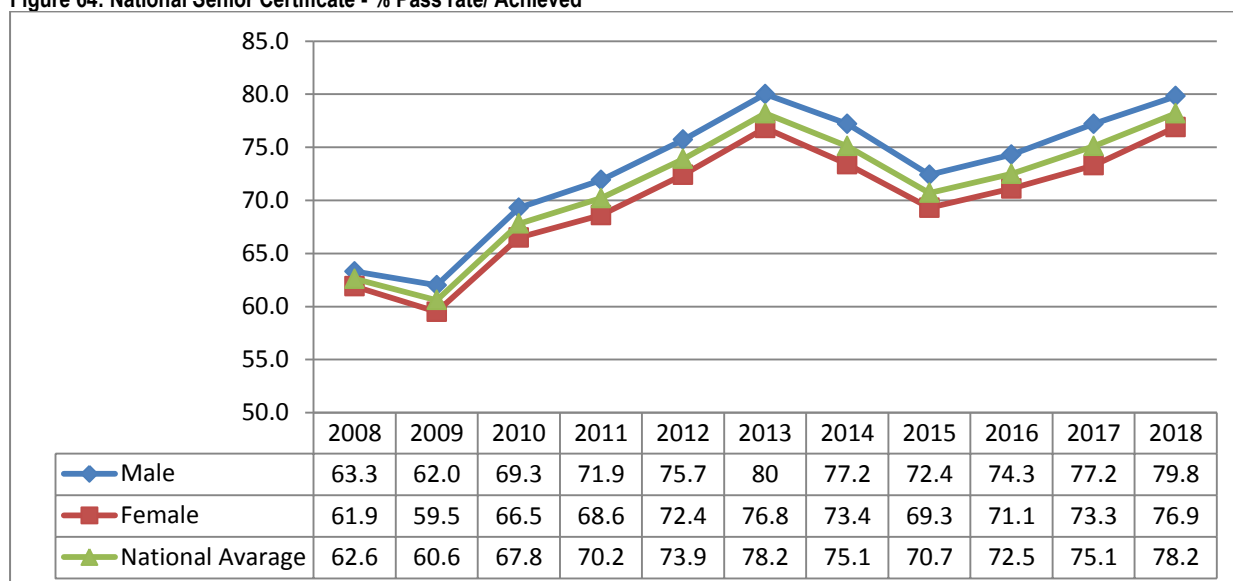
Gender	Year	Total Pre - Primary Phase	Total Primary Phase	Total Secondary Phase	Total Other	Grand Total Grade 1-12	Grand Total
Female	2000	137 254	3 683 321	2 156 872	12 565	5 840 193	5 991 012
Male	2000	136 245	3 844 574	1 915 598	16 026	5 760 172	5 912 443
	2017	Pre-Grade R	Foundation Phase	Intermediate Phase	Senior Phase	Total GET Band (Intermediate & Senior Phase)	Total
Female	2017	11 543	2 074 137	1 537 137	1 376 402	4 987 676	
Male	2017	11 137	2 217 844	1 618 312	1 413 245	5 248 401	

Source: DoE Stats at a Glance, 2000; School Realities, 2017

There is a trend observed in how learners from both sexes (figure above) moves through the schooling system. In 2005, 10.1 % of learners enrolled for Grade 1 and by 2017, 5.1% of learners enrolled for Grade 12. According to the DBE Macro Report (2011) repetition in primary schools in South Africa was high (7%) compared to the average level of repetition in primary schools in developing countries (5%) and developed countries (less than 1%). Male learners tend to repeat much more than female learners.

Ensuring completion of secondary education for girls

Figure 64: National Senior Certificate - % Pass rate/ Achieved



Source: Department of Basic Education

The figure above compares the percentage pass rate for male and female learners for the National Senior Certificate since 2008. The trend line shows higher pass rate for males compares to females over time. Female learners' results have been below the national average over the past 12 years.

Performance in Mathematics and Physical Science

The number of female learners who wrote Mathematics and Physical sciences over the period of three years has been higher than the number of Male learners. However, the performance of male learners is better than that of female learners in both Mathematics and Physical science over the four-year period in terms of percentage as seen the graph below.

Figure 65: National Senior Certificate Maths & Science pass rate - 30% and above

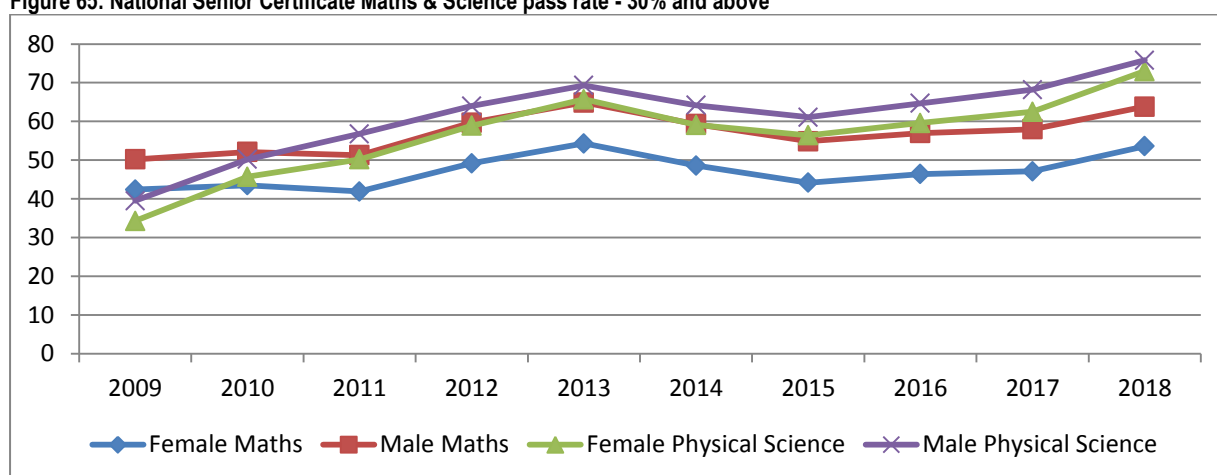


Table 26: Progress and Completion in Education, primary transition, by gender, 2015 – 2016

	Total	Male	Female	Year
School life expectancy (ISCED) 1-8 years	13.67	13.3	14.04	2016
Percentage of repeaters in primary school	8.79	10.66	6.8	2016
Survival to last grade of primary	79.7	70.62	90.25	2015
Gross intake ratio into the last grade of primary	81.67	81.06	82.29	2016
Primary to secondary transition	95.77	93.43	98.19	2015

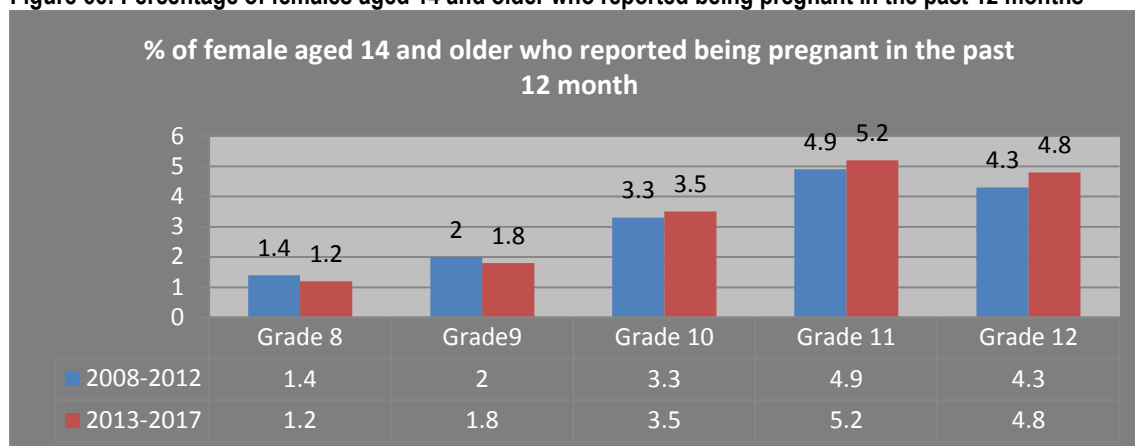
Source: Education and Literacy, South Africa. Website: UNESCO²⁶⁴.

The table shows that by 2015 more females transitioned from primary to secondary school as compared with male counterparts. By 2016, 6.8% of repeaters in primary school were female learners compared with 10.66% of male learners. According to Statistics South Africa, the completion of grade 12 by population aged 15 and more has increased from an estimated 3.7 million in 1996 to 11.6 million in 2016²⁶⁵.

²⁶⁴ UNESCO: <http://uis.unesco.org>

²⁶⁵ Statistics South Africa: 2016:Education Series Volume III

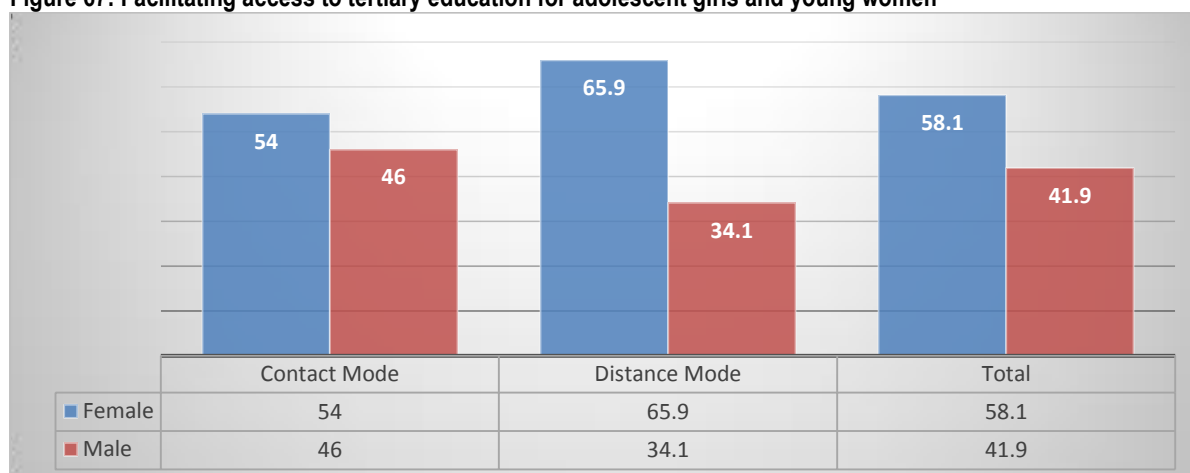
Figure 66: Percentage of females aged 14 and older who reported being pregnant in the past 12 months



Source: General Household Survey, Focus on Schooling 2017.

The figure shows that whilst there has been an increase in learners reported being pregnant from 2008 to 2017, there has been a decline in learner pregnancy in Grade 8 and Grade 9. There has been an increase in learners reported being pregnant in Grade 10 from 3.3% to 3.5% and Grade 11 from 4.9% to 5.2% and Grade 12 from 4.3% to 4.8%.

Figure 67: Facilitating access to tertiary education for adolescent girls and young women



Source: StatsSA

Evidence shows higher female enrolment in institutions of higher learning. More than half of the students enrolled in public higher education institutions in 2016 were women (58.1%), while 41.9% were men. Female student enrolment was higher than that of males for both the contact as well as distance mode of learning. A larger gender disparity was observed for distance mode of learning where almost two thirds of students were females (65.9%) compared to just over a third of males (34.1%) enrolled through this mode of learning.

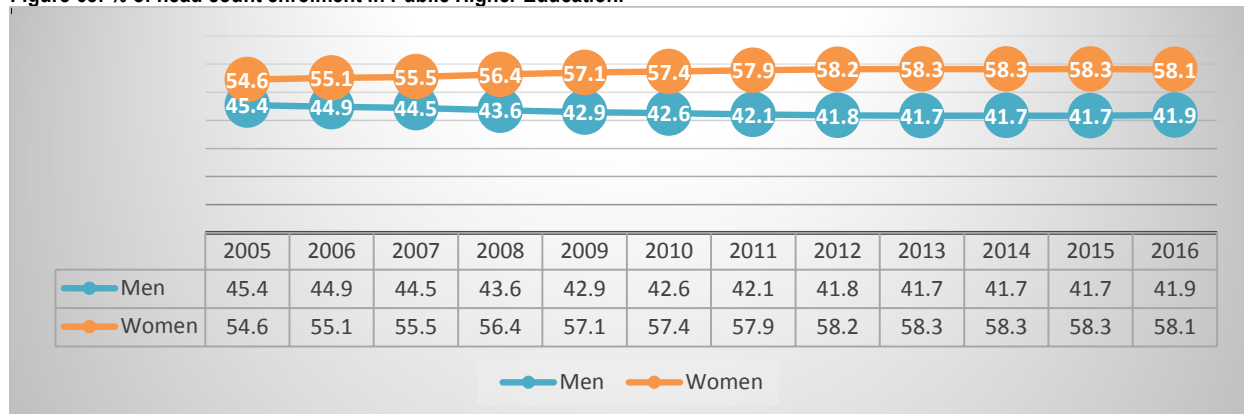
Table 27: HEI Enrolments, 2016

Population group	Contact		Distance		TOTAL		
	Female	Male	Female	Male	Female	Male	Total
African	242 678	209 000	165 530	84 266	408 208	293 266	701 482
Coloured	25 798	17 291	12 654	6 217	38 452	23 508	61 963
Indian/Asian	16 605	13 850	13 514	6 481	30 119	20 331	50 450
White	55 429	49 610	29 985	17 463	85 414	67 073	152 489

Unspecified	4 018	3 703	908	816	4 926	4 519	9 453
Total	344 528	393 454	222 591	115 243	567 119	408 697	975 837

The majority of students enrolled in public higher education institutions were Africans (71.9% or 701 482), followed by white students (15.6% or 152 489), coloured students (6.3% or 61 963) and Indian/Asian students (5.2% or 50 450). The gender differences were higher within the African population; where 114 942 more female students were enrolled compared to males. Lower gender differences were recorded for Indian/Asian, coloured and white students.

Figure 68: % of head count enrolment in Public Higher Education.



Source: StatsSA

Table 28: Head Count Enrolments 2011-2016

Head Count enrolments 2011-2016 (Vital Stats - public higher Education 2016; Council for Higher Education, 2018)												
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Men	334 030	332 662	338 549	348 814	359 580	380 353	395 116	398 368	409 988	404 365	410 523	408 697
Women	401 042	408 718	422 535	450 651	478 175	512 570	542 997	554 840	573 698	564 784	574 677	567 119
Total	735 073	741 380	761 090	799 490	837 779	892 943	938 200	953 373	983 698	969 154	985 212	975 837

Source: StatsSA

The gender distribution in South African higher education has changed since 2001. Women accounted for 54% of the total headcount enrolment in 2001, 55% in 2005 and 58% in 2011 when 542 997 women were enrolled in the public higher education. However, the graph above indicates that the gender distribution in South African higher education has not changed significantly over the past six years. In 2011 there were 542 997 women enrolled in the public higher education section, which constituted 58% of the total headcount enrolment for that year. Women still accounted for 58% of the total headcount enrolment in 2016.

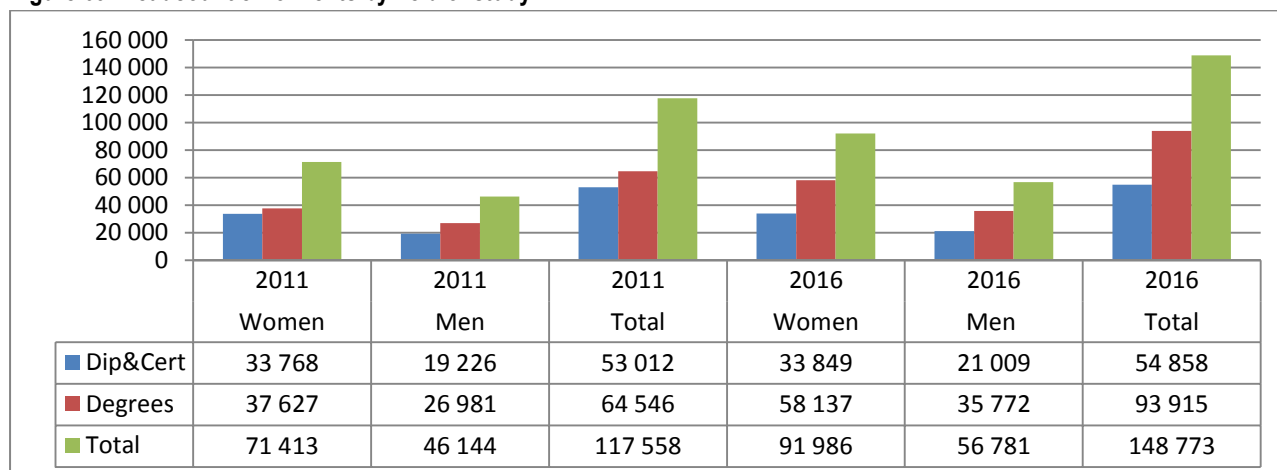
Table 29: Headcount enrolments by field of study

Headcount enrolments by Field of Study								
	2011				2016			
	Women	%	Men	%	Women	%	Men	%
Business & Commerce	162 688	30,0	125 796	31,8	147 931	26,1	117 001	28,6
Education	122 295	22,5	42 580	10,8	131 549	23,2	45 434	11,1
Humanities	139 592	25,7	80 718	20,4	151 119	26,6	87 407	21,4
Science Eng. & Tech	118 421	21,8	146 022	37,0	136 520	24,1	158 854	38,9
Total	542 997	100	395 116	100	567 119	100	408 697	100

Source: StatsSA

Although the gendered inequalities and context in education have greatly changed in recent years with women outnumbering men, fields of study taken by girls and boys continue to mirror gender-typical patterns. The enrolment trend for the two years indicates higher enrolment in Business & Commerce and Humanities for women while higher enrolments for men were in Science, Engineering & Technology and Business & Commerce filed for both 2011 and 2016.

Figure 69: Headcount enrolments by field of study



Source: StatsSA

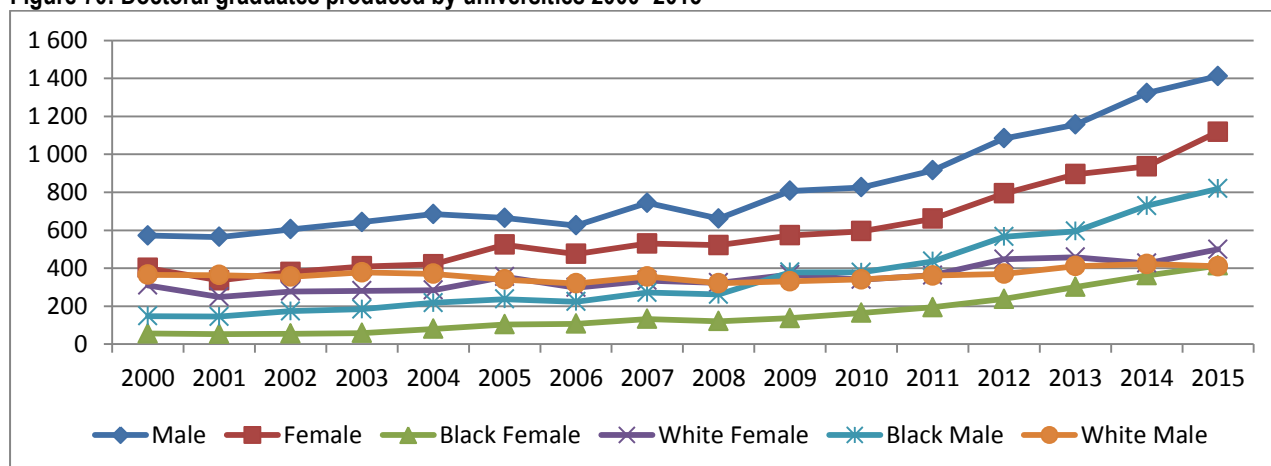
Table 30: Head Count of Post-graduate qualifications awarded

	2011					2016				
	Women	%	Men	%	Total	Women	%	Men	%	Total
Dip & Cert	33 768	63.7	19 226	36.3	53 012	33 849	61,7	21 009	38,3	54 858
Degrees	37 627	58.3	26 981	41.7	64 546	58 137	61,9	35 772	38,1	93 915
Total	71 413		46 144		117 558	91 986		56 781		148 773
PG up to Hons	20 191	63,5	11 588	36,5	31 780	24 565	63,6	14 077	36,4	38 644
Masters	4 683	48,3	5 016	51,7	9 699	6 569	51,1	6 292	48,9	12 862
Doctoral	665	41,9	921	58,0	1 587	1 182	42,3	1 614	57,7	2 797
Total	25 539		17 525		43 066	32 316		21 983		54 303

Source: Vital Stats 2016- Public Higher Education; Council for Higher Education

The table above indicates higher number of women awarded Diplomas, certificates, Under-graduate degrees up to Honours Degrees. However, the trend changes from Masters and Doctoral degrees for both years in favour of men. About 58.3 % of those who were awarded degrees in 2011 were women while 58% of those awarded Doctoral Degrees where men in the same period. Approximately 62% of those awarded degrees in 2016 were women while about 58% of those awarded Doctoral degrees in the same period were men (Vital Stats 2016- Public Higher Education; Council for Higher Education).

Figure 70: Doctoral graduates produced by universities 2000 -2015



Source: StatsSA

One of the proposals set out in the NDP, Vision 2030 is that South Africa needs to produce more than 100 doctoral graduates per million per year by 2030. To achieve the target of 100 per million per year, South Africa needs more than 5 000 doctoral graduates per year. In 2016, South Africa produced 2797 Doctoral graduates. While women constitute about 52% of the population, only 42.3 of the doctoral graduates produced in 2016 are women. While the trend line above shows an increase in the number of doctoral graduates produced annually, it also indicates that fewer women are doctoral graduates. Factoring the gender elements, black women are still under represented while black men seem to be more advantaged.

Table 31: Headcount graduates by field of study, by sex 2011 and 2016

Headcount graduates by Field of Study								
	2011				2016			
	Women	%	Men	%	Women	%	Men	%
B&C	24 835	25,6	19 323	30,3	32 218	25,9	24 144	30,7
EDU	28 284	29,2	9 594	15,1	32 056	25,8	10 051	12,8
HUM	21 067	21,7	11 415	17,9	30 057	24,2	15 419	19,6
SET	22 765	23,5	23 334	36,6	29 971	24,1	29 150	37,0
Total	96 952	100,0	63 669	100,0	124 302	100,0	78 764	100,0

Source: (Vital Stats 2016- Public Higher Education; Council for Higher Education)

Overall, women outnumber men in the number of graduates but sex segregation in fields of study persists. This could be a reflection of persistent gender stereotypes which still remain strong. In line with the enrolment trend, majority of men who graduated in 2016 were in the field of Science, Engineering and Business and Commerce, while there was no significant difference across the different field of study on women who graduated in the same period. However, the least number of women graduates for 2016 were in the field of Science, Engineering and Technology (Vital Stats 2016- Public Higher Education; Council for Higher Education).

Education Funding

Government introduced the National Student Financial Aid Scheme (NSFAS) as Government's key institution for supporting poor and working-class students to access higher education opportunities. The National Student Financial Aid Scheme (NSFAS) was established in terms of the NSFAS Act (Act 56 of 1999), as amended. In terms of the Act, NSFAS is responsible for the allocation of student financial aid

funds to the 26 public universities and 50 Technical and Vocational Education and Training (TVET) colleges and for the administration of loans and bursaries to students at these public institutions. The Act also mandates the entity to recover student loans and to raise funds for student loans and bursaries. In addition to managing funds granted by the Department, NSFAS administers funding on behalf of the Department of Basic Education, the Department of Social Development and National Skills Fund amongst other national and provincial government departments. Statistics on Post-School Education and Training in South Africa, 2016, Department of Higher Education and Training; March 2018).

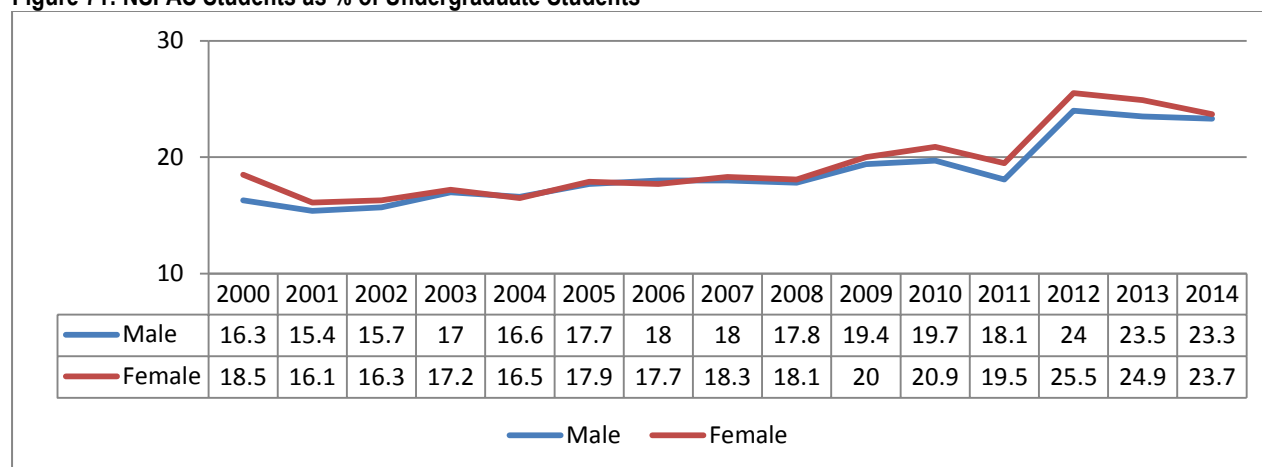
Table 32: Number of students supported at Public Universities, by sex 2002 to 2014

No. of NSFAS Supported Students at Public Universities (Undergraduate Students)													
Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Male	38766	44414	45454	48083	48787	49991	50639	56785	60839	57903	77802	77969	76322
Fem	47381	52138	53359	58769	59629	63625	67127	78417	87548	86854	116,702	116,954	109,829

Source: Investment Trends in Post Education and Training in South Africa, March 2018

Slightly higher proportion of female students compared to males benefitted from the National Students Financial Aid Scheme bursaries/loans throughout since 2000. The number of female students who received NSFAS loans/bursaries increased from 46 621 in 2000 to 109 829 in 2014 while the number of Male students increased from 36 630 in 2000 to 76 322 in 2014 (Investment Trends in Post Education and Training in South Africa; DHET, 2018). In 2016, some 130 297 female and 95 653 male students received loans/ bursaries from the NSFAS (Statistics on Post-School Education and Training in South Africa: 2016; DHET, 2018).

Figure 71: NSFAS Students as % of Undergraduate Students



Source: (Investment Trends in Post-School Education and Training in South Africa, DHET, March 2018)

The table above shows that in 2014, 109 829 female students (23.7%) were NSFAS beneficiaries, compared to 76 322 male students (23.3%). The larger number of female students supported largely reflects the fact that there are more women at universities than men. The female share of head count enrolments grew at the same rate as the female share of NSFAS beneficiaries between 2000 and 2014, thus women were no more likely to receive NSFAS relative to men in 2014 than they were in 2000. The gender shares of NSFAS beneficiaries should therefore be viewed as a reflection of the gender shares of undergraduate students. (Investment Trends in Post-School Education and Training in South Africa, DHET, March 2018).

Figure 72: Funza Lushaka Bursary

No of Students who enrolled in Education Field				No of Students who received Funza Lushaka bursary and percentage against enrolment				
Female	Male	Total		Female	%	Male	%	Total

2011	122 296	42 580	164 939	6 115	5,0	2 778	6,5	8 893
2012	125 950	42 511	168 608	8 071	6,4	3 631	8,5	11 702
2013	129 736	43 255	172 991	9 912	7,6	4 561	10,5	14 473
2014	124 636	41 462	166 099	9 570	7,7	4 758	11,5	14 328
2015	128 130	42 417	170 550	8 986	7,0	5 040	11,9	14 026
2016	131 550	45 434	176 986	8 781	6,7	5 355	11,8	14 136

Source: (Investment Trends in Post-School Education and Training in South Africa, DHET, March 2018).

The table above shows an increase in the number of students who received the Funza Lushaka bursary from 8 893 in 2011 to 14 136 in 2016. Similarly, to the NSFAS loans and bursaries higher number of female students supported largely reflects the fact that there are more female students enrolled in the education field than men. The percentages of bursary awarded against the enrolment figures are biased in favour of male students.

Promoting skills development for women

Sector Education and Training Authorities (SETAs) are established in terms of Section 9 of the *Skills Development Act, 1998 (Act No. 97 of 1998)*. There are currently 21 SETAs within the levy grant system. SETAs are required to implement their Sector Skills Plans (SSPs) by facilitating the delivery of improved industries' sector-specific skills in order to contribute to the goals of the National Skills Development Strategy (NSDS). They are expected to ensure that intermediate and high-level skills are developed among both workers as well as unemployed persons. SETAs support workplace-based education and training through Learnerships, Internships and Skills Programmes. SETAs perform their functions in accordance with the Skills Development Act, the Skills Development Levies Act and their respective Constitutions (Statistics on Post-School Education and Training in South Africa: 2016; DHET: 2018).

Table 33: Proportion of registered and certificated learners by gender, 2011/2012-2016/2017

	Registered							Certificated								
	Learner-ships		Intern-ships		Skills Programmes		Total Registered		Learner-ships		Intern-ships		Skills Programmes		Total certificated	
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
2011/12	26	12	2	1	47	39	75	54	15	12	446	396	49	36	65	50
2012/13	232	438	002	250	469	849	794	537	766	835			015	987	227	218
2013/14	27	22	3	1	46	27	78	51	18	16	1	948	54	38	65	56
2014/15	986	389	860	867	243	465	089	721	950	907	163		840	574	953	429
2015/16	47	25	5	1	52	39	106	66	20	16	1	1	59	48	81	66
2016/17	742	327	772	645	729	779	243	751	561	366	355	035	155	987	071	388
2011/12	40	32	8	3	79	51	128	88	22	18	1	1	59	44	83	64
2012/13	524	802	164	534	970	890	658	226	081	408	978	596	617	874	676	878
2013/14	49	38	5	5	66	54	122	97	23	19	1	1	67	56	93	76
2014/15	993	287	698	391	740	253	431	931	827	208	776	365	556	389	159	962
2015/16	50	50	9	7	72	58	132	116	30	28	3	2	64	51	98	82
2016/17	665	782	897	319	403	614	965	715	075	005	788	989	912	229	775	223

Source: (Investment Trends in Post-School Education and Training in South Africa, DHET, March 2018).

The proportion of female learners registered and certificated for SETA-supported learning programmes has been consistently higher than that of male learners since 2011/12. The gender gap was more pronounced in registrations for internships during the 2013/14 financial year, where females were 3.5 times likely to register for internships compared to males (Statistics on Post-School Education and Training in South Africa: 2016; DHET: 2018).

Major gender differences were observed during the 2014/15 financial year, where 40 432 more female learners registered for SETA-supported learning programmes and 18 798 more female learners were certificated compared to males. The gender gap narrowed down during the 2016/17 financial year, with registrations and certifications between males and females differing by just over 16 000 (Statistics on Post-School Education and Training in South Africa: 2016; DHET: 2018).

FREEDOM FROM VIOLENCE, STIGMA AND STEREOTYPES

This section of the report seeks to provide the progress made against: (i) Critical Area D on Violence against Women; (ii) Critical Area I on Human Rights of Women; (iii) Critical Area J on Women and the Media and (iv) Critical Area L on the Girl Child, as outlaid in the Beijing Platform for Action. It furthermore seeks to respond to the UN Women Guidance Note – Section 2, Questions 13-18.

Over the last five years, South Africa prioritised addressing all forms of violence against women and girls with particular focus on rape and sexual offences; femicide and intimate partner violence especially of young women and sexual harassment especially in schools.

Some of the actions the country prioritized in the last five years to address violence against women and girls focused on enforcement and implementation of legislation and policies to address violence against women and girls, hosted a Presidential National Summit on Ending Gender Based Violence and Femicide; initiating a National Strategic Plan to address gender based violence and femicide as well as reviewing the National Action Plan 2013-2018 on Addressing Gender Based Violence. Government also established an Inter-Ministerial Task Team on Addressing the Root Causes of Violence against Women and Children; and measures specifically tailored to address violence against specific groups of women facing multiple forms of discrimination such as gay and lesbian women experiencing rape and brutal killings as “corrective” measures by men.

Some of the strategies that the country used in the last five years to prevent violence against women and girls centred on public awareness raising, changing attitudes and behaviours, undertaking national dialogues across the country, community level mobilisation, working with men and boys especially in the religious and traditional leadership sectors and increasing media attention on the atrocities committed by gender based violence. The country has also focused on actions to prevent and respond to violence against women and girls facilitated by technology (online sexual harassment, online stalking, non-consensual sharing of intimate images).

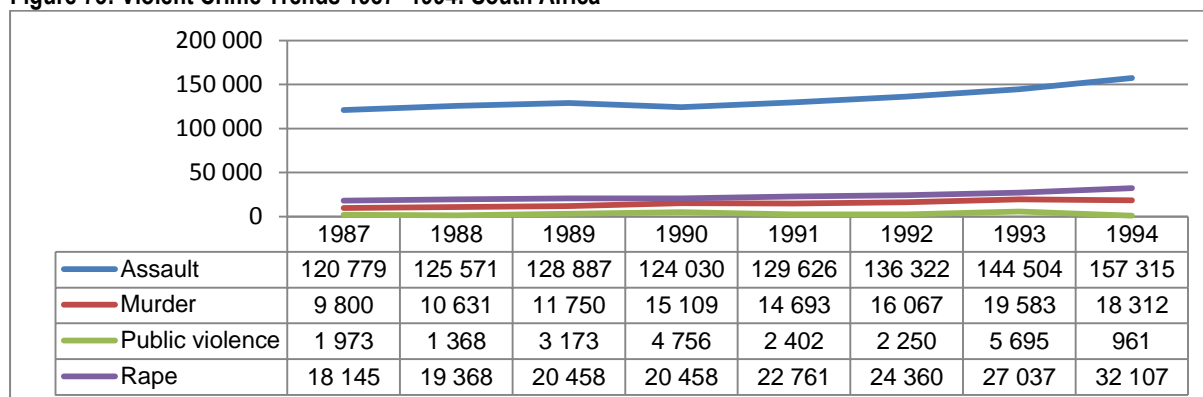
The section that follows illustrates in detail, using data and statistics the efforts of the South African Government in addressing violence against women and girls as well as gender based violence.

South Africa’s first democratic government pledged to respect human rights and uphold the rule of law and was legally committed to the achievement of full equality for women. At the highest policy-making levels government specifically expressed a commitment to addressing the problem of violence against women. The RDP (1994) stated that focus should be on “the reconstruction of family and community life by prioritizing and responding to the needs of women and children who have been victims of domestic and other forms of violence.” At this time there were no reliable statistics on the extent of violence against women in South Africa. The 1995 Human Rights Watch Report stated that “what is certain . . . is that South African women, living in one of the most violent countries in the world, are disproportionately likely to be victims of that violence”²⁶⁶.

The figure illustrates certain violent crime trends pre-1994 and during 1994.

²⁶⁶ South African Law Reform Commission: 1999: Research Paper on Domestic Violence, April 1999

Figure 73: Violent Crime Trends 1987 -1994: South Africa



Source: South African Health Review, 1997 (cited from Central Statistical Service: October Household Survey 1995 & CSS Statistical Release, 1996)

Post-1994 the government has sought to address violence against women based on constitutional rights and protections. The Constitution affords women specific protection against all forms of unfair discrimination and states that everyone has the right to be free from all forms of violence from either public or private sources²⁶⁷. South Africa ratified the 1993 UN Declaration on the Elimination of Violence against Women that defined violence against women to mean “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life²⁶⁸.”

The NDP Vision 2030 on crime and safety states: “In 2030, people living in South Africa feel safe at home, at school and at work, and they enjoy a community life free of fear. Women walk freely in the streets and children play safely outside”.

Gender-based violence is a world-wide problem and South Africa, like many other countries, has to pay increasing attention to the social and economic repercussions of this epidemic. Gender-based violence is a major concern to both government and civil society. The 2018 Presidential Summit on Gender-based Violence and Femicide is evidence of the concern and political will to eradicate the root causes of gender-based violence and femicide. The Declaration of the Summit endorses the President’s call to “all South Africans to respond to gender-based violence and femicide, inclusive of the needs of people with disabilities and gender non-conforming people. Government and key stakeholders are now agreed on the need to establish a multi-sectoral, coordinating structure to respond to gender based violence and femicide; to allocate the necessary and adequate resources required; and to develop a national gender based violence and femicide strategy”²⁶⁹.

In 1994, 74% of police stations were located in what had previously been designated as “white” suburbs, placing black women at a disadvantage in terms of accessing services and the ability to report crimes²⁷⁰. Progress since then has been significant. By the end of March 2015, all 1,138 police stations across South Africa were rendering a victim-friendly service to victims/survivors of crime. Victim Friendly Rooms (VFRs) have been established at 989 SAPS service points, including 897 at the 1,138

²⁶⁷ See <https://www.news.uct.ac.za/article/-2015-08-25-what-the-constitution-promises-women> : Prof Waheeda Amien, Dept of Public Law, University of Cape Town.

²⁶⁸ UN Declaration on the Elimination of Violence against Women: 1993: Resolution Adopted by the UN General Assembly 48/104, 1993: Article 1

²⁶⁹ RSA: The Presidency: 2018: Draft Declaration of the Presidential Summit Against Gender-based Violence and Femicide

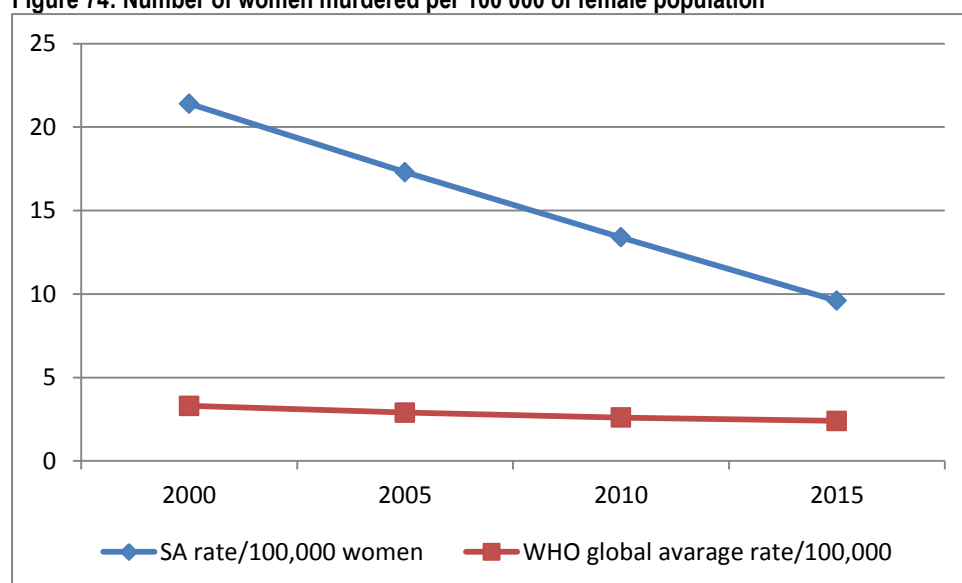
²⁷⁰ Vetten, L.: 2005: Addressing Domestic Violence in South Africa: Reflections on Strategy and Practice: UN Division for the Advancement of Women. <http://157.150.195.10/womenwatch/daw/egm/vaw-gp-2005/docs/experts/vetten.vaw.pdf>

police stations²⁷¹. According to SAPS, in 2018 the 1,146 police stations had 1,049 VFRs, compared to 1,045, in 2016/2017²⁷².

Murder of Women

The World Health Organisation (WHO) estimated that in 2015 the number of women murdered globally per 100,000 of the female population was at 2.4 compared with 3.3 in 2000. According to the South African Medical Research Centre femicide rate in South Africa, the number of women murdered per 100 000 of the female population, was at 21.4 in 2000 compared with 9.6 in 2015. Although this showed a drastic reduction in femicide rates, by 2015, South Africa's rate was still 4 times that of the global average²⁷³. In 2008/2009, 41.6% of female murder victims in South Africa died in incidents related to domestic violence, whereas only 7.1% of male victims were murdered under similar circumstances²⁷⁴.

Figure 74: Number of women murdered per 100 000 of female population



Source: Africa Check, 2017²⁷⁵

The South African Police Service reported that in the 2017/2018 financial year a total of 1,824 life sentences and a total of 7,685 years imprisonment resulted from 2,419 cases prosecuted with 2,270 accused²⁷⁶.

²⁷¹ South African Police Service: 2015: Annual Report 2014/2015.

²⁷² South African Police Service: 2017: Annual Plan 2017/2018.

²⁷³ Ibid

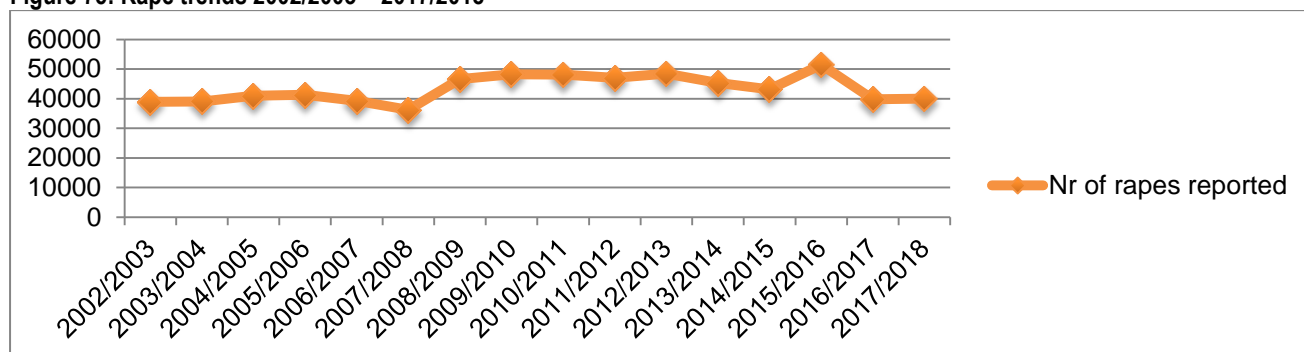
²⁷⁴ South African Police Service: 2009: Annual Report 2008/2009

²⁷⁵ <https://africacheck.org/reports/femicide-sa-3-numbers-murdering-women-investigated>

²⁷⁶ South African Police Service: 2018: Annual Report 2017/2018

Sexual Offences and Rape

Figure 75: Rape trends 2002/2003 – 2017/2018



Source: SAPS²⁷⁷

In 2002/03, there were 38 896 rapes reported to the South African Police Service (SAPS) compared with 40 035 in the 2017/18 financial year, with a decrease in 2007/08 to under 40 000, spiking drastically in 2015/16 to over 50 000 reported cases. In 2016/17, the number of reported cases decreased to 39 828. 98.9% of the victims of rape were females and only 1.1% males²⁷⁸.

By 2016/17 young people were most at risk of being raped and 49.6% of the victims were aged 19 years or younger. A total of 9.1% of the victims were nine years and younger. The age profile of the offenders differs with a large number of the offenders (41.1%) aged between 20 and 29 years, followed by 22.7% aged between 30 and 39 years and 18.4% aged between 10 and 19 years. The majority of very young perpetrators may be imitating the sexual behaviour of adults due to poor living conditions²⁷⁹.

About 72.1% of incidents of sexual offences that occurred when the victim was outdoors were influenced by alcohol or drugs for both victim and perpetrator. It is important to note that 23.3% of sexual offence cases at home were influenced by alcohol or drugs intake by both victims and offenders²⁸⁰.

The exact prevalence of sexual violence in South Africa is unknown. Many acts of sexual violence go unreported, not only to state or private institutions, but often also to the victim's family or friends²⁸¹. Rape in South Africa is therefore significantly under-reported²⁸².

In 2014/15, sexual offences had a 37% under-reporting rate to the SAPS, whilst assault had a 44.9% under-reporting rate²⁸³. According to the Medical Research Council estimates, the number of rapes may be up to nine times that of the reported statistics. With so many sexual violations going unrecorded, and together with the recorded violations being broadly categorized as 'sexual offences', it is difficult to ascertain the true nature and extent of sexual violence in South Africa²⁸⁴. According to a four-province study by Gender Links (2011) high under-reporting of gender based violence to police and health remains a major challenge in the country. The study found that only about one in 25 women have

²⁷⁷ South African Police Service: 2018: Annual Reports: 2002/03 – 2017/18

²⁷⁸ IBID

²⁷⁹ South African Police Service: 2017: Annual Report 2016/17

²⁸⁰ Statistics South Africa: 2016: Crime Statistics Series Volume III: 2014/15

²⁸¹ Sigworth, S.: 2009: An overview of sexual violence in South Africa: CSV

²⁸² Commission for Gender Equality: 2017: 20 Years of Gender on the Agenda Report

²⁸³ Statistics South Africa: 2016: Crime Statistics Series Volume III: 2014/15

²⁸⁴ Sigworth, S.: 2009: An overview of sexual violence in South Africa: CSV

reported gender based violence to the police and even lesser proportions accessed health care, counselling services or shelters²⁸⁵.

There are many barriers to reporting sexual violence in South Africa. These include feelings of shame and self-blame; societal attitudes and discrimination against those who have been victims of sexual violence; community taboos around sexual violence; reluctance towards or threats against reporting a family member or intimate partner; discriminatory police attitudes; and the secondary victimization experienced by sexual assault victims in the criminal justice system²⁸⁶.

Government Measures and institutional mechanisms to address Gender Based Violence

The National Prosecuting Authority (NPA) implemented a flagship programme, *Ke Bona Lesedi* meaning “*I See The Light*” which is based on court preparation and victim impact assessment approach. The approach recognizes the substantial need for such an intervention which is based on research on the Criminal Justice System, victims own articulated needs and the accusatorial system with the impact it has on witnesses giving evidence. The needs of witnesses at court are addressed by the “*Ke Bona Lesedi*” Court Preparation Programme (2001) through which services are rendered by dedicated court preparation officers based in courts throughout the country²⁸⁷.

Government established the Thutuzela Care Centre’s (TCC) model, which was coordinated through the Sexual Offences and Community Affairs (SOCA) Unit in the NPA²⁸⁸. These centres are located in public hospitals where they offer a 24-hour one-stop service to victims/survivors of gender based violence. Each centre is linked to a sexual offences court. Services offered include initial reception of the victim; history-taking and a medico-legal examination; prophylaxis and treatment for pregnancy and sexually-transmitted infections; bath/ shower, refreshments and a change of clothing; and transport home or to place of safety, referral and follow-up support²⁸⁹.

Each TCC is meant to be staffed, at the least, by a case manager, victim assistance officer and site coordinator, counsellors, trained detectives and officers competent to take statements and emergency medical service personnel able to transport victims. The Centres currently provide services primarily to victims of sexual offences and to children more than women. They generally do not provide services to victims of domestic violence. Assessments suggest that some centres provide noticeably better services than general health facilities, while others do not²⁹⁰. By 2016, there were 55 TCCs in South Africa²⁹¹, with plans to establish more. ²⁹².

The first ten years of democracy is marked with policy development to address gender-based violence. The National Crime Prevention Strategy of 1996 established crimes against women and children as a national priority. The National Policy Guidelines for the handling of Victims of Sexual Offences (1998) and the Policy Framework for Shelters for Victims of Domestic Violence (2003)²⁹³ were central policies

²⁸⁵ Gender Links: 2011: GBV Indicators Research Project Report

²⁸⁶ Sigworth, S.: 2009: An overview of sexual violence in South Africa: CSV

²⁸⁷ National Prosecuting Authority: 2015: Ke Bona Lesedi Court Preparation Component, NPS Court Preparation and Victim Impact Statement Strategic Document

²⁸⁸ National Prosecuting Authority (NPA)

²⁸⁹ Department of Social Development: 2016: Comprehensive Report on the Review of the White Paper for Social Welfare, 1997

²⁹⁰ IBID

²⁹¹ National Prosecuting Authority (NPA)

²⁹² Department of Social Development: 2016: Comprehensive Report on the Review of the White Paper for Social Welfare, 1997

²⁹³ These guidelines are applicable to police officers, health workers, prosecutors, social workers and lay counsellors, as well as parole boards and institution committees of the Department of Correctional Services

that marked government's commitment to eradicate violence against women. Family courts²⁹⁴, TCCs²⁹⁵ and specialist sexual offences courts also mark governments' achievements towards addressing gender based violence²⁹⁶.

By 2005, there were 74 specialised sexual offences courts established in the country. These courts resulted in more cases being finalised, an improved handling of victims, improved cycle times and improved convictions. The first pilot project of the Specialised Sexual Offences Courts in 1993 proved to be a huge success as it maintained the conviction rate of up to 80% over a period of one year. These courts were also an intervention mechanism against the secondary victimisation experienced by victims when they engaged with the criminal justice system. In 2003 the conviction rate for rape in all regional courts was 42% whereas the conviction rate for rape in Sexual Offences Courts was 62%. In 2005 a study by the NPA SOCA Unit found that the performance of the country's first Sexual Offences Court had the highest conviction rates, enrolled the most cases and finalised the most cases. The study further reported a reduction in turnaround time from the date of report to the finalisation of the case. In 2009 the SOCA Unit reviewed conviction rates at the Baragwanath TCC's in Gauteng that feeds into the Soweto Court which had at least three courts dedicated to sexual offences. The findings indicated that in 2005 these courts achieved conviction rates of between 65% and 73%²⁹⁷.

The decline of specialised sexual offences courts commenced in 2005 following a ministerial review to determine their effectiveness and sustainability and a revision of the terms of reference for the establishment of Sexual Offences Courts. This was interpreted to mean that a moratorium was imposed on the further roll-out of Sexual Offences Courts. In 2006 the Case Flow Management for lower courts was developed. In response to this policy, several Sexual Offences Courts became dedicated Sexual Offences Courts with mixed rolls. The conviction rate for Baragwanath TCC's in Gauteng that feeds into the Soweto Court that had at least three courts dedicated to sexual offences was 78% in 2007. These courts closed in 2008. The conviction rate dropped to 67% after closure. In addition, the cycle times increased after closure from 8.5 months to 13 months. By 2012, Sexual Offences Courts were no longer dedicated to sexual offences and remaining sexual offences courts were struggling with magistrates rotating²⁹⁸.

Parliament raised numerous concerns regarding the demise of Sexual Offences Courts in South Africa. These concerns were caused by the media focus on the unacceptable high rate of sexual violence perpetrated against women, children, and persons with disabilities, older persons and especially certain marginalised groups such as the LGBTI community and persons with disabilities. The United Nations Committee on the Convention on the Elimination of Discrimination against Women (CEDAW) levelled severe criticism in January 2011 in response to the 'closure' of the Sexual Offences Courts, since these courts had been recognised as an international best practice. In May 2012, in response to these concerns, the Minister of Justice and Constitutional Development announced his intention to establish a Ministerial Task Team on the Adjudication of Sexual Offences Matters (MATTSO) to investigate the viability of the re-establishment of Sexual Offences Courts in South Africa²⁹⁹. The 2013 findings of the investigation indicated the need for the re-establishment of Sexual Offences Courts in South Africa and the ministerial task team developed a model for sexual offences courts. By 2017/18 a total of 74 courts

²⁹⁴ Family court centres include a divorce court, a maintenance court, Children's court and family violence court. Five such pilot projects have been established in four provinces in South Africa during the first ten years of democracy.

²⁹⁵ These centres act as a 'one-stop shop' for rape-care management, streamlining a network of existing investigative, prosecutorial, medical and psychological services in the hospital where they are located.

²⁹⁶ Vetten, L.: 2005: Addressing Domestic Violence in South Africa: Reflections on Strategy and Practice: CSV

²⁹⁷ Department of Justice & Constitutional Development: 2013: Report on the Re-Establishment of the Sexual Offences Courts

²⁹⁸ Ibid.

²⁹⁹ Ibid.

were operating as sexual offences courts as either a hybrid sexual offences³⁰⁰ court or a pure sexual offences court³⁰¹.

The government launched the 16 Days of No Violence against Women and Children Campaign in 1998. This campaign against gender-based violence became one of the most recognized advocacy campaigns in the country³⁰². During the 16 Days Campaign in 2005 the government embarked on nationwide consultations to facilitate development of the 365 Days National Action Plan to intensify efforts against gender-based violence. This plan was adopted in 2006 at a conference in Kopanong, Johannesburg³⁰³, championed by the then Deputy President of the country, Ms Phumzile Mlambo-Ngcuka.

In 2014 the Department of Women, under the stewardship of the Minister in the Presidency Responsible for Women, Ms Susan Shabangu, launched the #365 Days Campaign; the #CountMeIn as well as the National Dialogues to raise awareness on violence against women and children. The '#CountMeIn' was a social media tool of the campaign for mass mobilization of communities to promote collective responsibility in the fight to eradicate violence against women and children. This campaign has reached faith-based organizations, Media Houses, Trade Unions, Sports fraternity, Private Sector and Civil Society Organizations including the Men's Sector. The national dialogues were aimed at unravelling the root causes of violence against women and why it is not abating despite an unprecedented body of laws in the country and some of the world's best-model institutional mechanisms in place. In 2018/19, the Minister in the Presidency Responsible for Women, Ms Bathabile Dlamini launched the GBV Robot.

The Inter-Ministerial Committee on the Root Causes of Violence against Women and Children was established by Cabinet in May 2012 to develop a comprehensive strategy to deal with the scourge of gender-based violence. It comprises the Ministers of Social Development, Women, Justice and Constitutional Development, Health, Home Affairs, Police and Basic Education. The findings of the research report have led to the development of the South African Integrated Programme of Action Addressing Violence against Women and Children: 2013-2018. This initiative now encompasses a revised programme of action for the period 2019 -2024 to address violence against women, children and vulnerable populations. The programme adopts a public health approach, a child rights and INSPIRE approach, a human rights approach, a participatory approach, a partnership-based approach that is intersectoral and a continuum of services that brings together prevention, response, care and support in a way that allows violence to be eliminated through targeting the cycle of violence³⁰⁴.

Trauma centres and victim empowerment centres have been established across the country, and the outreach of police officers, forensic nurses and role players has been prioritised to ensure that victims of domestic violence and other sexual offences are assisted in humane and sensitive ways and to improve successful prosecutions against the perpetrators.

There are six Khuseleka One-stop victim-centres in place to provide a comprehensive package of care services on a 24/7 basis to those in need. In 2014 the Department of Social Development launched a 24-hour Gender-Based Violence Command Centre, dedicated at providing support and counselling to victims of gender-based violence. The Command Centre uses mobile technology to estimate the

³⁰⁰ A hybrid sexual offences court is defined as a Regional Court dedicated for the adjudication of sexual offences cases in any specific area. It is a court that is established to give priority to sexual offence cases whilst permitted to deal with other cases. A sexual offences court is defined as a Regional Court that deals exclusively with cases of sexual offences.

³⁰¹ Department of Justice & Constitutional Development: 2018: List of Regional Courts upgraded into Sexual Offences Courts by 26 July 2018

³⁰² Department of Women, Children and People with Disabilities: 2014: Review of the Implementation of the 365 Days National Action Plan, unpublished

³⁰³ Department of Women, Children and People with Disabilities: 2014: Review of the Implementation of the 365 Days National Action Plan

³⁰⁴ Department of Women (DOW). Department of Social Development (DSD).

location of a victim, assign the closest social worker in the field to the case, and record and receive continuous feedback on the case. The call centre operates through a toll free number. All these services work towards reducing secondary victimisation. The Command Centre is also an added capacity in the provision of telephonic front-line counselling and psychosocial support to gender based violence victims, broadening the base of service delivery even to the remotest and most underdeveloped areas of the country³⁰⁵.

The Government has enacted legislative reforms, approved progressive policies and implemented programmes that give expression to the constitutional rights to equality, human dignity, life and freedom and security of the person. South Africa ratified the African Charter on the Rights and Welfare of the Child. The Children's Act, 2005 and the amendment in 2007 (implemented in 2010), the Child Justice Act, 2008, The Domestic Violence Act, (Act 116 of 1998), the Protection from Harassment Act, 17 of 2011, the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 32 of 2007, the Firearm Controls Act, (Act 60 of 2000); Firearms Control amended Act 28 of 2006 (on various dates) and the Firearms Control Amendment Act 43 of 2003 (from 22 December 2003) all create an enabling environment to increase the protective layers against gender-based violence. Section 103 of the Firearms Control Act, deals with fitness of a convicted person, to possess a firearm. Section 103 (1) (g)³⁰⁶, (i)³⁰⁷, (j)³⁰⁸, (k)³⁰⁹, (l)³¹⁰, (n)³¹¹ and (o)³¹² are of importance as they target sexual abuse, domestic violence, rape, drug and alcohol related crime (the latter are also root causes of gender-based violence), child-stealing and other serious crimes³¹³.

The scourge of violence against women and girls persists as a result of the failure of effective implementation of these laws. There are gaps in addressing gender based violence in South Africa across various themes, including gaps in the criminal justice system, access to information, and the relationship between the non-realization of socio-economic rights and the reinforcement of gender based violence³¹⁴. In 2014 a review of the implementation of the 365 Days National Action Plan found that whilst legislation to address gender based violence is in place, "the challenge remains implementation which in turn results in prosecution"³¹⁵. Women, are the most victimized gender group in South Africa. Women also have a lower literacy rate and higher unemployment rate than men. Women are most likely to be affected by poverty and women are more likely to be infected with HIV/AIDS. All this makes women more vulnerable to forms of patriarchal oppression, discrimination, and male domination.

In 2017 a High-Level Panel undertook a review of legislation passed since 1994 in order to make recommendations for the effective implementation thereof, including making recommendations with regards to amendments. These recommendations include the need for broader access to quality and standardised early childhood development programmes; the need for the creation of legislation to create integrated and comprehensive data on resources and services in the public sector that are routinely updated and publicly available; changes to the Social Assistance Act 13 of 2004 to make it

³⁰⁵ Department of Social Development. (DSD).

³⁰⁶ Any offence involving violence, sexual abuse or dishonesty for which the accused is sentenced to a period of imprisonment without the option of a fine.

³⁰⁷ Any offence involving physical or sexual abuse occurring in a domestic relationship defined in section 1 of the Domestic Violence Act, (116 of 1998).

³⁰⁸ Any offence involving the abuse of alcohol or drugs

³⁰⁹ Any offence involving dealing in drugs

³¹⁰ Any offence in terms of the Domestic Violence Act ...in respect of which the accused is sentenced to a period of imprisonment without the option of a fine.

³¹¹ Any offence involving sabotage, terrorism, public violence, arson, intimidation, rape, kidnapping or child-stealing

³¹² Any conspiracy, incitement or attempt to commit an offence referred to above.

³¹³ Vetten, L.: 2005: Addressing Domestic Violence in South Africa: Reflections on Strategy and Practice: *UN Division for the Advancement of Women*.

³¹⁴ GCIS: 2018: Presidential Summit on Gender-based violence and Femicide: Communications Thematic Area Base Document

³¹⁵ Department of Women, Children and People with Disabilities: 2014: Review of the Implementation of the 365 Days National Action Plan, unpublished

easier for teen mothers and child-headed households to access better social protection support; strengthening Chapter 9 institutions to ensure that they are able to protect and promote the rights of vulnerable populations; amending the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 to make it easier to implement and so that it addresses hate crimes and hate speech; tabling the Prevention and Combating of Hate Crimes and Hate Speech Bill; amending the Domestic Violence Act to better define the term 'imminent harm' and address accountability gaps; amending the Firearms Control act; decriminalising sex work; creating better guidelines around reporting sexual offences statistics, managing sexual offences, and rolling out sexual offences courts; protecting the rights of refugees, immigrants, and stateless persons, in particular children; improving the implementation of the South African Schools Act; amending the Child Justice Act, including amending the age of criminal capacity; review the policies around older persons; improving the implementation of the Prevention and Treatment of Substance Abuse Act; and ensuring that specialised services are available for deaf South Africans³¹⁶. A key recommendation of the High level Panel was that "Parliament should recommend to the executive the development of a National Strategic Plan on Gender-based Violence, which is multi-sectoral, coordinated and inclusive, with a strong monitoring and evaluation component to hold all to account and should be fully costed"³¹⁷.

South Africa has specific specialised facilities and units also aimed at responding to violence against women, children and vulnerable populations, including the Family Violence, Child Protection, and Sexual Offences (FCS) Units (SAPS); One Stop Child Justice Centres in terms of the Child Justice Act; Safe Schools Committees; NPA SOCA Units; the National Emergency Response Team and shelters for victims of violence³¹⁸.

The ideology of patriarchal violence

Patriarchal violence is the systematic abuse and oppression of women as result of male supremacy, societal norms, cultural beliefs and value systems with regard to gender roles that encourage female subordination. Patriarchal violence reinforces male dominance and upholds gender discriminatory practices - its characteristic is the use of power and control by men to sustain supremacy. Gang-rape and domestic violence³¹⁹ - two extreme forms of male sexual coercion – strengthens a comprehensive patriarchal bond among men. Domestic violence contributes towards the overall strength of the patriarchal order³²⁰. The concept of patriarchy holds promise for theorizing violence against women because it keeps the theoretical focus on dominance, gender and power. It also anchors the problem of violence against women in social conditions rather than individual attributes³²¹.

³¹⁶ Report of the High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental Change: 2017: cited in The POA Addressing VAWCVP 2019 -2014. Draft Two: June 2018. (DSD); (DOW).

³¹⁷ IBID

³¹⁸ Ibid.

³¹⁹ The Domestic Violence Act (1998) recognises that domestic violence is a social evil and an obstacle to achieving gender equality

³²⁰ Rosenfeld, D: 2009: Sexual Coercion, Patriarchal Violence & Law, (in Muller): Harvard University Press

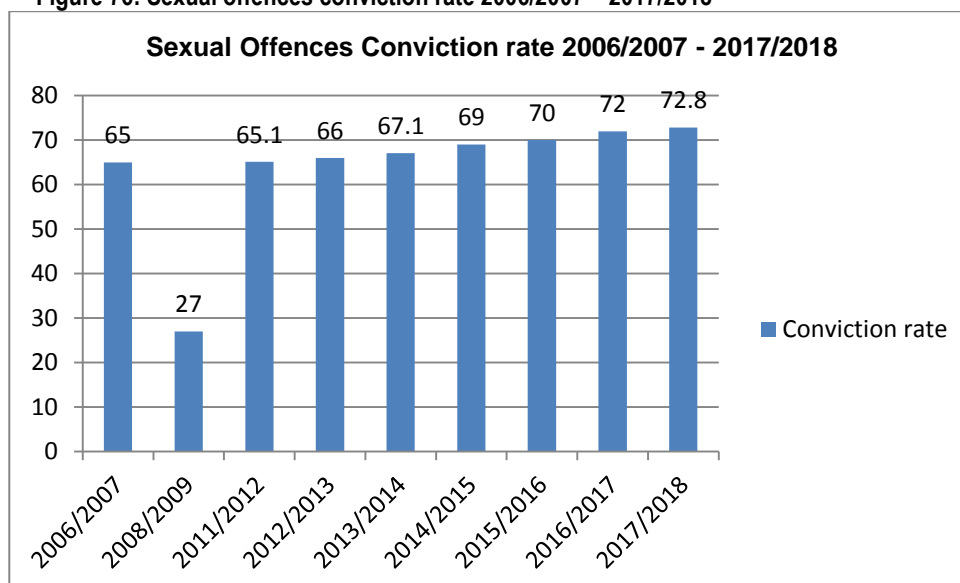
³²¹ Hunnicut, G: 2009: Varieties of Patriarchy and Violence Against Women: Resurrecting "Patriarchy" as a Theoretical Tool: www.researchgate.net

Table 34: Total Sexual Offences reported to SAPS from 2008/2009 to 2017/2018

Crime Category	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2015/2016	2016/2017	2017/2018	Case Difference	% Change
Rape	46,647	48,259	48,158	47,069	48,408	45,349	41,503	39,828	40,035	207	0.5%
Sexual Assault	6,396	6,629	7,006	7,194	6,967	6,597	6,212	6,271	6,786	515	8.2%
Attempted Sexual Offences	3,808	3,811	3,599	3,535	3,293	2,913	2,573	2,073	2,066	-7	-0.3%
Contact Sexual Offences	12,346	8,293	6,158	2,741	2,220	1,821	1,607	1,488	1,221	-267	-17.9%
Total Sexual Offences	69,197	66,992	64,921	60,539	60,888	56,680	51,895	49,660	50,108	448	0.9%

Source: SAPS

Crimes against women indicated an increase from 171 591 reported crimes in 2013/14 to 177 620 in 2017/18. A reduction for crimes against children was recorded from 45 953 reported crime, in 2013/14 to 43 540 reported crime, in 2017/18. The target of SAPS is to reduce crimes against women to 155 107 and 41 540 for crimes against children by 2018/19³²².

Figure 76: Sexual offences conviction rate 2006/2007 – 2017/2018

Source: DOJ&CD Annual Reports; NPA Annual Reports.

The figure above shows that the conviction rate in sexual offences improved.

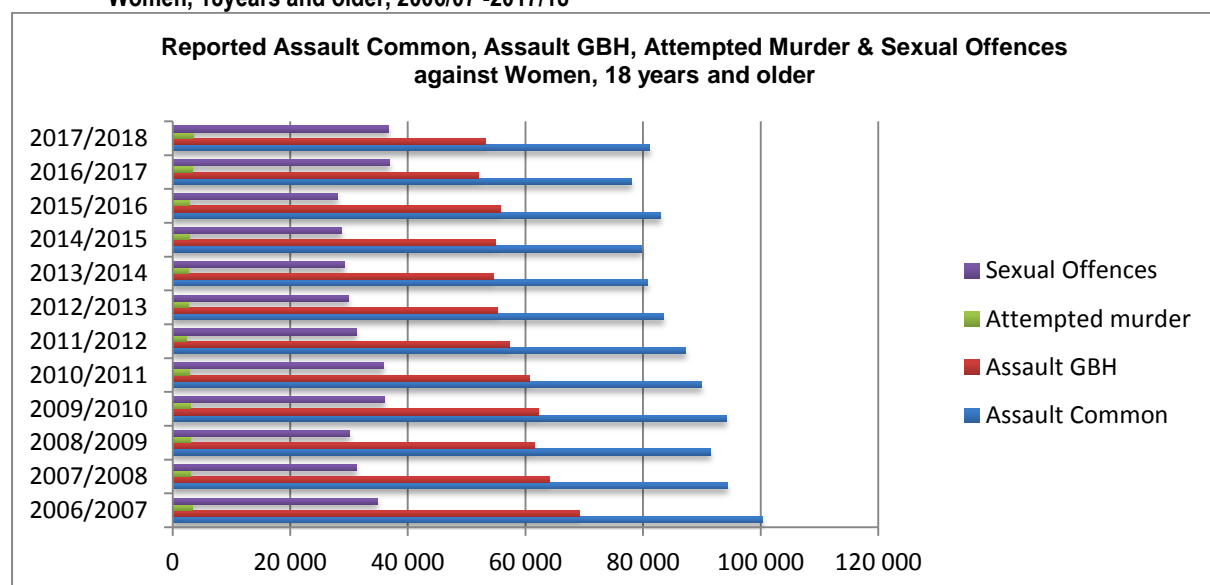
The quality of convictions include the conviction of serial rapist Michael Nkabinde in 2015/16 to 542 life sentences and 196 years imprisonment after he was traced and arrested by SAPS on 14 August 2014, having been positively linked to eight cases of rape, eight counts of robbery with aggravating circumstances, two cases of common robbery, one of compelling a person to witness a sexual act and two counts of compelled rape³²³.

³²² South African Police Service: 2018: Annual Report, 2017/2018.³²³ South African Police Service: 2016: Annual Report 2015/16.

Domestic Violence³²⁴

Violence against women is viewed as a way of entrenching gendered power in society³²⁵. According to research findings by Jewkes, Levin and Penn-Kekana (2002) suggest that 67% of men in South Africa used alcohol before a domestic violence incident³²⁶. During the 2017/18 reporting period domestic related crimes and types of domestic violence manifested through a total of 1 491 cases recorded for physical abuse (63%); emotional, verbal and psychological abuse (19.4%); damage to property (17.0%); economic abuse (12.4%); intimidation (8.5%); sexual abuse (2.1%); unauthorized entry into the victims' residence (1.9%); stalking 1.1%; other forms of controlling behavior (0.9%) and harassment (0.4%)³²⁷. According to Statistics South Africa, females are more likely to experience assault and sexual violence at home compared with males who experience assault in the street³²⁸.

Figure 77: Reported Assault Common, Assault GBH, Attempted Murder and Sexual Offences against Women, 18 years and older, 2006/07 -2017/18



Source: SAPS³²⁹

³²⁴ Sexual abuse, physical abuse or assault, damage to property or anything you value; stalking, economic abuse, refusing to pay or share the rent or mortgage bond for the home you share; disposing of any property of which you have interest without your permission; emotional abuse; any other controlling or abusive behaviour which poses a threat to your health and well-being (SAPS)

³²⁵ Commission for Gender Equality: 2016: 20 Year Review Report

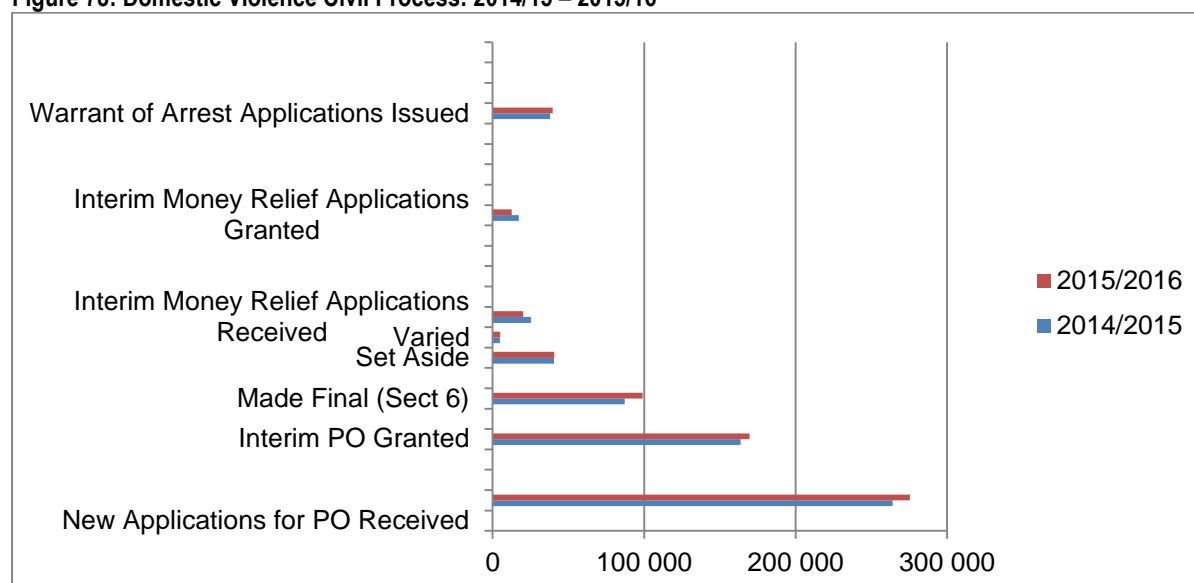
³²⁶ Rachel Jewkes, Jonathan Levin & Loveday Penn-Kekana: 2002: Risk-factors for domestic violence: findings from a South African cross-sectional study

³²⁷ South African Police Service: 2018: Crime situation in RSA: Twelve Months: 1 April 2017 to 31 March 2018

³²⁸ Statistics South Africa: 2016: Crime Statistics Series Volume III 2014/2015

³²⁹ South African Police Service: 2018: SAPS Annual Reports 2006/07 – 2017/18

Figure 78: Domestic Violence Civil Process: 2014/15 – 2015/16



Source: DoJ&CD, Annual Reports 2014/15 -2015/16

The figure above shows that in 2015/16 financial year 275 536 new applications for protection orders were received, 169 676 interim protection orders granted and 99 075 made final (Section 6) compared with 264 051 protection orders received in 2014/15, 163 793 interim protection orders granted and 87 185 made final. In 2015/16, 39 550 warrant of arrest orders were issued compared with 37 891 in 2014/15.

Inadequate and ineffective implementation of the Domestic Violence Act (Act No 116 of 1998) hinders the achievement of women's right to be free from violence in private spaces and public spaces (a right enshrined in the Constitution, Section 12 (c) of the Bill of Rights). Section 7 (1) (c) and (d) of the Domestic Violence Act allows for a court to make an order prohibiting the respondent from entering the shared residence of the applicant. This section is often neglected and in most cases the applicant (vulnerable women and children) has to leave their family home to live in shelters to ensure protection from violence. Section 26 (3) of the Constitution requires that no person may be evicted from their home without a valid order of the court.

Female homicide and intimate femicide

A critical political and social context of domestic violence homicide [intimate femicide] is that it sends a clear message to all victims of domestic violence: it tends to further silence and subordinate survivors. Perpetrators are known to use news of domestic homicides as specific examples of what could happen to their victims³³⁰. Catharine MacKinnon (cited in Rosenfeld, 2009) best describes the context of a patriarchal agreement: women are the least equal at home, in private; they have had the most equality in public, far from home. Men have the most freedom at home, and women gain correspondingly greater equality, hence freedom, the further from home they go³³¹.

Incidents of murder are more prevalent to households headed by a female (61, 4%) compared with 38, 6% of male-headed households³³². A 2002 study³³³ by the MRC in South Africa on female homicide for

³³⁰ Rosenfeld, D.: 2009: Sexual Coercion, Patriarchal Violence & Law (in Muller): Harvard University Press: (pp438 -439)

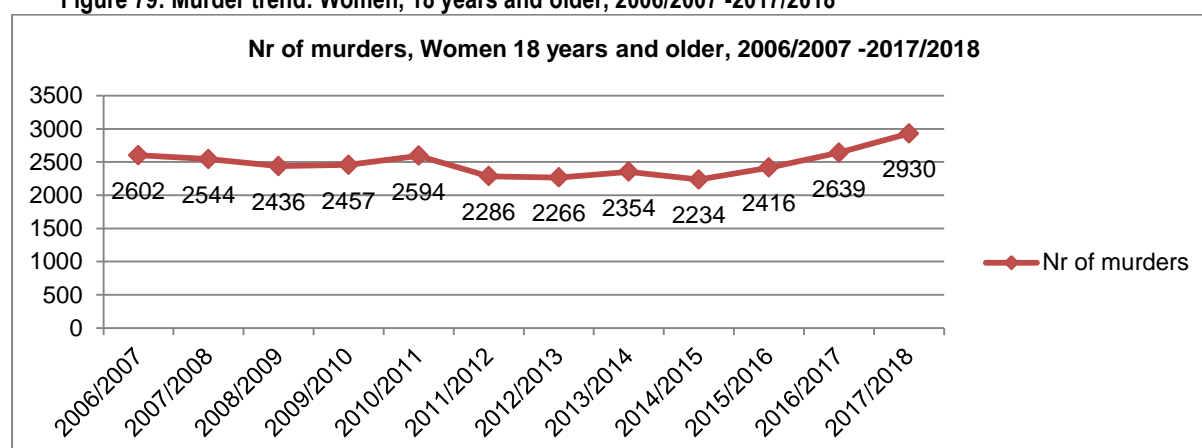
³³¹ IBID

³³² Statistics South Africa: 2016: Crime Statistics Series III 2014/15

the period 1999 concluded that only 35% of intimate femicide resulted in convictions. In cases where the victim was an African woman, conviction is less likely. The study further highlighted key findings with regard to police responsiveness in the investigations "...6.9% of police cases not opened or investigations incomplete, 6.4% of cases dockets were missing at police-stations, history of previous intimate partner violence was very important for convictions, but was not known for 66% of the cases of intimate femicide...there are no police guidelines on investigating female murders,... and inadequate conviction rate...cases were closed because witnesses 'disappeared', perpetrators were released after confessing to the crime and not rearrested, identified suspects were not rearrested, and cases were dropped when suspects did not appear in court".

A 2009 femicide study by the MRC³³⁴ ³³⁵ found that there is a 30% decrease likelihood of a conviction among non-intimate femicide in 2009 compared to 1999³³⁶. There was a 2.6 greater likelihood of a rape homicide among non-intimate femicide in 2009 compared to 1999. Rape homicides increased for non-intimate partner femicide. The study found that there was an overall reduction in female homicide; however intimate femicide, the leading cause for female homicides in South Africa, decreased less. In 1/5 of murders no perpetrators were identified. There is no evidence that police investigations have improved. Convictions have decreased³³⁷.

Figure 79: Murder trend: Women, 18 years and older, 2006/2007 -2017/2018



Source: SAPS³³⁸

³³³ Medical Research Council: 2004: Policy Brief. No 5: National Study on Female Homicide in South Africa. (The MRC conducted research at 25 South African mortuaries. N=3396 .Age group 14 years and above. 8.8% per 100, 000 women were killed by intimate partners. Found that it was higher than USA and Canada. <http://www.mrc.ac.za/policybriefs/woman.pdf>

³³⁴ South African Medical Research Council: 2012: Research Brief, August 2012: *Every Eight Hours*: Intimate Femicide in South Africa ten years later!

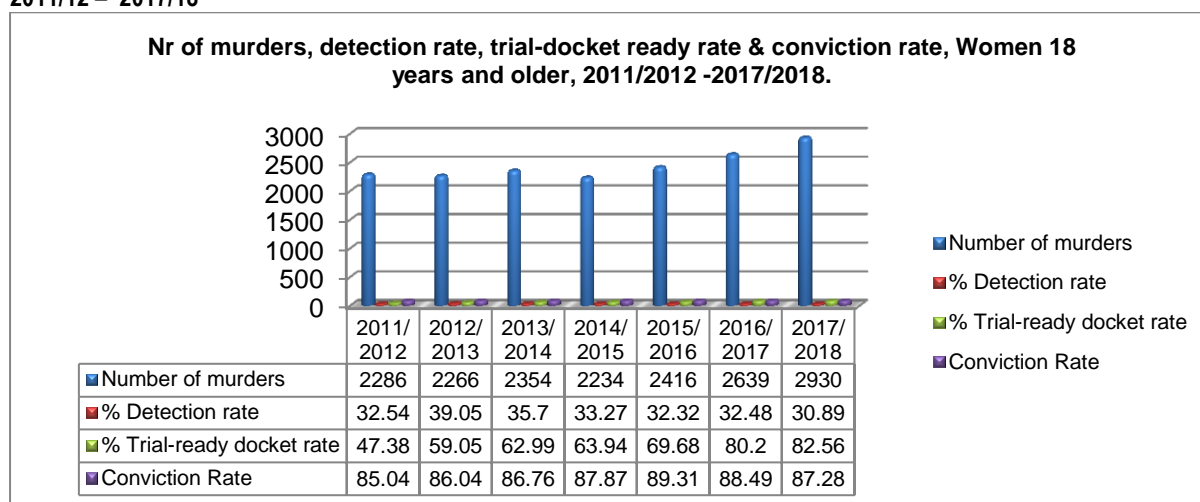
³³⁵ IBID

³³⁶ IBID

³³⁷ IBID

³³⁸ South African Police Service: 2018: Annual Reports: 2006/07 -2017/18

Figure 80: Nr of murders, detection rate, trial docket-ready rate & conviction rate, Women 18 years and older, 2011/12 – 2017/18



Source: SAPS³³⁹

The figure above shows that the conviction rate for murder of women, 18 years and older slightly improved from 85.04% in 2011/12 to 87.28% in 2017/18. The trial-ready docket rate improved significantly from 47.38% in 2011/12 to 82.56% in 2017/18. The detection rate remains low and decreased from 32.54% in 2011/12 to 30.89% in 2017/18. The murders of women show an increase from 2602 in 2006/07 to 2930 in 2017/18, indicating that 328 more women lost their lives through unnatural and preventable deaths during this period.

The murder of an intimate partner is one of the most extreme consequences of gender-based violence. Due to the prevalence of intimate partner violence against women, the NPA adopted a renewed commitment to prioritise its resources to address this surge of gender-based violence and to monitor the results of this intervention. A total of 79 cases was finalised during the 2017/18 financial year of which only one acquittal was obtained; a conviction rate of 98.7% was maintained by the NPA. The convictions included life sentences in some cases and sentencing that range from 10 years imprisonment to 30 years imprisonment respectively³⁴⁰. According to the SAPS, in 2015/16, 542 life sentences were handed down, of which 12 life sentences were linked to the crime category of murder³⁴¹.

In 2018 the University of Cape Town released the first study of violence against pregnant women at the hands of their intimate partners. The study found that violence against pregnant women is also committed by family members. That 15% of women had experienced abuse ranging from sexual and physical to emotional and verbal. The researchers found that the high level of violence was associated with poverty-related factors, including food-insecurity, mental ill-health, unemployment, unwanted pregnancies and past experience of abuse. In its most severe form, violence against pregnant women has been reported as a contributor of maternal deaths. Domestic Violence against pregnant women in the household that was not limited to intimate partners and domestic violence in this context was often perceived as normal behaviour by the participants³⁴². The study contributes towards a better understanding of the risk profile of intimate partner violence amongst pregnant women in low-income

³³⁹ South African Police Service: 2018: Annual Reports: 2011/12 -2017/18

³⁴⁰ National Prosecuting Authority: 2018: Annual Report 2017/18.

³⁴¹ South African Police Service: 2016: Annual Report 2015/16: p186.

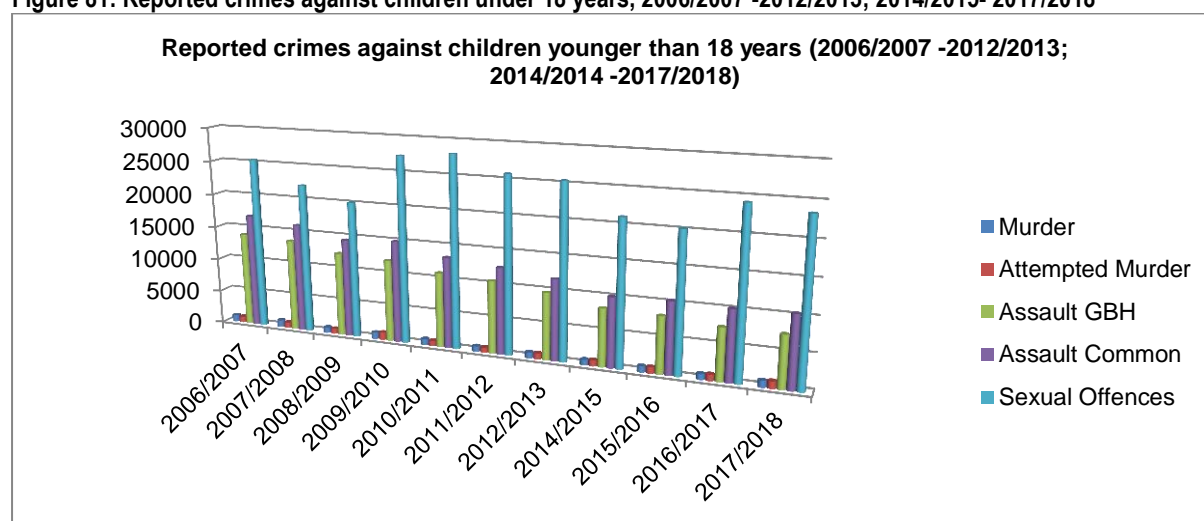
³⁴² University of Cape Town: bmcwomenshealth.biomedcentral.com/articles/17-January-2019

settings. Violence in the home against pregnant women may be enabled by a pervasive belief in the acceptability of the violence³⁴³.

A higher number of older girls (1–4 years) than older boys (1–4 years) are killed in circumstances of child abuse, and girls were more likely to have sexual violence identified as part of the killing. Mothers' risk of perpetration was associated with economic stress, unemployment, younger age, limited education, social isolation, mental illness, substance abuse, and being victims of intimate partner violence. Most studies do not fully explore the direct and indirect role men have in women's motives to kill their young children, although fear of abandonment by the male partner, lack of financial support, and having fragile relationships with the father have been reported³⁴⁴.

South Africa's first study on the lifetime prevalence of violence against children found that by the time children reach the ages of 15-17 years they have experienced sexual abuse, physical abuse, emotional abuse, child neglect or have been exposed to high rates of violence. Girls bear the brunt of abuse, neglect and bullying, whilst boys are more likely than girls to experience other forms of violence³⁴⁵.

Figure 81: Reported crimes against children under 18 years, 2006/2007 -2012/2013; 2014/2015- 2017/2018



Source: SAPS³⁴⁶

The figure shows that sexual offences are the category of crime that most affected children younger than 18 years between 2006/07 - 2017/18. The reported figures varies from 25 428 in 2006/07 to 23 488 in 2017/18, showing a decrease³⁴⁷.

Children are exposed to crime and violence in many communities and boys in particular when exposed to adverse childhood experiences such as neglect, harsh parenting and abuse could be at risk to develop violent masculinities³⁴⁸.

³⁴³ Field, S.; Onah M.; van Heyningen T.; Honikman S.: 2018: Domestic and Intimate Partner Violence among pregnant women in a low resource setting in South Africa: a facility-based mixed method study

³⁴⁴ IBID

³⁴⁵ Research Bulletin: Optimus Study: Centre for Justice and Crime Prevention. (The National Department of Social Development and the Department of Basic Education also supported the study)

³⁴⁶ South African Police Service: Annual Reports 206/07 -2012/13; 2014/15 -2017/18

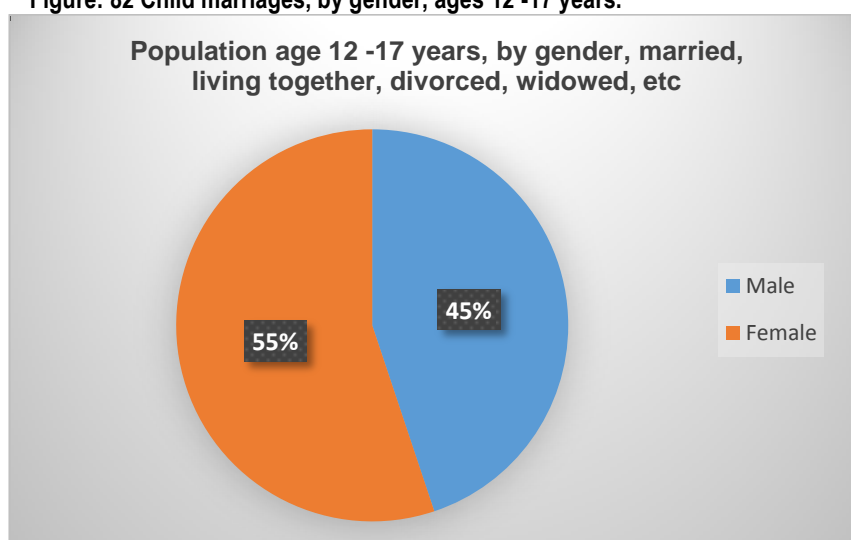
³⁴⁷ The 2013/14 figures has been omitted in this analysis due to inconsistency observed in the reported figures of crimes against children for this specific period in the annual reports

³⁴⁸ South African Medical Journal: 2016: Online version ISSN 2078-5135. Child deaths in South Africa: Lessons from the child death review pilot: Accessed 17 January 2019.

Research shows that girl children who are killed, due to differential social values in society, are three times more likely than boys to be the victims of child abuse and neglect³⁴⁹. A 2016 study³⁵⁰ on the determinants of violence against children in South Africa, commissioned by the Inter-Ministerial Committee on Violence against women and children found that boys are more likely to be victims of physical violence while girls are more likely to suffer emotional and sexual violence. According to the Commission for Gender Equality, sexual violence against boys and girls emerges from the same array of abuses of power and the same gender hierarchies in which some men have power over other women and girls and over other men and boys³⁵¹.

According to the University of Cape Town, (Children's Institute), in 2016/17, 267 abductions of children occurred in South Africa, of which 217 were girls between the ages of 13 to 17 years. Abduction is when an unmarried minor (child) is unlawfully and intentionally removed from the care of his or her parents or guardian so that someone can marry the child or have sexual intercourse with him or her³⁵². According to Statistics South Africa, in 2016, there were about 6 million (6 028 411) persons aged 12 – 17 years in South Africa, of whom 50.2% (3 026 292) are male and 49.8% (3 002 119) are female. That approximately 3% or 166 706 persons aged 12 to 17 years old have either been married, living together, divorced, separated but still married, widowed, or single, but have been living together with someone as husband/wife/partner before³⁵³.

Figure: 82 Child marriages, by gender, ages 12 -17 years.



Source: Statistics South Africa, 2016 Community Survey

The graph illustrates that within the 3% (166 706) that are legally married, divorced, widowed, living together like husband and wife/ partners, separated but still legally married, single, but have been living together with someone as husband/wife/partner before, about 55% (91 905) of them are females and 45% (74 801) are males between the age of 12 and 17 years.

Child brides are a world phenomenon. It is estimated that every year 15 million girls around the world are married before the age of 18. Child marriages is a serious public concern that threatens the lives and futures of young girls, thereby impeding progress towards achieving sustained gender equality and

³⁴⁹ Department of Women, Children and People with Disabilities: 2014: Study on Violence Against Women: Know Your Epidemic, Know Your Response

³⁵⁰ See Mathews S., Govender R., Lamb G., Boonzaier F., Dawes A., Ward C., Duma S., Baraacke L., Warton G., Artz L., Meer T., Jamieson L., Smith R. & Röhrs S.: 2016: *Towards a More Comprehensive Understanding of the Direct and Indirect Determinants of Violence against Women and Children in South Africa with a View to Enhancing Violence Prevention*: Cape Town: Safety and Violence Initiative, UCT

³⁵¹ Commission for Gender Equality: 2013: 365 Days Report, p13.

³⁵² University of Cape Town: Children's Institute: Abduction: <http://childrencount.uct.ac.za/mm/indicator.php>

³⁵³ Statistics South Africa: 2017: Community Survey 2016

combating discrimination on the grounds of sex and gender. Young women and girls coerced into becoming brides are being denied an important liberty to choose a life that is outside the confines of the patriarchal structure of child marriages with the consequential violation of rights, deprivation of economic opportunities and personal harm. Girl children must be provided with unreserved access to adequate education, good health and the autonomy to freely make choices regarding all facets of their lives³⁵⁴.

Sexual Harassment and Sexual Assault

Through the school's interview process the Optimus study explored the prevalence of written or verbal sexual harassment. Of 4090 young people, 2.4% disclosed having been sexual abused through someone writing or saying something to them about their body. In the household component 2.2% of respondents were found to have experienced written or verbal sexual harassment³⁵⁵. Sexual assault differs from rape (unwanted penetration) in that sexual assault involves other forms of unwanted sexual contact. The overall rate of sexual assault against children based on the 2016/17 crime data was 17 counts of sexual assault per 100, 000 children (under 18 years). Girls were more likely to be the victims of sexual assault than boys at a sexual assault rate of 28 counts per 100 000 of the female population under 18 years, compared with boys at a rate of 5 sexual assaults per 100 000 of the male population under 18 years³⁵⁶.

Violence against young women

A study on sexual violence in South Africa reported that only 55% of females aged between 14 -24 who have had sex, reported themselves as having 'been willing' at their first sexual encounter compared to those who were persuaded, tricked, forced or raped.(Sigworth, 2009:10). Gender-based violence attributes to 20-25% of new HIV infections in young women.³⁵⁷ Sometimes the public space is not a safe space - women are often attacked.

Since 2014, the Department of Women embarked on dialogues in 7 of the 9 provinces to understand the lived experiences of women, children and community members and empower them to respond to violence against women and children and encourage communities to work together with government to eradicate gender-based violence. The Minister in The Presidency responsible for Women, as the national coordinator of the 16 Days of Activism Campaign, heeded the call of the President by engaging all stakeholders across race, gender, age, religious affiliation and any other divide to collectively commit to fight the scourge of violence in society.

The voices emerging from the dialogues tell us that young women are at risk of intimate partner violence in communities. Men experience frustration and aggression about the emancipation of women and due to their economic stature feel inferior when women earn more than men. Young women and girls are asked for sexual favours when they look for employment or before they are considered for employment. The "blesser" phenomenon is prevalent in some communities where old men are luring young women and girls by buying them expensive gifts and presents in exchange for sexual favours. "Sugar daddies" have also been linked to this phenomenon³⁵⁸.

³⁵⁴ Legal Resource Centre: About Child Marriages, available at <http://www.girlsnotbrides.org/about-child-marriage/>: accessed on 30 May 2016

³⁵⁵ The Optimus Study on Child Abuse: 2015: Violence and Neglect in South Africa

³⁵⁶ University of Cape Town: Children's Institute: <http://childrencount.uct.ac.za/mm/indicator.php>

³⁵⁷ See <https://www.avert.org/professionals/hiv-around-world/sub-saharan-africa/south-africa>: Accessed 24 July 2018

³⁵⁸ Department of Women: 2017: Report on the National Dialogue in Limpopo, 2017: unpublished

In 2014 the Department of Women, Children and People with Disabilities commissioned a study on violence against women in South Africa. The findings indicate that more than half of the women murdered in 2009 were killed by their intimate partners. That between 19% -33% of women have ever experienced physical partner violence, but in some population subgroups it may be as high as one in two women. The study found that two norms influenced violence against women, namely: “the readily use of violence across social groups and institutions to assert power, achieve power or punish; patriarchal gender norms which, notwithstanding the constitutional rights, position women and girls as having lower social value, power and status to men and boys³⁵⁹.

The link between poverty and violence against women are more complex. Rape perpetration is more common among men who are relatively advantaged, or have more power, but living in poor communities. It is not the absolute level of income that predicts the use of violence, but conflicts over household finances, underpinned by issues related to women’s power and male identity³⁶⁰. Children exposed to domestic violence have an increased risk of becoming victims or perpetrators of gender-based violence later in their lives³⁶¹.

The Department of Justice and Constitutional Development has developed a Risk assessment Tool for victims of domestic violence. This is primarily for use by victims of intimate partner violence. It is intended to assist them to assess the potential risk/harm they face by remaining in contact with their abusers. It is a tool that seeks to empower these victims to make informed decisions on whether or not to exit a domestic/intimate relationship as a means to protect themselves from future abuse/harm which may potentially lead to a domestic homicide or death if unattended³⁶².

The Department of Justice and Constitutional Development has developed an Intimate Relationship Questionnaire (2016) to assist victims of domestic violence, as well as a “My Safety Plan Against Domestic Violence” aimed to help victims identify action steps in order to increase their safety and that of their family against domestic violence³⁶³.

Violence against elderly women

The South African government enacted legislation to provide a new legal framework for the protection of older persons. The Older Persons Act, 2006 focussed on the rights of elderly persons and covers the promotion and protection of older persons. The Act provides for registration and training of care givers and monitoring of services of care givers. The 2006 legislation made it compulsory that every citizen has a duty to report suspected abuse.

Older persons receive additional protection through the *Domestic Violence Act* 116 of 1998, the *Employment Equity Act* 55 of 1998, the *Housing Development Schemes for Retired Persons Act* 65 of 1988 (amended in 1991), the *Rental Housing Act* 50 of 1999, the *Promotion of Equality and Prevention of Unfair Discrimination Act* 4 of 2000, and the *Promotion of Administrative Justice Act* 3 of 2000. In 1999 the Government identified elder abuse as a priority and developed the National Guidelines on Prevention, early Detection/Identification and Intervention of Physical Abuse of Older Persons at Primary Level.’ In 2000, after a two-year consultation with a large number of role players, a National

³⁵⁹ Department of Women, Children and People with Disabilities: 2014: Study on Violence Against women: Know Your Epidemic, Know Your Response: p11

³⁶⁰ IBID: p11

³⁶¹ World Health Organisation: 2002: Report on Violence and Health

³⁶² Department of Justice and Constitutional Development Website: www.doj.gov.za

³⁶³ IBID

Strategy on Elder Abuse was approved. In 2017 the South African Police Services issued guidelines on the Policing of Crimes against Older Persons.

The Department of Justice and Constitutional Development is responsible for the implementation of the Older Persons Act and the Department of Social Development for the national inter-sectoral implementation of the Act. Section 26 of the Older Persons Act places a legal obligation on any person, who suspects or has knowledge of abuse of an older person, to report such abuse to the Director-General of the Department of Social Development or to the police. This provision further creates an offence against a person who deliberately fails to make such a report.

Section 31 requires the Minister of Social Development to keep a register of persons convicted of the abuse of an older person. This is mainly to prevent all registered convicted persons from working in environments that will expose them to older persons. The aim is to reduce the re-offending rate in these cases, while protecting older persons from potential abuse.

The Department of Justice and Constitutional Development formed a partnership with the Department of Social Development and certain non-governmental organisations such as *Ikageng* Self Help Association, *Itireleng Trust* and *A re itereleng*, to collaborate efforts aimed at promoting the rights of older persons.

Violence against Women and Girls with Disabilities

Children with disabilities are 1.7 times more at risk of violence, including neglect, abandonment, abuse and sexual exploitation compared with other children. Women living with disability are disproportionately affected by poverty. Violence becomes 'invisible' as complex intersectional forms of discrimination exist. There is an intersection between gender-based and disability-based discrimination³⁶⁴. South Africa has ratified the Convention on the Rights of Persons with Disabilities (CRPD) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

According to the Medical Research Council of South Africa the combination of gender inequality, disability exclusion, and endemic violence creates a toxic cocktail which negatively affects the health and wellbeing of women with disabilities, leading to injuries, negative sexual and reproductive health outcomes, further disabilities, and mental health disorders. Women and girls with disabilities are exposed to all forms of violence, particularly emotional and sexual violence. The context in which this violence occurs is shaped by negative internalized beliefs and practices, harmful socio-cultural norms and beliefs, lack of access to public and private resources and a lack of disability inclusion in current policies and strategic programmes concerning violence, HIV and health. Women and girls with disabilities particularly vulnerable as they experience discrimination based on gender and disability.³⁶⁵

New evidence from the DFID's "What works to prevent violence against women and girls" found that women with disabilities are at a two to four time's higher risk of intimate partner violence than women without disabilities. The intersection between disability, gender and violence points towards the reciprocal relationship between disability and violence. Women and girls with disability are exposed to a wide range of potential perpetrators than their non-disabled peers. They are also at risk of disability-specific forms of violence such as verbal or emotional abuse targeting their disability, denial of care or medication, or being over-medicated, being physically neglected or refused help and being

³⁶⁴ Office of the UN High Commissioner for Human Rights: 2012: The Report on the Thematic Study on the issue of violence against women and girls and disability

³⁶⁵ <http://www.samrc.ac.za/media-release/understanding-violence-against-women-and-girls-disabilities>". Accessed 17 January 2019.

economically exploited. Women and girls with disability are more likely to stay in abusive situations for longer and have fewer options for seeking safety.

Research done on South Africa, Bangladesh, Nepal, Ghana, Afghanistan and Tajikistan found that in low and middle income countries, women with disabilities are two to four times more likely to experience intimate partner violence than women without disabilities; disability increases the risk of non-partner violence.

The What Works *Stepping Stones Creating Futures* project in informal settlements in South Africa indicates that 42.7% of young women with moderate to severe impairments reported sexual violence from a man other than an intimate partner over the past twelve months. The risk of both IPV and non-partner sexual violence increases with the severity of disability; disability-related violence compounded gender-based violence. Disability-related stigma and discrimination manifested as verbal abuse from social interactions by partners, family and community members with significant emotional consequences³⁶⁶.

Cabinet approved the White Paper on the Rights of Persons with Disabilities (WPRPD) and its implementation matrix on 9 December 2015. The White Paper was launched at the National Disability Rights Summit in March 2016. The WPRPD has nine strategic pillars which include removing barriers to access and participation; protecting the rights of persons at risk of compounded marginalisation; supporting sustainable integrated community life; promoting and supporting empowerment of persons with disabilities; reducing economic vulnerability and releasing human capital; strengthening the representative voice of people with disabilities; building a disability equitable state machinery; promoting international co-operation and monitoring and evaluation.

The coordination mechanism includes national government departments, national disability organisations, institutions promoting democracy, UN Agencies, traditional leadership institution, SALGA, national public entities, parliament, other businesses, research and labour.

Gender and Sexual Orientation-based Violence³⁶⁷

According to Statistics South Africa³⁶⁸ Eudy Simelane was murdered because she was a lesbian. There have also been cases where children of lesbian mothers are raped in order to teach the mother a lesson³⁶⁹. Gay and lesbian children experience discrimination and lack of tolerance in the school context from peers, educators and other adults. A study by the Department of Women, Children and People with Disabilities (2012) found that 71% of homosexual females reported experiencing rude comments, jokes, discrimination, harassment, violence from peers, threats from parents, loneliness and fear, while 73% of males reported threats of physical violence, physical abuse and feeling that they had nobody to turn to or could trust³⁷⁰.

In 2003 South Africa enacted the Alteration of Sex Descriptors and Sex Status 49 of 2003, which allows citizens to change their descriptors on their identification documents. The Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 governs the judicial interpretation of the Equality Clause. In 2005 the promulgation of the Judicial Matters Amendment Act of 2005 changed the legal status of

³⁶⁶ <https://www.whatworks.co.za/documents/publications/195-disability-brief-whatworks-23072018-web/file>: Disability and Violence against women: What Works, (2018: pp1-4): Accessed 17 January 2019.

³⁶⁷ : <http://www.justice.gov.za/LGBTIPprogramme>

³⁶⁸ Statistics South Africa: 2018: Crimes Against Women Report: p7

³⁶⁹ Department of Women, Children and People with Disabilities: 2012: Study on Violence against Children: p26

³⁷⁰ Ibid

intersex people in South Africa. The amendment saw the Promotion of Equality Act and Prevention of Unfair Discrimination Act 4 of 2000 amended at section 1 by the insertion the definition of “intersex” and the definition of ‘sex’ to include intersex.

In 2011 the Department of Justice established the national task team on gender and sexual orientation-based violence with the mandate to develop a National Intervention Strategy for lesbian, Gay, Bisexual, transgender³⁷¹ and intersex³⁷² (LGBTI) sector. The Task Team is constituted by government departments, chapter nine institutions and civil society organisations that specialise in issues related to LGBTI persons³⁷³.

In 2013 the Department of Justice commissioned the inclusive National Intervention Strategy On Sex-And Gender-based Violence perpetrated against LGBTI persons. Through the strategic framework the government address the gaps in the criminal justice sector between the constitutional rights and the protection for LGBTI persons, address gender and sexual orientation-based violence against LGBTI persons in general, as well as access to justice for LGBTI persons³⁷⁴.

The Department of Justice also hosted a national dialogue on the protection and promotion of the Human Rights of Intersex Persons in 2017. The dialogue highlighted the systematic issues affecting gender non-conforming persons and the various forms of violence the experience within their lifecycle³⁷⁵.

Inter-sex genital mutilation

According to Organisation Intersex International, a global network of intersex organisations, intersex genital mutilation is defined as “conducted on new born babies when their external genitals do not look ‘normal’ enough to pass unambiguously as male or female. Surgery is carried out upon the genitals of new born babies, infants and children for cultural or religious reasons [where] medical needs are also cited as a justification for the surgery, but the evidence of actual need is slim at best.”³⁷⁶

In 2016 South Africa became the first state to officially recognize at the UN the harm perpetuated by intersex genital mutilation on intersex children. This occurred under the leadership of the Minister of Social Development. The Social Development Director-General, Mr Zane Dangor said, “As a government, we do recognise that being intersex is a sexual characteristic and not a medical condition. But at the same time, we recognise that there are still practises where surgeries are being performed on new-borns and young children, which are harmful...So we are now beginning a process in its early stages to acknowledging that such surgeries performed at a very young stage are harmful and that it needs to stop.”³⁷⁷

Intersex genital mutilation or medically unnecessary surgeries includes masculinization or feminization, sterilization and denial of needed healthcare. These medical and surgical interventions do not constitute a single intervention, but a number of surgeries over a period of time with severe consequences that includes loss of sexual sensation, loss or impairment of reproductive capabilities, extensive scarring, continual pain, incontinence and lifelong dependency on artificial hormones,

³⁷¹ Department of Justice : Refers to “a matter of gender identity rather than sexual orientation”: National Intervention strategy For LGBTI Sector

³⁷² Ibid. Refers to “a matter of biological/anatomical sexual characteristics rather than sexual orientation”

³⁷³ www.doj.gov.za

³⁷⁴ IBID

³⁷⁵ IBID

³⁷⁶ www.doj.gov.za: 2018: Report on the National Dialogue on the Protection and Promotion of the Human Rights of Intersex People Meeting

³⁷⁷ IBID

depression, self-harm and mental trauma. Forced sterilizations are part of IGM practices conducted on intersex children³⁷⁸.

Trafficking in Persons, especially women and girls

The Prevention and Combating of Trafficking in Persons Act, 2013 (Act No 7 of 2013) has been enacted to give effect to the Republic's obligation concerning the trafficking in persons. The Prevention and Combating of Trafficking in Persons Act, 2013 (Act No 7 of 2013) protects women and children from trafficking and related unlawful acts. The legislation fulfills the objectives to provide for an offence of trafficking in persons and other offences associated with trafficking in persons to prevent and combat the trafficking in persons within or across the borders of the Republic; to provide for measures to protect and assist victims of trafficking in persons; and to provide for the establishment of the Intersectoral Committee on Prevention and Combating of Trafficking in Persons and the criminalization of practices resulting in forced and early marriages and harmful cultural and traditional practices such as *Ukuthwala*. It has also the effect of domesticating the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons. The National Prosecuting Authority (NPA) has established a Human Trafficking Task Team that ensures an integrated approach to address trafficking related matters³⁷⁹.

The Government launched the Tsireledzani! initiative, which means 'Protect!' to combat Trafficking in Persons. The programme is headed by the National Prosecuting Authority and involves government departments, international organisations and civil society partners. The overall objective is to ensure full compliance with the United Nations Convention Against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children ("Palermo Protocol"), including the development of comprehensive legislation that is underpinned by a victim-centered empowerment approach, taking full account of the existing Victims Charter, as well as relevant South African legislation. This coalition of goodwill has led to the establishment of a National Action Plan on trafficking in persons and the *Tsireledzani!* campaign, whose primary aim is to provide a blueprint for all those working to prevent trafficking and protect the people of South Africa and other nations from this terrible denial of their human rights. The Action Plan is based on three pillars: prevention, victim support and response³⁸⁰.

As part of its on-going support to the Government of South Africa with the means to become fully compliant with the Palermo Protocol through various initiatives, the International Organisation on Migration (IOM) is implementing the capacity-building and development component of *Tsireledzani*. This component will build the capacity of government officials, NGOs and media to prevent trafficking from South Africa, identify trafficked persons, improve the standard of physical protection and direct assistance offered to victims of trafficking in the country, and increase the number of trafficking cases investigated and prosecuted by law enforcement and justice officials.

Workshops have been designed to ensure that the identified government departments develop the capacity to train social workers, health, law enforcement, immigration, labour and justice officials on the prevention & combatting of human trafficking, as well as the protection and assistance of victims. The training content imparts basic awareness and an intermediate level of competency for NGO workers, to identify, protect and directly assist trafficked persons. At the end of the capacity development process a comprehensive and inter-sectoral National Curriculum on Human Trafficking consisting of 5 curricular modules (one for each department), and one additional curricular module on expected comprehensive

³⁷⁸ IBID

³⁷⁹ National Prosecuting Authority (NPA) Website..

³⁸⁰ IBID

anti-trafficking legislation will have been published. This component is managed by the International Organisation for Migration³⁸¹.

Awareness-raising in South Africa about human trafficking and its implications throughout the whole society is considered a key-element to prevent and protect citizens and migrants from this scourge. In an effort to rationalize and coordinate the various activities in this field, there is a focus on developing and implementing targeted campaigns to achieve attitude and behavioural change. Specifically, the project aims at promoting the likelihood that the pilot target groups will act to prevent, identify and report human trafficking in their midst. The component is managed by the International Labour Organisation through its International Training centre³⁸².

In 2017/18 financial year the CGE participated in the stakeholder public awareness campaign to highlight the scourge of human trafficking between Lesotho and South Africa. Human trafficking is rife in the Free State that the CGE had to facilitate a forum to deal specifically with it³⁸³.

Adult Prostitution

According to the Department of Justice the Commission has found the practice of adult prostitution to be inherently exploitative in nature and has recommended that the Sexual Offences Act of 1957 be repealed and in the alternative that either prostitution and all related behaviour be criminalised and coupled to an exit strategy in the Criminal Law (Sexual Offences and Related Matters Amendment Act) or that providing sexual acts for sale by the person he or herself be de-criminalised only partial decriminalisation and that all remaining prostitution related behaviour including the purchasing thereof be criminalised in the Criminal Law Sexual Offences & Related Matters Amendment Act.

South Africa is in the process of looking at whether or not sex work should be decriminalised. In this regard the South African Law Reform Commission produced a comprehensive Discussion Paper in 2009 entitled "Project 107: Sexual Offences –Adult Prostitution". In its Discussion Paper the Law Reform Commission found that adult prostitution has been a subject of considerable public debate in South Africa. The topic remains an emotive one. In South Africa the socio-economic determinants of prostitution suggest that prostitution is driven by a complex intersection of social and economic factors in which poverty and inequality are key drivers³⁸⁴.

In the Western Cape some women are engaged in sex work controlled by gangs. These gangs may be more controlling and abusive than pimps and also prevent health workers from reaching sex workers. The latter, controlled by gangs, are younger than most others, often addicted to drugs and some young women are gang raped by gang members before they enter into sex work³⁸⁵.

Sexual Harassment

The majority of sexually harassed persons in South Africa tend to be women, with perpetrators being male. In this context it affects women's employment and women's employment status. In *Ntsabo v Real Security CC (2003) ILJ 2341 (LC)* the Labour Court found that Section 60 of the Employment Equity Act creates a form of vicarious liability for employers where an employee sexually harasses a co-employee.

³⁸¹ Ibid

³⁸² Ibid

³⁸³ Commission for Gender Equality: 2018: Annual Report 2017/2018

³⁸⁴ Department of Women: 2015: South Africa's 5th Periodic Report to CEDAW 2009 -2014, Pretoria

³⁸⁵ Vetten, L.: 2000: Invisible Girls and Violent Boys: Gender and Gangs in South Africa: Development Update: Volume 3: No 2 of 2000

The company was ordered to pay patrimonial and non-patrimonial damages to the applicant for future medical expenses (psychological therapy), her pain and suffering and for impairment of her dignity³⁸⁶.

This claim was over and above the claim for unfair dismissal under the Labour Relations Act. The applicant was a young woman who searched for employment for six years and found employment with a security company. The sexual harassment started when her supervisor started asking her out on dates, then progressed to touching her breasts, thighs, buttocks and genitals. Her supervisor would ask her to engage in a relationship, when she refused he would threaten her with a “poor work performance report.” Eventually he threatened her with a firearm, threatening to shoot her if she screamed and then proceeded to indecently assault her by attempting to rape her by simulating a sexual act and ejaculating on her skirt³⁸⁷.

In 2010 the CGE focussed attention on gender transformation in the mining sector and highlighted the plight of female mine workers, particularly the scourge of sexual harassment in the workplace³⁸⁸. In 2015/2016 a research study done by the Sam Tambani Research Institute (SATRI) indicates that whilst there was a high level of awareness of policies to empower and protect women in the workplace, including policies on sexual harassment, this awareness had not translated into reduction in prevalence of challenges that women faced in the workplace. The study found that sexual harassment was still prevalent in the mining, energy and construction sectors in South Africa and is particularly high in the mining sector compared to the other two sectors. Victims are more likely to be young women, hold lower positions and work mostly with and are supervised by men. The risk of sexual harassment is higher for women in male-dominated sectors such as mining, energy and construction compared to women in female-dominated sectors such as health. In the mining sector (34%) were found to be more aware of sexual harassment cases compared to women in the other two sectors, energy (25%) and construction 18%³⁸⁹.

Of the women interviewed, 32% indicated they were aware of sexual harassment cases, compared to 68% who responded to be not aware of sexual harassment cases in the workplace. In 2015/2016 66% of women in the mining sector, 75% in the energy sector and 82% in the construction sector were not aware of sexual harassment cases in the workplace. Women indicated that they had never taken action against perpetrators of sexual harassment. The under-reporting of sexual harassment cases is not unusual in male-dominated sectors. Fear plays a role in under-reporting of sexual harassment cases³⁹⁰.

According to SATRI (2015/2016) 34% of women were aware of sexual favours in the workplace compared to 66% who were unaware of sexual favours in the workplace. The mining sector had 36% of women who were aware of sexual favours in the workplace, followed by 25% in the energy sector and 17% in the construction sector. Of the women not aware of sexual favours in the workplace, 83% were in the construction sector, 75% in the energy sector and 64% in the mining sector. Under-reporting of sexual favours in the workplace is based on fear of embarrassment, being stigmatized and retaliation, including fear of losing their job or otherwise damaging their career. Sexual harassment and demand for sexual favours in the workplace is common in male-dominated sectors, despite progress made in the post-apartheid workplace. Sometimes women are even forced to leave their jobs³⁹¹.

³⁸⁶ Women's Legal Centre: 2006: Sexual Harassment and the Amendment Code of Good Practice on the Handling of Sexual Harassment in South Africa

³⁸⁷ Women's Legal Centre: 2006: Sexual Harassment and the Amendment Code of Good Practice on the Handling of Sexual Harassment in South Africa

³⁸⁸ Commission for Gender Equality: 2018: Annual Report 2017/18

³⁸⁹ Sam Tambani Research Institute (SATRI): 2016: Challenges Facing Women in the Mining, Energy and Construction Sectors of South Africa: Persisting barriers to equity in the workplace

³⁹⁰ Ibid

³⁹¹ Ibid

Programmatic interventions to support sexual offences legislation

Sexual Offences in the Learning Sector

With the plight of sexual violence at our schools, the Department of Basic Education is implementing the Employment of Educators Act, 1998 (Act No 76 of 1998) which sets out measures of intervention against sexual violence perpetrated against learners. The Department of Higher Education and Training is also in the process of finalising the National Policy on Gender-based Violence which seeks to establish a framework to address the incidence of power-based crimes occurring at the higher learning institutions. The Directors-General Intersectoral Committee and the National Intersectoral Technical Committee on the Sexual Offences have the representations of the two Departments to closely monitor how they address the proliferating sexual violence at the learning sector. The Directors-General Intersectoral Committee further made a resolution that the 2 Departments must compile annual reports for submission to Parliament as part of the implementing government stakeholders, which comply with section 65(3) of the Act³⁹².

The Department of Higher Education and Training had established a Task Team to develop a policy to deal with gender-based violence and sexual offences perpetrated within their institutions³⁹³.

Policy interventions

The National Policy Framework on the Management of Sexual Offences Matters, 2012: During the 2016/18 reporting period, the Department of Justice partnered with UNICEF to review the National Policy Framework in compliance with section 62(2)(c) of the Act.

Progress on the Development of the Regulations for the Establishment and Management of Sexual Offences Courts: The Department of Justice is in the consultation phase with the relevant stakeholders after having received public comments³⁹⁴.

Pursuant to the Indaba of the National Forum on the Implementation of the Sexual Offences Act held in October 2017, the National Training Task Team was established to review all training material used by the implementing stakeholders to build the requisite skills for the optimal management of sexual offences cases. The review is still on going³⁹⁵.

The Guidelines/ Minimum Standards for the Development of Trauma Debriefing Programme: The Directors-General Intersectoral Committee and the National Intersectoral Technical Committee on the Sexual Offences held 2 workshops with the Employment Assistance Programme officials of the implementing stakeholders to develop guidelines for the customized Trauma Debriefing Programme. The Programme is for officials who have the direct contact with the victims of sexual offences. The zero draft guidelines have been developed and will be finalised in the 2018/19 financial year. The Trauma Debriefing Programme is intended to reduce the incidence of vicarious trauma which, if unattended, may result in severe depression, frequent absenteeism from work, dysfunctional families, and unfortunate fatalities etcetera³⁹⁶.

³⁹² Department of Justice: 2018: Report on the Implementation of Sexual Offences and Related Matters Act, 2017/18

³⁹³ Ibid

³⁹⁴ Ibid

³⁹⁵ Ibid

³⁹⁶ Ibid

Governance Structures for Women Traditional Leaders and Wives of Traditional Leaders

The Department of Justice led the establishment of provincial governance structures for the women traditional leaders and wives of the traditional leaders. The aim is to have the national chair of these governance structures represented at the NT ISC SO. Traditional leaders are the prime stakeholders of the criminal justice system at rural community level and must therefore participate in national structures dealing with gender-based violence.

Thus far, the following structures have been established: (i) Eastern Cape: *Imbumba Yamakhosikazi*; (ii) Free State: *Bafumadi*; (iii) Gauteng: No female traditional leaders. There are two male traditional leaders; (iv) Kwa-Zulu Natal: *Indlunkulu*; (v) Limpopo: *Makgosikadi*; (vi) Mpumalanga: *Amakhosikati*; (vii) North West: *Bahumagadi*.

The NPA implements the Ndabezitha Programme which is an exclusively rural community-based programme intended to bring to end the incidence of domestic violence and sexual offences. It further seeks to address cultural practices that promote violence against women and girls³⁹⁷.

Harmful practices

The Committee on the Rights of the Child at the 73rd Session of the United Nations Committee of the Rights of the Child, expressed concern at the high prevalence of harmful practices in South Africa, which include child and forced marriage, virginity testing, witchcraft, female genital mutilation, polygamy, violent or harmful initiation rites, *Ukuthwala* and intersex genital mutilation. The Committee urged South Africa to guarantee the bodily integrity, autonomy and self-determination of all children, including intersex children, by avoiding unnecessary medical or surgical treatment during infancy and childhood. South Africa acknowledged, in reply to the Committee, the need to stop the practice of intersex genital mutilation³⁹⁸.

Ukuthwala: There is a proven link between a lack of education, underdevelopment and poverty. *Ukuthwala* deprives girl children of opportunities to educate and develop themselves. Research indicates that the majority of the girls and young women that are victims of *Ukuthwala* are from poor families. Their lack of education and underdevelopment, due to *Ukuthwala*, deepens their poverty and perpetuates the cycle of poverty. In many instances the children born into poverty also tend to be poor. This contributes to the cycle of poverty in the communities, particularly rural communities, where *Ukuthwala* is rife³⁹⁹.

Ukuthwala involves the kidnapping, abduction, rape and forced marriage of minor girls mostly by grown men. This practice is very common in the Eastern Cape and Kwa Zulu-Natal and is practiced in rural areas where men see it as their way of culture. This is a deviation from the original form and has now been characterised by rape or sexual violence involving strangers. The girl in this instance would have no relationship with the men involved and thus would not have consented to this marriage⁴⁰⁰.

Ukuthwala Campaign: The Department of Justice in partnership with the National Prosecuting Authority, SAPS, Department of Social Development and other role-players has implemented a campaign to create awareness against the practise of *Ukuthwala*. Various programmes in the form of public

³⁹⁷ Ibid

³⁹⁸ See www.justice.za: National Dialogue on the Protection and Promotion of the Human Rights of Intersex People Meeting Report: 2018: Retrieved 18 January 2019.

³⁹⁹ Maluleke, M. J.: 2012: Culture, Tradition, Custom, Law and Gender Equality: PER/PELJ 2012 (15) 1

⁴⁰⁰ www.doj.gov.za

education and awareness-raising, human rights and information dissemination, especially in provinces with high incidences of *Ukuthwala*, such as Eastern Cape and Kwa Zulu-Natal have been done.

Legislation to prevent *Ukuthwala*: Section 17 of the Criminal law (Sexual Offences and Related Matters) Amendment Act, Act 32 of 2007 prohibits the sexual exploitation of children by their parents and others. The Prevention and Combatting of Trafficking in Persons Act, (Act No 7 of 2013) came into effect in 2015 and enables the state to prosecute traffickers. The Act also includes abduction as an offence and anyone involved in *Ukuthwala* will also be liable for prosecution. Parents, relatives or others who collude in, or aid and abet the unacceptable practice of *Ukuthwala* of a girl commit the crime of exploitation of children and can also face charges in terms of the Trafficking in persons Act, under Section 71 of the Act.

The Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act 32 of 2007), Section 17, prohibits the sexual exploitation of children by their parents and others. Parents, relatives or other who collude in, or aid and abet the *Ukuthwala* of girl-children commit the crime of sexual exploitation of children. They also face being charged under Section 71 of the Sexual Offences Act with Trafficking in Persons. A victim of *Ukuthwala* may also apply for a protection order against family members involved in her abduction under the Domestic Violence Act.

Outreach Campaigns against *Ukuthwala custom*: Annual implementation of various campaigns against *Ukuthwala* custom have been implemented at schools reaching learners, training of community members and leaders and educating women about trafficking and *Ukuthwala* custom. The annual Access to Justice Week in August enables Departments to interact with communities, especially rural communities that still practices traditional customs. Departments empowers communities regarding types of marriages, (e.g. customary marriages), divorce, maintenance, execution of deceased estate, gender-based violence, violence against children and harmful cultural practices. The Departments of Justice and Social Development, the NPA, and SAPS are key role players in reaching women and men in communities and have indeed been executing intergovernmental events.

Virginity testing: The consultation process during the development of the Children's Act 30 of 2005 found that some of the young girls believed virginity testing encourages them to abstain until marriage. The challenge to the country's democracy in the context of its history is that indigenous cultural practices were marginalised and distorted for a long time. There is a need to find an appropriate balance between recognising our diverse cultural practices and respecting the constitutional framework which promotes the values of human dignity, the achievement of equality, the advancement of human rights and freedoms⁴⁰¹.

Virginity testing for children under the age of 16 years is prohibited in terms of Section 12 (4) of the Children's Act. This measure protects children who may not be able to express themselves freely in addressing social, cultural and religious practices detrimental to their well-being. Section 16 (1) of the Constitution of the RSA provides that everyone has the right to freedom of expression⁴⁰².

Critics of virginity testing argue that the intention of the practice of virginity testing might be good, but its flip side is gender bias. It does not treat boy and girl children equally. There are implications for gender equality and human rights as provided for in the Constitution. The practice also appears to threaten and objectify girl children so that fathers may get full *lobola* or *bohali* on marriage. This school of thought argues that the practice of virginity testing puts the whole responsibility for safe sex, abstinence, and countering the spread of sexually transmitted diseases solely on the shoulders of girls and young

⁴⁰¹ Ibid

⁴⁰² Ibid

women, who are often the victims of gender violence and gender inequality in so many other respects⁴⁰³.

Female genital mutilation: (FGM): Section 12 of the *Children's Act (Act 38 of 2005)* specifically prohibits female genital mutilation and the circumcision of female children. Contravention of this prohibition is an offence which may result in a sentence of a fine or imprisonment of up to 10 years if found guilty.

Polygamy: is legal in South Africa under the Recognition of Customary Marriages Act, 1998 (Act No 120 of 1998). Clauses in legislation that deny wives, who entered polygamous customary marriages before 1998 property rights, are set to be expunged. On 30 November 2017 the Constitutional Court handed down judgement in *Ramuhovhi and Others v President of the Republic of South Africa and Others [2017] ZACC 41* (the Ramuhovhi-case). An application for the contamination in terms of section 172 (2) (a) of the Constitution of the order made by the High Court of South Africa, Limpopo Local Division, was brought by the applicants to declare that section 7 (1) of the Recognition of Customary Marriages Act, 1998 (Act No 120 of 1998) (the RCMA), is inconsistent with the Constitution and invalid in that it discriminates unfairly against women in polygamous customary marriages entered in before the commencement of the RCMA (pre-Act marriages), on the basis of gender, race and ethnic or social origin. The declaration of constitutional invalidity of section 7 (1) of the RMCA by the High Court of South Africa, Limpopo Local Division was confirmed. The declaration of constitutional invalidity is suspended for 24 months to afford Parliament an opportunity to correct the defect giving rise to the constitutional invalidity. A draft Bill to give effect to the judgement in the Ramuhovhi-case was prepared and was made available for public comment by 15 June 2018⁴⁰⁴.

Various government departments such as the NPA, Justice, SAPS and Social Development has been instrumental in awareness - raising of communities regarding constitutional rights and prevention of harmful practices.

Witchcraft and Women

Elderly women and women in rural areas are at risk of being branded witches with allegations of witchcraft. This involves witchcraft violence: the cultural practice of witch hunting, which holds dire consequences for women, especially elderly women who carry the brunt of such accusations. The victims of witchcraft allegations are usually burnt, stone beaten or murdered. This practice is rife in Eastern Cape, Limpopo and Kwa-Zulu Natal.

Witchcraft killings are still a problem and women are soft targets⁴⁰⁵. The Witchcraft Suppression Act, (Act 3 of 1957) read with the Witchcraft Amendment Act, 1970 prohibits various activities related to witchcraft. In 2016 the South African Law Reform Commission (SALRC) found sections of the Witchcraft Suppression Act, 1957 unconstitutional as well as the Act's prohibition on engaging in divinations. The Commission found that three issues require attention: allegations of harmful witchcraft practices; witchcraft allegations that lead to harm and muti murders. A draft Bill, Prohibition of Harmful Practices Associated with Witchcraft Beliefs Bill has been prepared for comment. The Laws currently regulating Witchcraft have not been effective in preventing witchcraft associated violence and addressing witchcraft. Accordingly the SAPS submitted to the SALRC in 2016 that the Act should be

⁴⁰³ Maluleke, M. J.: 2012: Culture, Tradition, Custom, Law and Gender Equality: PER/PELJ 2012 (15) 1

⁴⁰³ Commission for Gender Equality: 2014: Annual Report 2013/14

⁴⁰⁴ www.doj.gov.za

⁴⁰⁵ Commission for Gender Equality: 2014: Annual Report 2013/14

repealed. SAPS held the opinion that violence that emanates from witchcraft should be dealt within existing legislation and common law.

Shelters or places of safety for women and children

Shelter services fall under the Victim Empowerment programme (VEP) of the national government and are a key component of South Africa's crime prevention strategy. The components of the VEP includes services to victims of domestic violence, sexual assault, human trafficking, crimes against children, abuse of the elderly and crimes against people with disabilities. In 2001 Department of Social Development implemented Minimum Standards on Shelters for Abused Women, acknowledging in its policy that "shelters represent an absolute critical point of crisis intervention...". The Department of Social Development is responsible for leading and coordination of the VEP through policy making, coordination and monitoring, whilst policy implementation falls with the provincial departments of social development. It is estimated that 60% of social welfare services for women and children are currently being provided by NGO's⁴⁰⁶. In 2003 Department of Social Development implemented the Policy Framework and Strategy for Shelters for Victims of Domestic Violence.

According to Gender Links, the current shelter services are disproportionate to the need and there is necessity to establish new facilities as well as secondary housing schemes. Existing facilities should be made more responsive to survivor needs⁴⁰⁷.

In mid-2010 a group of three NPO's, NG Social Services Free State and Free State Care in Action filed court proceedings against the Department of Social Department and the provincial Free State department concerning irregularities in the implementation of the Department's funding policy to NPO's. The Free State Court found in favour of the NPO's. The judgement noted that the prevailing situation violated laws such as the Children's Act, the Older Person's Act and the Domestic Violence Act. The Court instructed Free State Social Department to pay immediately all outstanding amounts to NPO's and to revise its policy in respect of funding to NPO's⁴⁰⁸.

In 2011 the Department of Social Department released a new policy on Financial Awards to Service Providers that expects non-profit organisations that deliver services to meet the shortfall between costs of delivery and what Social Development provides through securing funds from donor organisations, corporate social responsibility programmes and sources such as the Lottery Distribution Trust Fund⁴⁰⁹. Social Development has over the years implemented various policies to serve as guidance. These also include the Minimum Standard for Service Delivery in Victim Empowerment (Victims of Crime and Violence), the Framework for Social Welfare Services (DSD, 2013), the National Strategy for Sheltering Services for Victims of Crime and Violence in South Africa (2013 -2018) and the 2010 Social Development Guidelines on Services for Victims of Domestic Violence (DSD, 2010)⁴¹⁰.

According to the Department of Justice by 2012 the number of shelters for abused women in South Africa was located as follows:

⁴⁰⁶ Bhana K.; Vetten L.; Makhunga L.; and Massawa D.: 2012: Shelters housing women who have experienced abuse: policy, funding and practice. Johannesburg: Tshwaranang Legal Advocacy Centre: pp7-9

⁴⁰⁷ Gender Links: 2011: GBV Indicator Research Project

⁴⁰⁸ Bhana K., Vetten L., Makhunga L., and Massawa D.: 2012: Shelters housing women who have experienced abuse: policy, funding and practice. Johannesburg: Tshwaranang Legal Advocacy Centre: pp11-12

⁴⁰⁹ Department of Social Development

⁴¹⁰ Vetten L.: 2018: Hlanganisa Institute for Development South Africa (HiDSA): Research Report, 2018. What is rightfully due? Costing the operations of domestic violence shelters (p5).

Table 35: Shelters as at 2012

Province	Number of shelters
Mpumalanga	7
Kwa Zulu Natal	14
Eastern Cape	19
Northern Cape	3
Limpopo	8
Gauteng	22
Free State	9
North West	11
Western Cape	12

Source: DoJ&CD Website⁴¹¹.

In 2016 the Department of Social Development reported in the review of the White Paper for Social Welfare (1997) that capacity is very seriously inadequate across all provinces.

The Department's approach to funding shelters differs across provinces in terms of both the type of costs covered, and the amount provided for each of the different types of costs. A case study by the Shukumisa Campaign of 17 shelter organisations found that they had been forced by cutbacks in funding to reduce staff numbers by 100 between 2010 and 2013 and also forced to stop offering a range of key services⁴¹².

In 2018 a research report by Hlanganisa Institute for Development South Africa on behalf of the Joint Gender Fund found that shelters are chronically under-funded, especially when provided by non-profit organisations. No NPO is paid the full value of its services but expected to find the shortfall in funding elsewhere⁴¹³. The HiDSA report recommends a costing based on a model of sheltering that allows for a mix of longer-term stays, ranging from one to six months. In 2018 the beneficiary cost per woman and her two children is calculated as R7 223.72; assuming that the shelter is full each month, this will amount to an annual cost of R1 300 269.60. With the total annual cost of overhead expenses calculated as R899 969.16, this brings the annual core costs of a shelter to R2 200 238.76. (This amount will obviously also vary according to the number of rooms in the shelter⁴¹⁴).

According to Bhana *et al*, (2012) each woman at the shelters surveyed in a Gauteng study received funding of R30 per day from the Department of Social Development. This amount is expected to cover the woman's costs as well as those of her children, regardless of how many children the women have. In contrast, the funding provided by the government to children's homes is R73 per day per child and to correctional centres (prisons) R373 per day per inmate (prisoner)⁴¹⁵.

The Hlanganisa Institute for Development South Africa research report found that apart from victims of domestic violence and intimate partner violence, a diverse category of women are offered shelter at shelters for abused women. These include shelter for a range of reasons, including as a result of experiencing violence from another family member or having been raped. Another proportion of women were destitute or facing a pregnancy crisis, while still others had experienced forced labour, human trafficking, or kidnapping, or had been identified as persons at risk of abuse. A different survey found

⁴¹¹ <http://www.justice.gov.za/vg/Shelter-Database.pdf>

⁴¹² IBID

⁴¹³ Vetten L.: 2018: Hlanganisa Institute for Development South Africa: Research Report, 2018. What is rightfully due? Costing the operations of domestic violence shelters

⁴¹⁴ IBID

⁴¹⁵ Bhana, K.; Vetten, L.; Makhunga, L. and Massawa, D: 2012: Shelters housing women who have experienced abuse: policy, funding and practice. Johannesburg: Tshwaranang Legal Advocacy Centre

shelters' residents to also include refugees and lesbians exposed to violence on the basis of their sexual orientation and gender identity. Given this diversity, these facilities are perhaps now better described as shelters for women facing challenging social circumstances, rather than domestic violence shelters – or even shelters for victims of crime and violence⁴¹⁶.

The report argues that it may be neither affordable nor feasible to provide separate shelters for each category of woman requiring temporary accommodation. However, it cannot be assumed that pregnant women; lesbians seeking to escape homophobic persecution; homeless women; refugees; women who have been trafficked; rape complainants and abused women are all in the same position. Without an adequate consideration of these various categories of women's needs, policy that subsumes all within an undifferentiated set of services and programmes may ultimately be neglecting the entitlements of each⁴¹⁷.

According to the research report, the expansion of shelters' clientele has not been matched by a significant increase in their number. In 2009 the Department of Social Development reported that it was funding 96 shelters, with the vast majority of these likely to have been managed by the non-profit sector. In 2017, the Department of Social Development was said to be funding 102 shelters, representing an increase of six shelters in eight years. In August 2017 the Department of Social Development reported to be supporting and strengthening 84 shelters for abused women, while also establishing 13 shelters for victims of human trafficking⁴¹⁸.

Green and White door facilities

There are 206 White Door spaces of hope across all provinces in South Africa⁴¹⁹. The Eastern Cape provincial department of social development opened its first White Door centre in 2013, whilst The Green Door was first developed in Gauteng province in 2010 by the provincial Department of Community Safety. The number of Green and White Doors has increased rapidly since their inception. Between 2010 and 2016, 32 Green Door sites came into existence in Gauteng. By 2017 the Department of Social Development reported on a number of 205⁴²⁰. The greatest increase in facilities by far has occurred in relation to the Green and White Door facilities. They represent the most minimalist of approaches to sheltering. The 2004 Minimum Standards for Service Delivery in Victim Empowerment (Victims of Crime and Violence) guides the criteria of what qualifies as a shelter. The Green and White Doors do not meet the criteria of a shelter, being no more than entry points (sometimes) to shelters. However, this does not discount their place on the spectrum of services that ought to be available to women experiencing abuse⁴²¹.

The success stories of shelters is reported in the Hlanganisa Institute for Development South Africa report to include that of the women surveyed for the report, 79% did not return to their abusive partners after leaving shelters in the Western Cape; 71% of the women did not return to their abusive partners after leaving shelters in Kwa-Zulu Natal and in Gauteng 53% did not return to their partners. In Mpumalanga, 21% of women returned to their partners after leaving the shelters. In the Western Cape three shelters reported 40 residents unemployed; by the time they exited the shelters 20 women found

⁴¹⁶ Vetten, L.: 2018: Hlanganisa Institute for Development South Africa: Research Report: 2018. What is rightfully due? Costing the operations of domestic violence shelters

⁴¹⁷ Ibid.

⁴¹⁸ IBID

⁴¹⁹ Department of Women

⁴²⁰ Vetten, L.: 2018: Hlanganisa Institute for Development South Africa: Research Report: 2018. What is rightfully due? Costing the operations of domestic violence shelters

⁴²¹ Vetten L.: 2018: Hlanganisa Institute for Development South Africa: Research Report, 2018. What is rightfully due? Costing the operations of domestic violence shelters: p13

employment. In Kwa-Zulu Natal shelters found employment for four of the 19 unemployed women and in Gauteng 18 of the 101 unemployed women found employment. In Mpumalanga 2 of the 17 women who were unemployed at entry found employment⁴²² The Hlanganisa Institute for Development South Africa research report recommends that The Departments of Labour and Trade and Industry, as well as the relevant Sector Education and Training Authorities must play a role in providing skills, training and employment programmes to women in shelters⁴²³.

There are also emergences of alternative perspectives on shelter options. In Albania new legislation on Social Housing in 2018 paved the way for women survivors of domestic violence, victims and possible victims of trafficking and single mothers to be among the groups prioritised for low-cost housing. Women who previously lived in a shelter have now moved into low-cost housing apartments, living independently⁴²⁴.

PARTICIPATION, ACCOUNTABILITY AND GENDER-RESPONSIVE INSTITUTIONS

This section of the report seeks to highlight progress made on (i) Critical Area G on Women in power and decision-making; (ii) Critical Area H on Institutional Mechanisms for the advancement of women; (iii) Critical Area I on Human Rights of Women; (iv) Critical Area J on Women and the Media; and (v) Critical Area L on the Girl Child, as outlined in the Beijing Platform for Action. It furthermore responds to the UN Women Guidance Note – Section Two, Questions 19-25.

South Africa has made major gains in the areas of democracy, representation and governance towards achieving gender equality and women's empowerment. South African women have a long struggle history against patriarchy, suppression, discrimination, subjugation and women's suffrage, and many gains have been achieved through a strong, robust and vibrant women's movement. The Constitution provides an enabling framework that has guided the introduction of policies and laws to enforce transformation, non-discrimination; non-sexism and equality for women and their equal representation and full participation in national government structures, decision-making and leadership positions.

To achieve gender-parity within the public and private sector clear targets have been put in place in key areas of political and governance levels to promote the advancement, representation and full participation of women in power structures and key decision-making levels. In line with its commitment to the SADC Declaration on Gender and Development South Africa attained its minimum 30% representation of women at the political level during the second national elections in 1999. The 30% target was also achieved for representation of women at the SMS level in the public service by March 2005. Following this Cabinet adopted the 50/50 principle for women in the SMS level in the Public Service and called for the same principle to be adopted at all political, leadership and decision-making levels in the country, including in the private sector.

Women, enfranchisement and political participation

The inclusion of women in decision making is a fundamental human right, but the history of the franchise in South Africa has been informed by patriarchy and racism. Adult white women were given the right to vote in 1930, while black women only gained this right in 1994. Since 1994 South African women have been actively involved in using their vote to determine their government representatives at local, provincial and national levels.

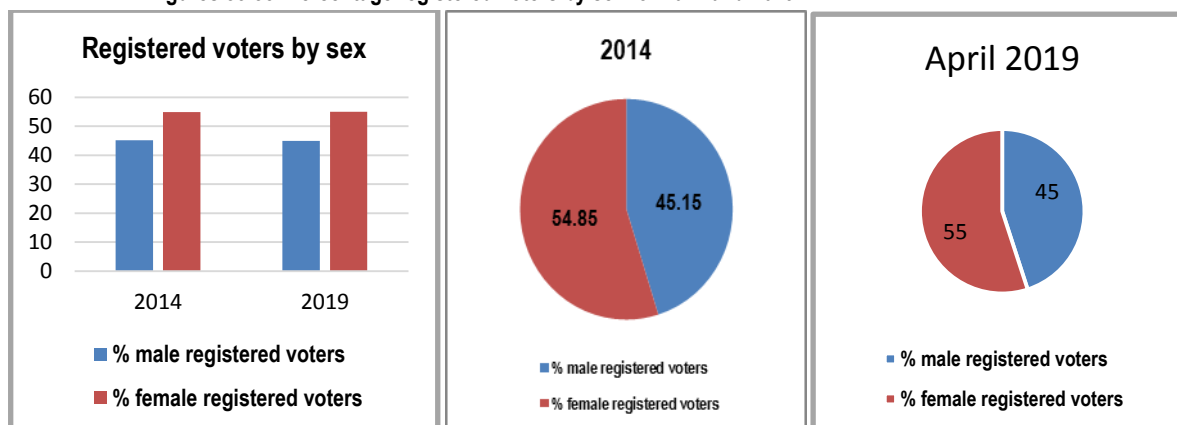
⁴²² IBID p28

⁴²³ IBID p36

⁴²⁴ New Law in Albania will provide low-cost housing for domestic violence survivors. <http://www.unwomen.org/en/news/stories/2019>

In 1999 there were a total of 18 172 751 registered voters, which increased in 2004 to 20 674 926. This figure dramatically increased to a remarkable 25 million registered voters in 2014, and as at December 2018, it was 26 071 154 registered voters. In 2019, there are 14 706 799 women registered as voters, while men comprise 11 709 060 of the total registered voters. In all age categories, women continue to outnumber men.

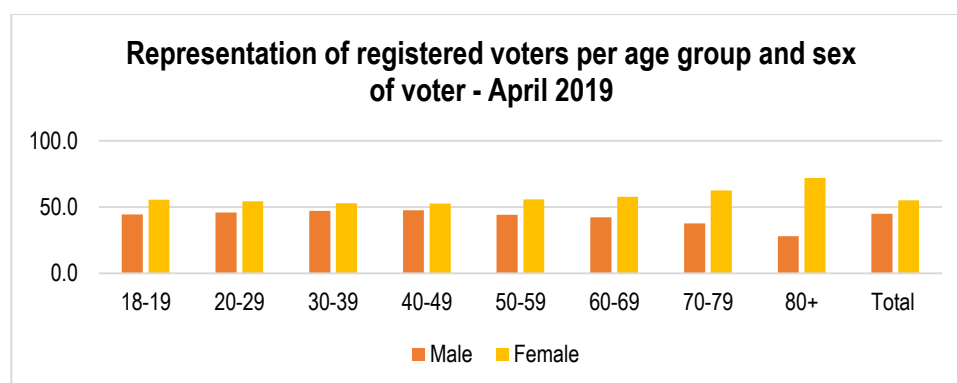
Figures 83-85: Percentage registered voters by sex for 2014 and 2019



Source: IEC, 2019

Table 36: Voters registered according to age and sex in 2019⁴²⁵

Age Group	Male		Female		Total
	No	%	No	%	
18-19	155 646	44,5	194 310	55,5	349 956
20-29	2 434 888	45,8	2 884 191	54,2	5 319 079
30-39	3 147 158	47,1	3 532 579	52,9	6 679 737
40-49	2 594 868	47,4	2 873 855	52,6	5 468 723
50-59	1 865 228	44,2	2 352 758	55,8	4 217 986
60-69	1 152 765	42,3	1 573 858	57,7	2 726 623
70-79	498 486	37,5	829 506	62,5	1 327 992
80+	180 965	28,0	465 742	72,0	646 707
Total	12 030 004	45,0	14 706 799	55,0	26 736 803



Source: IEC Website

⁴²⁵ <https://www.elections.org.za/content/Voters-Roll/Registration-statistics/>

Women generally outnumber men as voters across the different age groups, with women in the age group 45 years and older showing greater tendency to vote than women in other age groups and men in all age groups. What is remarkable is that women are well over the 50% mark in terms of registered voters. This is very telling perhaps indicative of women's recognition of the importance of their suffrage and franchise or enfranchisement – which women have literally fought for since the late 19th Century. In July 2016, the Independent Election Committee reported that almost three-quarters of the new registered voters (just over a million people out of almost 1.4 million) were aged between 18-19 years. The table below indicates the numbers of young women as new registrations, which was higher than that of young men in the same age group.

WOMEN'S REPRESENTATION IN CABINET

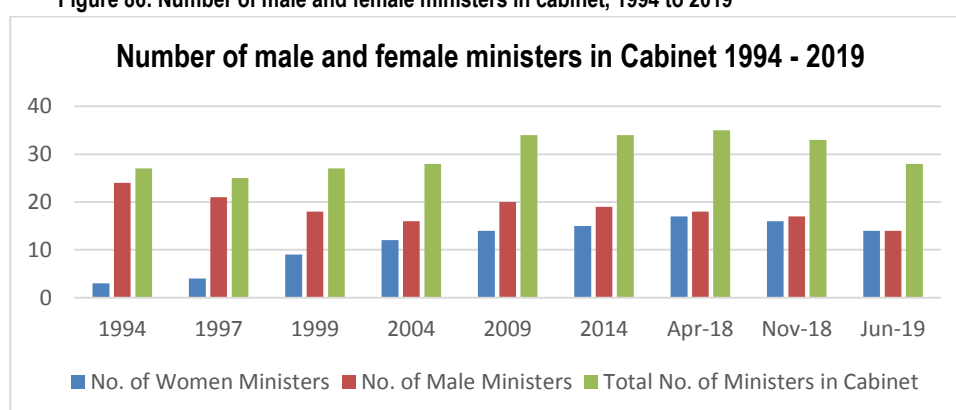
South Africa has made enormous strides over the past 25 years in ensuring that women are increasingly represented and are participating in political and leadership positions, not only in political party structures, but at legislative, executive, local governance, diplomatic and international levels.

Table 37: Percentage representation of Female Ministers in Cabinet: 1994-2019

Representation of Ministers in Cabinet by sex from 1994 to June 2019									
	1994	1997	1999	2004	2009	2014	April 2018	Nov 2018	June 2019
No. of Female Ministers	3	4	9	12	14	15	17	16	14
No. of Male Ministers	24	21	18	16	20	19	18	17	14
Total No. of Ministers in Cabinet	27	25	27	28	34	34	35	33	28
% representation of Female Ministers	11%	16%	33.3%	42.8%	41%	41,5%	48.57%	48.48%	50%

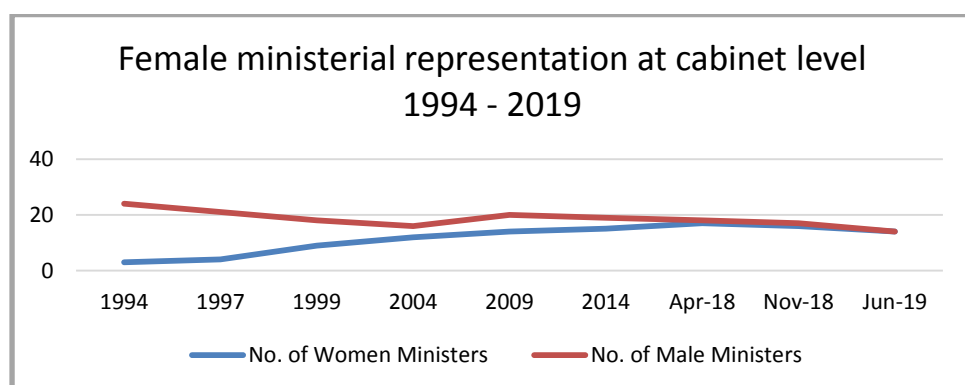
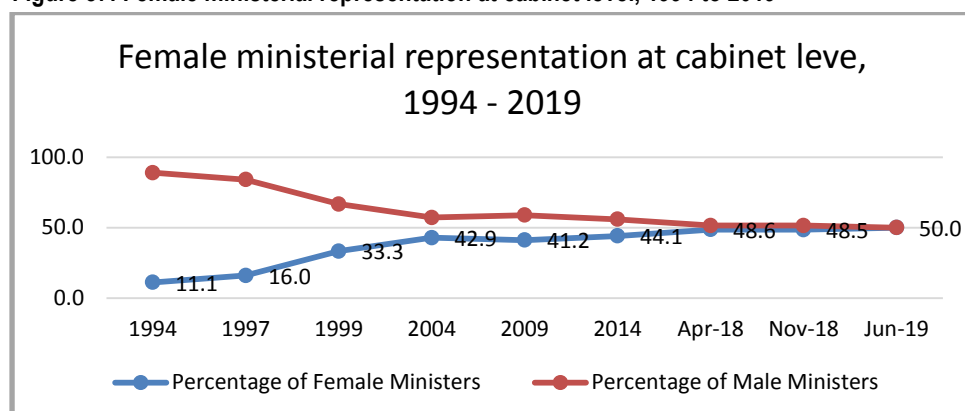
Source: Own calculations using information from Government Communications Information Systems (GCIS)

Figure 86: Number of male and female ministers in cabinet, 1994 to 2019



Over the 25-year period, the country has shown tremendous progress in terms of women's representation at the executive level, increasing from just three women ministers in 1994 out of a total of 27 ministers to 14 of 28 ministers following the 2019 national elections. 50-50 gender parity at ministerial representation in Cabinet has been reached.

Figure 87: Female ministerial representation at cabinet level, 1994 to 2019

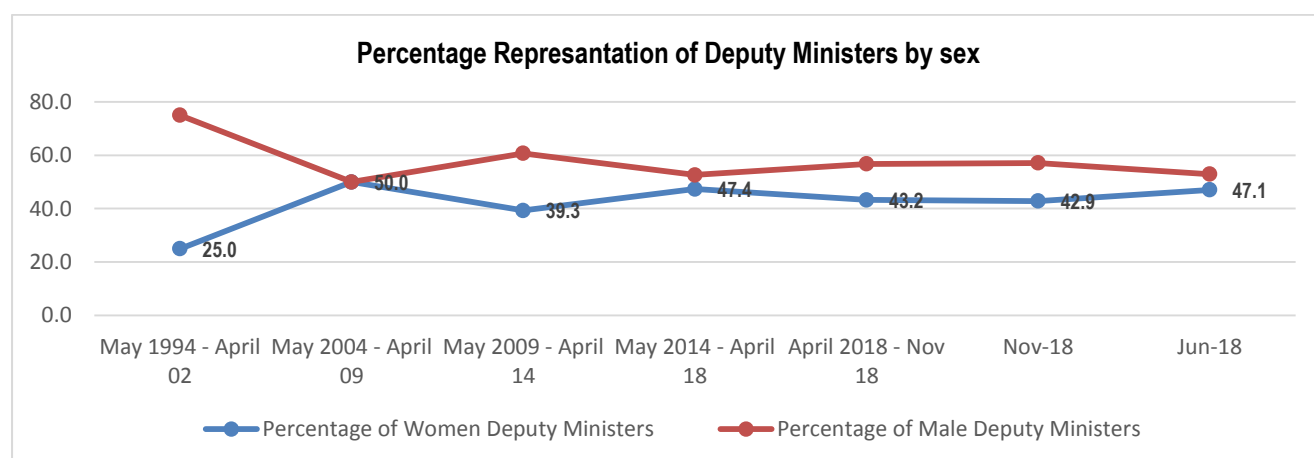


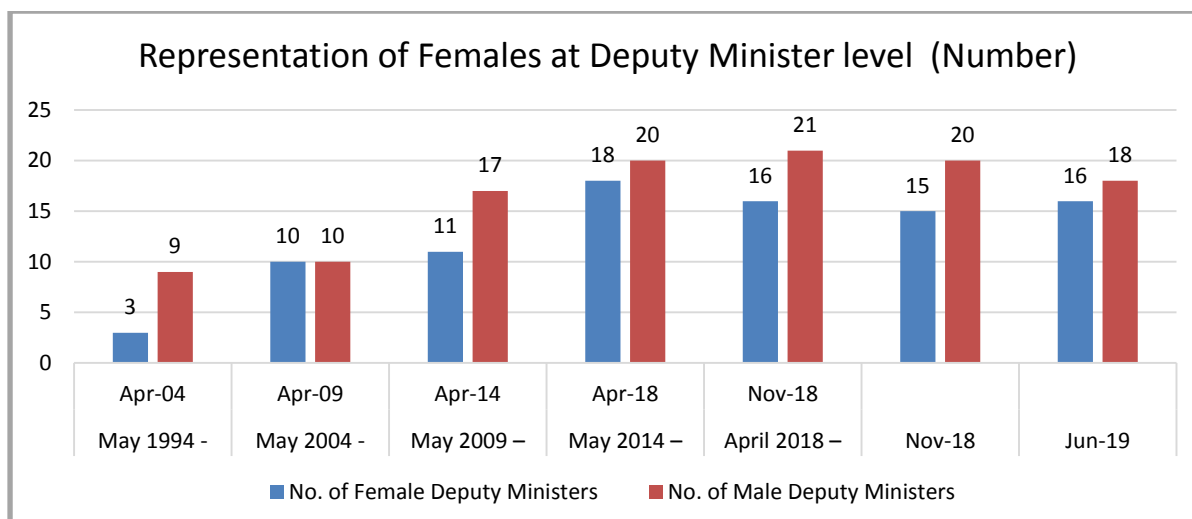
WOMEN'S REPRESENTATION AS DEPUTY MINISTERS

Table 38: Representation of Deputy Ministers in Cabinet by sex from 1994 to May 2019

	May 1994 - Apr 2004	May 2004 - Apr 2009	May 2009 - Apr 2014	May 2014 - Apr 2018	April 2018 - Nov 2018	Nov 2018	June 2019
No. of Female Deputy Ministers	3	10	11	18	16	15	16
No. of Male Deputy Ministers	9	10	17	20	21	20	18
Total No. of Deputy Ministers in Cabinet	12	20	28	38	37	35	34
% representation of Women Deputy Ministers	25%	50%	39%	47%	43.2%	42.85%	47.1%

Figure 88: Number of male and female deputy ministers, 2004 to 2019





WOMEN'S REPRESENTATION IN NATIONAL PARLIAMENT

Around the world, women are closing the gender gap in areas such as health and education, but significant gender inequality persists in politics. On average, women constitute only 23.5% of representatives in parliament around the world. Impressively South Africa ranks 2nd place out of the G20 members, with a huge 42% of seats in parliament going to women.

Table 39: Percentage representation of women in Parliament: 1994-2019

Representation of Women in National Parliament from 1994 to 2019							Number	%
Representation of women in National Parliament	1994	1999	2004	2009	2014	2018	June 2019	June 2019
	27.8%	30%	32.8%	43.3%	41%	41.7%	183 out of 397	46.1%

Figure 89: (a) Percentage and (b) trend of women representatives in parliament, 1994 to 2019

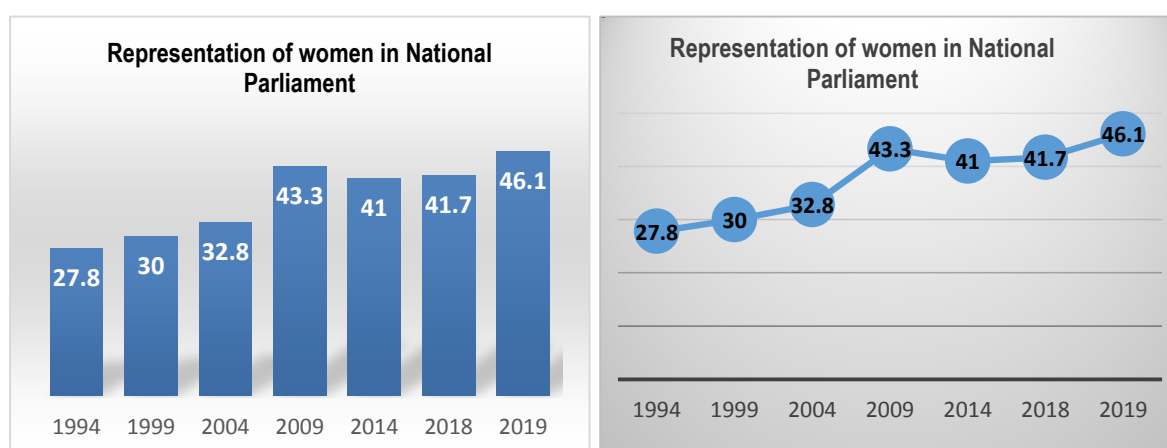


Table 39: Representation of women as Office Bearers in National Parliament from 1994 to 2019

	1994	2004	2009	2014	2018	2019
Women as Speaker of the National Assembly	1	1	-	1	1	1
Women as Deputy Speaker of the National Assembly						
Women as Chair of the NCOP				1	1	
Women as Deputy Chair of the NCOP						1

Table 40: Representation of Women in the NCOP from 1994 to 2019

	1994	2004	2009	2014	2019
No of Women					21
No of Males					33
Percentage of women			32.08%	35.84%	38.9%

WOMEN PREMIERS

Table 41: Representation of Women Premiers from 1994 to 2019

	1994	2004	2009	2014	2018	2019
No of Women			5	2	4	2
No of Males			4	7	5	7
Percentage of women			55,6	22,2	44,4	22,2

WOMEN'S PARTICIPATION IN LOCAL GOVERNMENT

There is progress in the representation and participation of women at the local government level since the first local government elections in 1995 from overall 19% of women to 41% overall in 2016.

Table 42: Percentage women representation at local government level, 1995 to 2016

Year	% Women Ward	% Women PR	% Women overall
1995	11%	28%	19%
2000	17%	38%	29%
2006	37%	42%	40%
2011	33%	43%	38%
2016	33%	48%	41%

Source: Gender Links, 2016

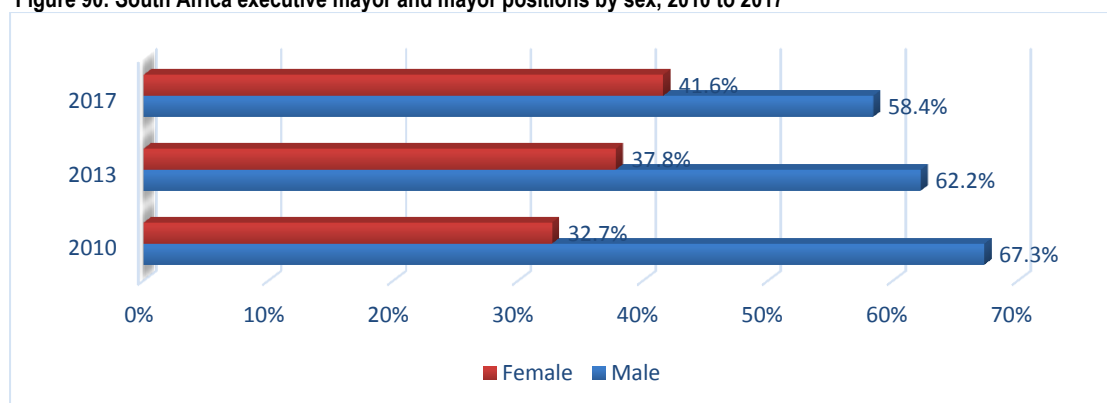
Women's Representation in City and Town Councils

Representation of women at executive level in local government has shown a slight increase between 2007 and 2017. It should be noted that consolidated data sets for senior management levels in the municipal censuses were not disaggregated by sex prior to 2007.

Women Mayors

In 2009, 281 of South Africa's 283 municipalities had a sitting mayor. Of these 98 (or 35%) were female⁴²⁶. By 2016, 276 of South Africa's 278 municipalities had a sitting mayor⁴²⁷. There was a small increase in the number of women mayors with 107 (or 39%) being female, with Limpopo and Eastern Cape showing the most significant gains.

Figure 90: South Africa executive mayor and mayor positions by sex, 2010 to 2017



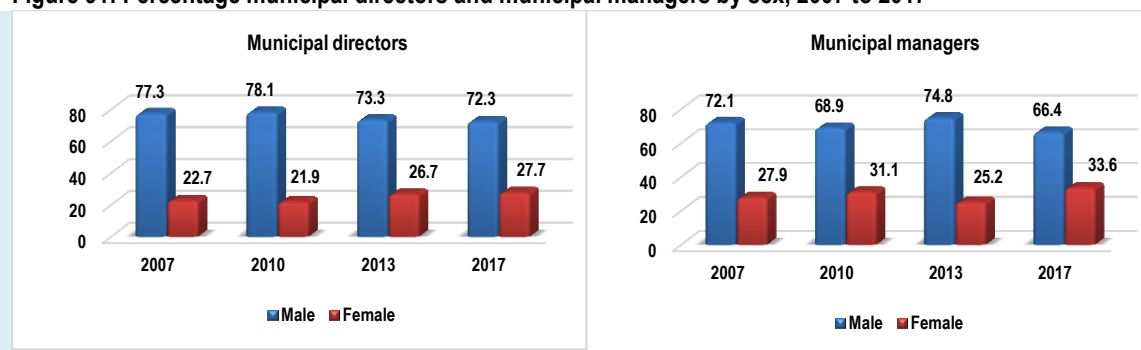
Source: StatsSA

⁴²⁶ Stats SA. 2010. Non-financial census of municipalities for the year ended 30 June 2010

⁴²⁷ Stats SA. 2017. Non-financial census of municipalities for the year ended 30 June 2017

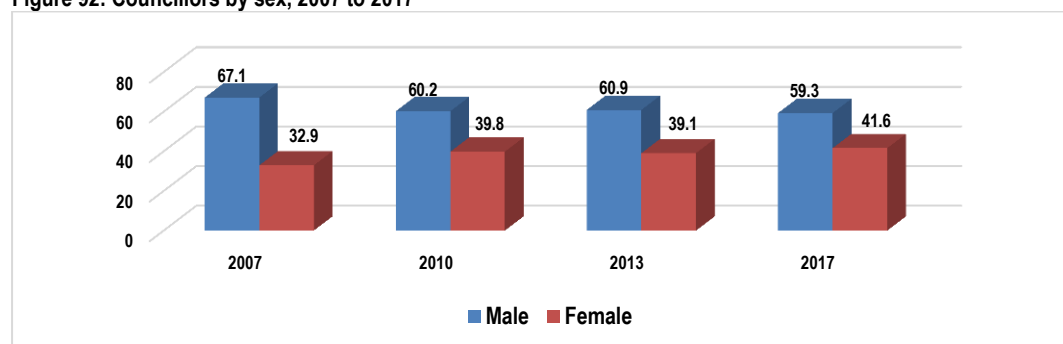
Following the 2016 Local Government Elections, overall in the country there is a 39% representation of women as municipal mayors.

Figure 91: Percentage municipal directors and municipal managers by sex, 2007 to 2017



Source: StatsSA Non-financial census of municipalities 2007, 2010, 2013, 2017

Figure 92: Councillors by sex, 2007 to 2017



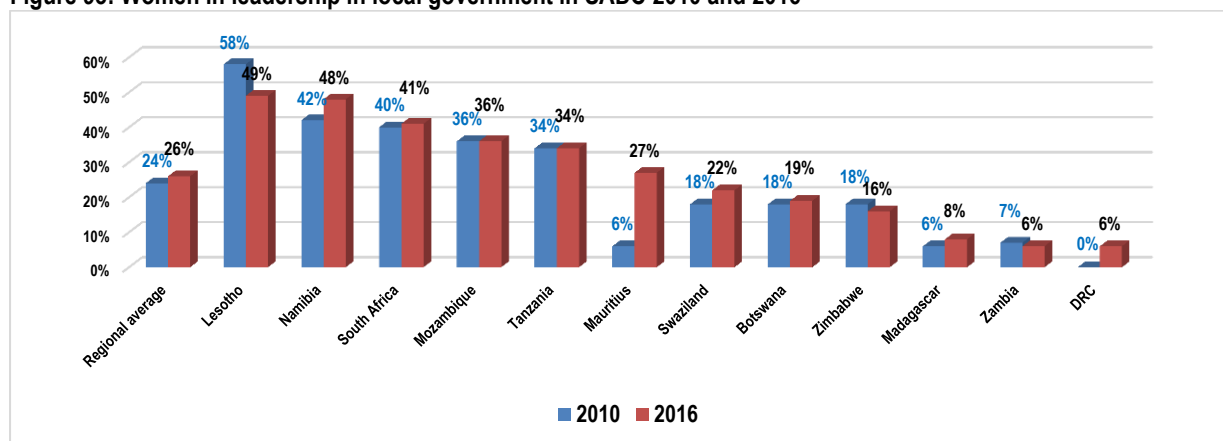
The South African Local Government Association (SALGA), informed by gender-related challenges facing local governance in Africa, establishment a Women's Commission as part of its United Cities and Local Governments initiative in 2010. Since its inception there has been a noted commitment to implementing measures that would begin to address these challenges. There is recognition that efforts to modify patriarchal cultural norms that give rise to predetermined gender roles and violence against women have to be undertaken consistently and the efforts evaluated⁴²⁸. The results of the 2016 local government elections shows that women representation in local government has increased from 38% of elected councillors in 2011 municipal elections to 41% in 2016 municipal elections.

South Africa has fared well in the representation of women at the local government level when compared against other member states across the SADC region. In 2010 the country lagged behind Lesotho at 58% and Namibia at 42%⁴²⁹. Although the percentage of women increased to 41% following the Local Government Elections in 2016, South Africa still lags behind Lesotho at 49% and Namibia at 48%. While the representation of women at this level actually decreased from 58% in 2010 to 49% in 2016 in Lesotho, the remarkable gains made by Namibia in increasing from 42% in 2010 to 48% in 2016 and Mauritius from 6% in 2010 to an incredible 27% in 2016 must be commended.

⁴²⁸ SALGA Women's Commission, 2016, The Journey (2010-2016)

⁴²⁹ SADC Gender Monitor

Figure 93: Women in leadership in local government in SADC 2010 and 2016



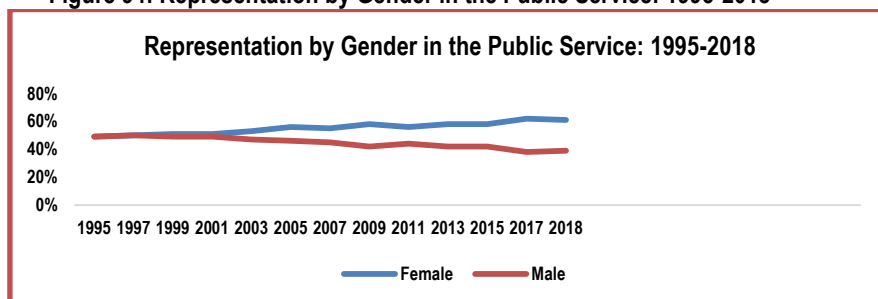
Source: Gender Links

WOMEN'S PARTICIPATION AND REPRESENTATION IN THE PUBLIC SERVICE

The trend over the 25 years since 1994 illustrates that women have steadily increased in the Public Service and are outnumbering men since 2001. The gap between men and women is widening towards 2018, skewed in the favour of women. Although more women are joining the Public Service, they are predominantly at the lower ranks of the public service.

The figure below shows that women make up more than 50% of all public servants employed in the Public Sector. Unfortunately this is not indicative of similar equity as one goes up the management ranks across the Public Sector – in fact the inverse is true. This will be clearly demonstrated by looking at the representation and participation of women across the different sectors in the Public Service.

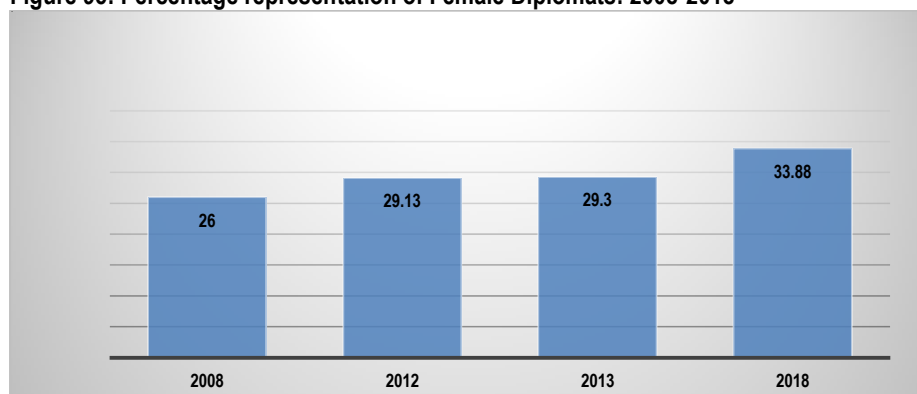
Figure 94: Representation by Gender in the Public Service: 1995-2018



Representation of women in diplomatic positions abroad

Over the past 25 years South Africa has ensured that women are represented not only in global leadership positions such as in the United Nations, African Union, and other such forums, but that women are representing the country as ambassadors, high commissioners and consul-generals. Diplomatic appointments of women in South Africa's diplomatic service have increased steadily since 1994. In 2008, women accounted for 26% of appointed ambassadors, high commissioners and consul-generals, increasing to 29.13% in August 2012 and to 29.3% in 2013. In December 2018, women hold 41 (or 33.88%) diplomatic positions as ambassadors, high commissioners; consul-generals or permanent representatives to the UN, while men hold 80 (66.1%) of these positions. Although there is progress noted, there is only a 7.88 percentage point increase over the last ten year period. This is clearly demonstrated in the bar graphs below.

Figure 95: Percentage representation of Female Diplomats: 2008-2018



Source: own calculations from information on website of DIRCO: www.dirco.gov.za

Representation of Women in Senior Management in the Public Service

There is a 41.3% representation of women in senior management in the public service as at December 2018 with an average annual increase of approximately 1 percentage point since 2009 when representation stood at 34.8%. The trend pattern is illustrated in the figure below which shows that in 1994 the gap between women and men was extremely wide and which is narrowing towards 2018. This implies that the movement toward 50/50 is taking place but that there is some way to go towards equity. From the trend pattern it seems likely that 50/50 equity at the SMS level in the Public Service will only be reached in 2027, nine years from now.

Table 43: Representation of women at Senior Management Level in the Public Service: 1994-2018

Year	Women (%)	Men (%)
1994	5%	95%
1995	8%	92%
1996	11%	89%
1997	13%	87%
1998	14%	86%
1999	17%	83%
2000	20%	80%
2001	20%	80%
2002	22%	78%
2003	24%	76%
2004	25%	75%
2005	30%	70%
2006	31%	69%
2007	33%	67%
2008	34%	66%
2009	35%	65%
2010	36%	64%
2011	37%	63%
2012	38%	62%
2013	39.6%	61.4%
2014	39.8%	61.2%
2015	40.5%	59.5%
2016	41%	59%
2017	41%	59%
2018	41.3%	58.7%

Figure 96: Percentage Representation: SMS level in the Public Service by Sex: 1994-2018

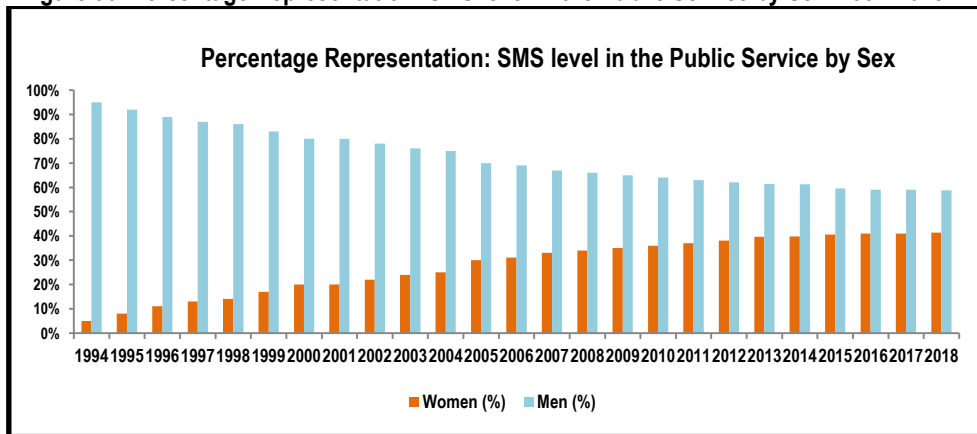
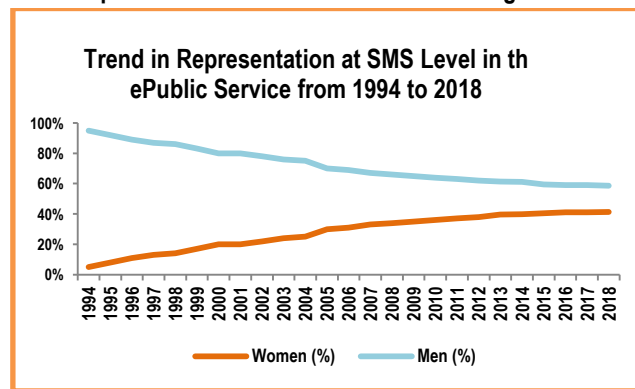


Figure 97: Trend in representation of women at Senior management level (SMS) level from 1994-2018



Women in the Judiciary

There has been a remarkable increase in the percentage of women judges over the 25 years since democracy from one female judge in 1994 to a demographically diverse representation of 35.5% in 2018.

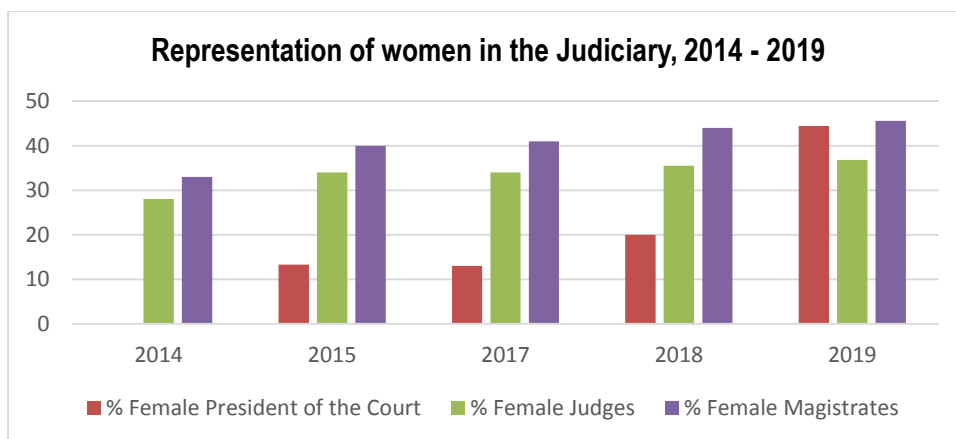
There are approximately 44% women magistrates in South Africa, with most of them located as Regional Court Presidents (i.e. over 50%).

At the highest level of the Judiciary which is the Chief Justice level, South Africa has never has a female Chief Justice to date.

Table 44: Representation of women in the Judiciary: 1994 – 2019

	1994	2000	2011	2013	2014	2015	2017	2018	2019
% Female Chief Justice					0	0	0	0	0
% Female President of the Court					0	13.3	13.0	20.0	44.4
% Female Judges			28.0		28.0	34.0	34.0	35.5	36.8
% Female Magistrates					33.0	40.0	41.0	44.0	45.6

On 20 June 2019, the President appointed five new Judges to the Supreme Court of Appeal, 3 of who are women.



Representation of Women in Senior Management Positions in the Overall Workforce

In terms of progress towards women's representation in the workforce the picture remains particularly discouraging. The highest increase in representation of women is noted at senior management level, which is 18.8 percentage point increase. This is the bleak picture after 25 years.

Table 45: Percentage progress trend from 2001 to 2017 by occupational level and gender

Occupational Level	Year	Male (%)	Female (%)
Top Management	2001	87.0	13.0
	2017	77.1	22.9
Senior Management	2001	80.0	20.0
	2017	66.2	33.8
Professionally Qualified	2001	62.0	38.0
	2017	53.4	46.6
Technically Skilled	2001	60.0	40.0
	2017	52.9	47.1

Source: CEE Report 2017-18

Representation of females is approximately half of their economically active population figure at top management level. The trend illustrates that the gap between women and men at the top management level is barely narrowing in the twenty-five years after the advent of democracy. The picture changes slightly at the senior management level in the workforce, depicting a very gradual increase in the representation of women.

Fig 98: Trends in Workforce Profile: Top Management – 1999 to 2018

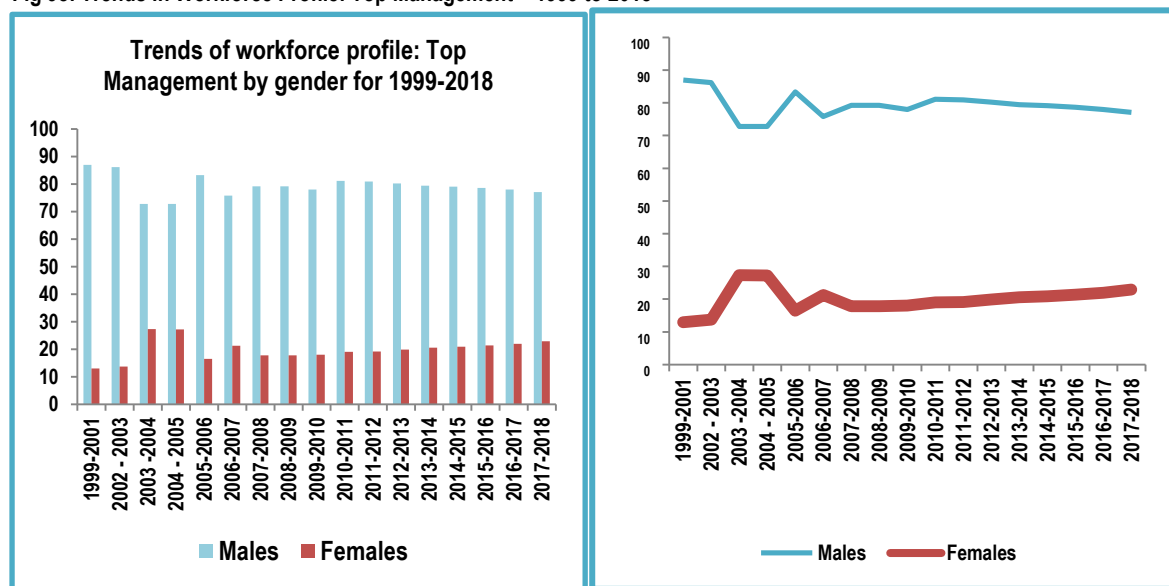
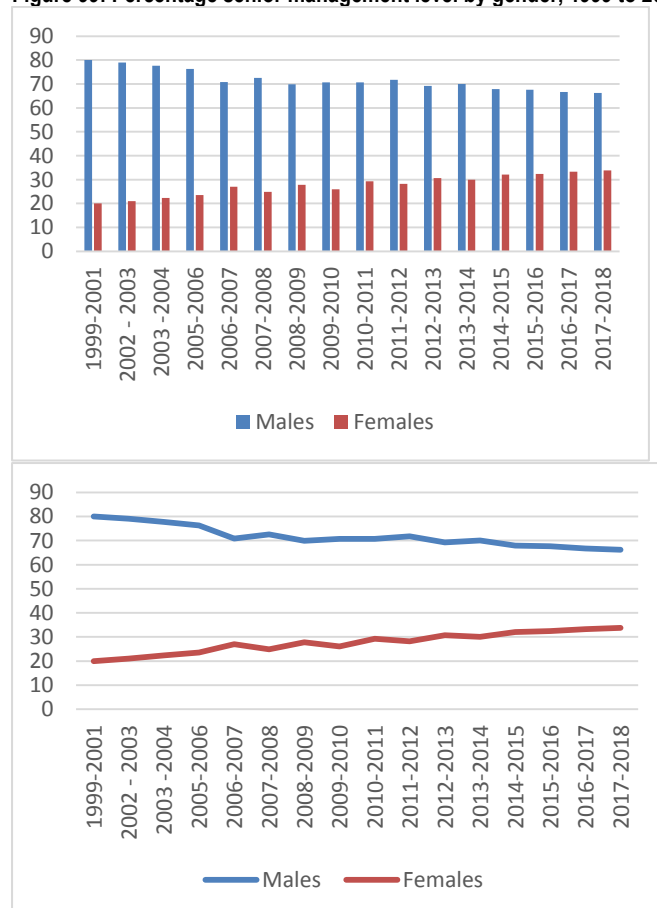
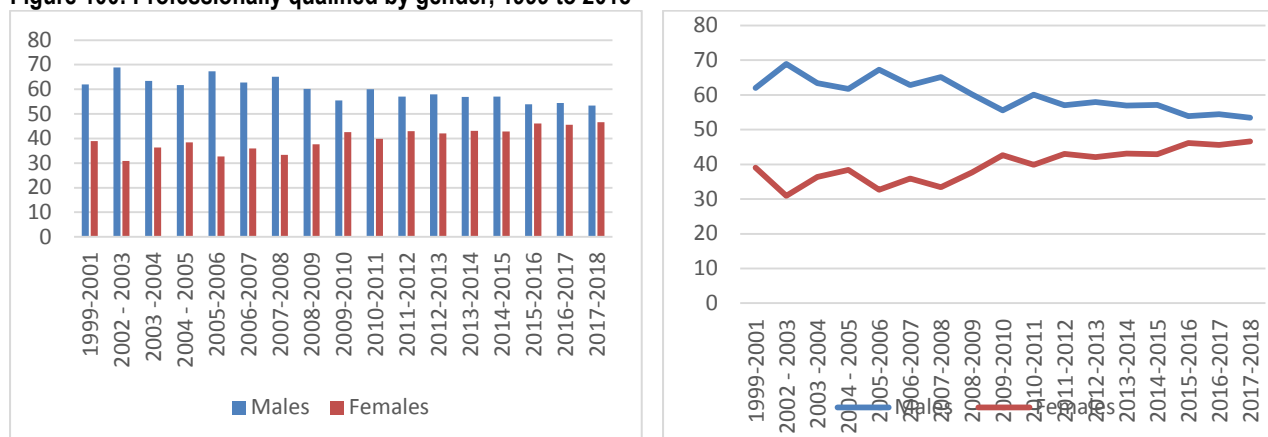


Figure 99: Percentage senior management level by gender, 1999 to 2018



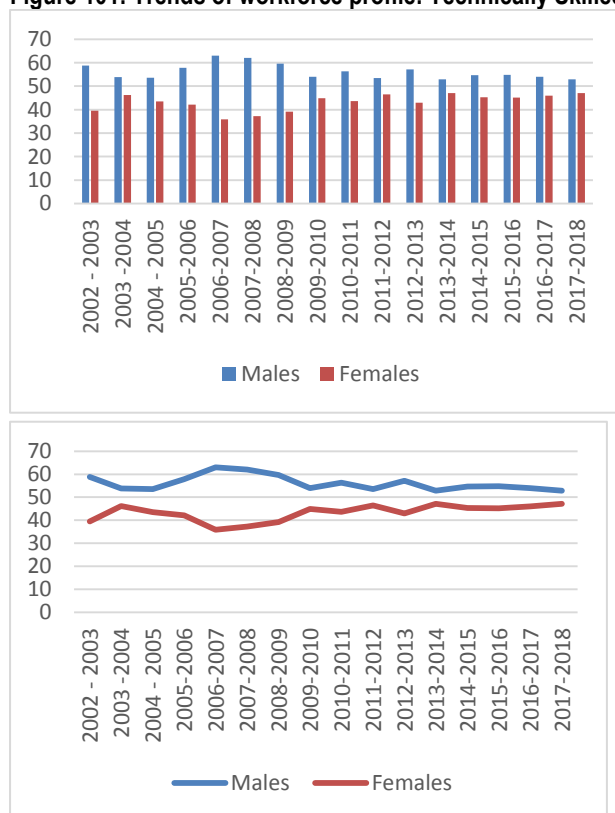
The picture changes slightly at the senior management level in the workforce, depicting a very gradual increase in the representation of women. The pattern shows an upward. Although there is some narrowing of the gap between women and men, the gap remains rather wide in 2018.

Figure 100: Professionally qualified by gender, 1999 to 2018



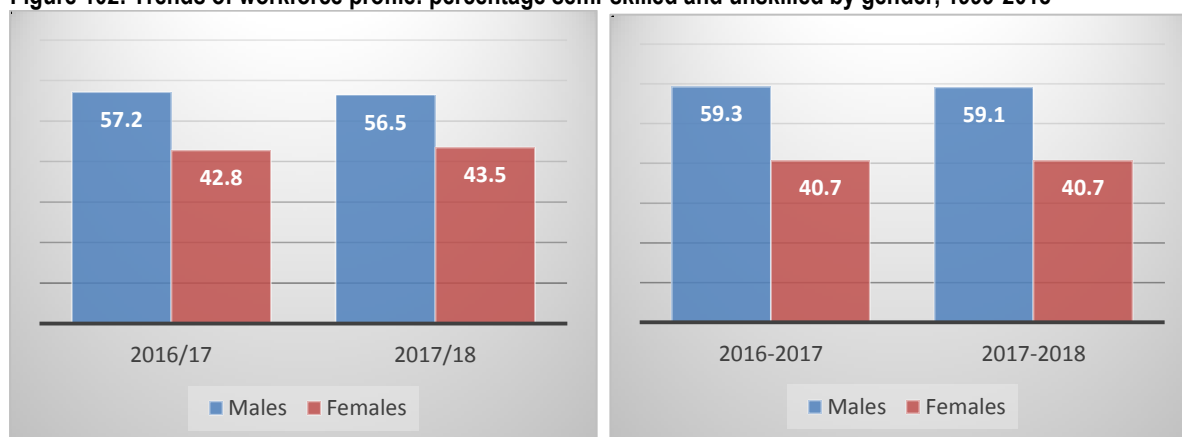
More women are being appointed at this level over the years, showing a clear upward trend and a narrowing of the gap between women and men. 50/50 equitable representation is clearly possible over the next few years.

Figure 101: Trends of workforce profile: Technically Skilled by gender, 1999-2018



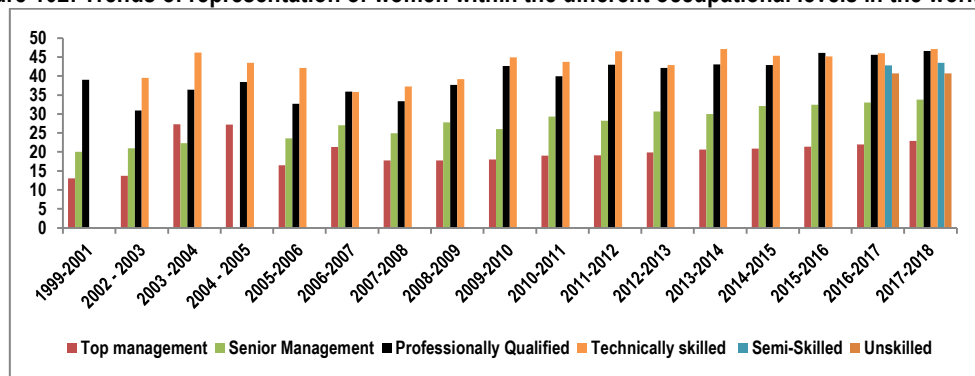
The representation of women at this level is higher than for that at top, senior and professionally qualified levels. The upward trend is gradual, and the gap between women and men is narrowing. However, what this indicates that more women are found in the lower levels of the workforce while fewer women are at the apex which is top management level.

Figure 102: Trends of workforce profile: percentage semi-skilled and unskilled by gender, 1999-2018



Women are highly represented at the semi-skilled and unskilled level of the workforce.

Figure 102: Trends of representation of women within the different occupational levels in the workforce.

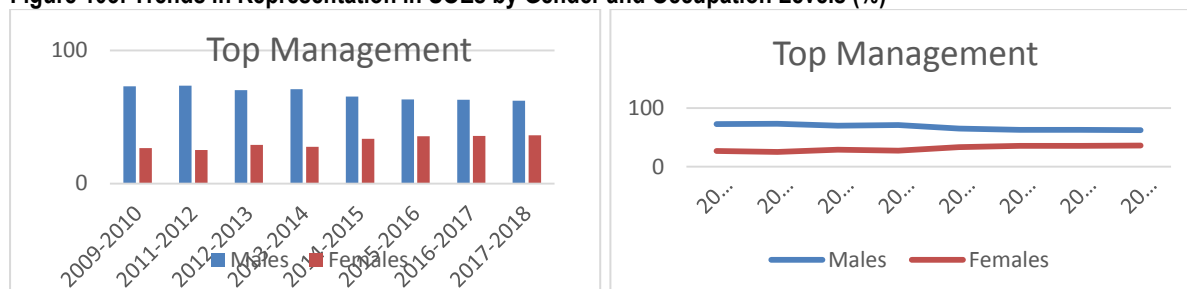


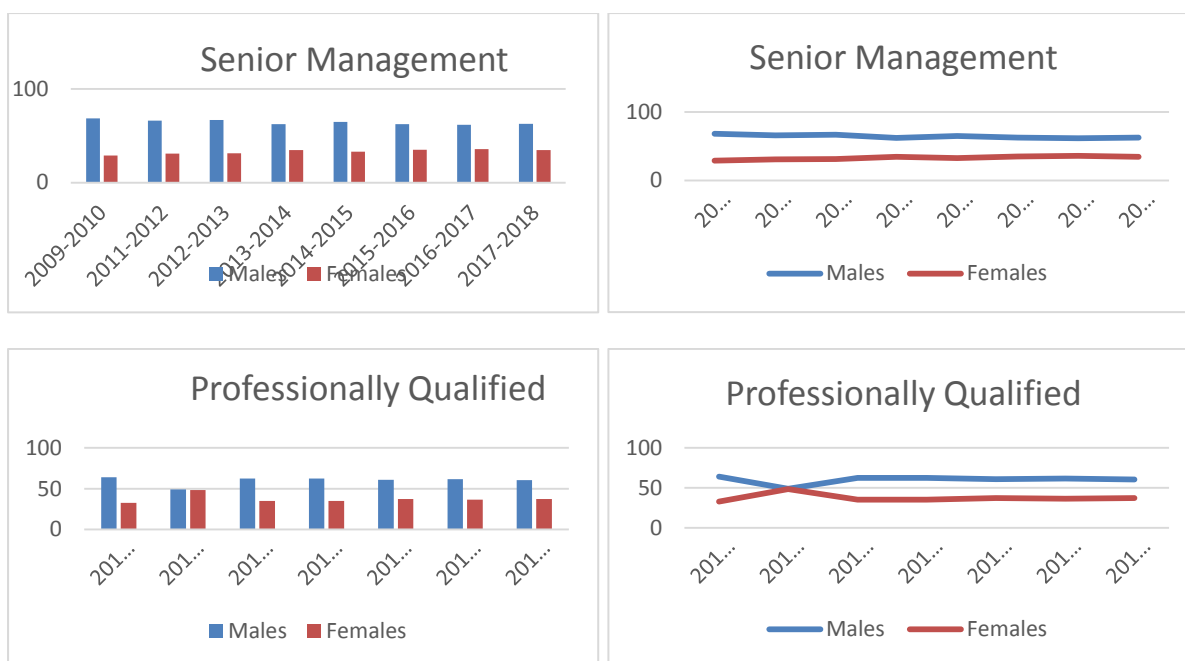
It clearly illustrates that over the twenty-five years since democracy women continue to dominate at the lowest levels of the workforce, chiefly within the technically skilled levels and remain in the semi-skilled and unskilled work force labour. Within SOEs women are mostly found at the professionally qualified level. The trend patterns illustrate that while there is gradual increase in the appointment of women within the different occupational levels, the gap between men and women continues to remain wide.

Table 46: Representation of Women in Parastatals / State Owned Enterprises in 2018

	Male (%)	Female (%)
Chief Executive Officers in State Owned Enterprises (Top Management)	63.4%	36.6%
Board of Directors of SOEs (Senior Management)	64.3%	35.7%

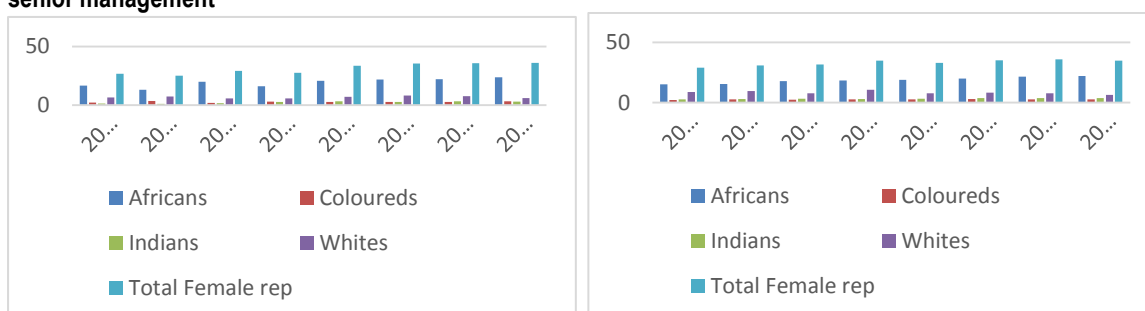
Figure 103: Trends in Representation in SOEs by Gender and Occupation Levels (%)





These graphs illustrate that within SOEs women are mostly confined at the professionally qualified level. The trend patterns illustrate that while there is gradual increase in the appointment of women within the different occupational levels, the gap between men and women continues to remain wide.

Figure 104: Trends in Representation of Women in SOEs by Population Groups and Occupational Level – top and senior management



At the top and senior management levels, African women make up the highest representation of women, which is in keeping with the population dynamics of the country.

Women in the Private Sector

In its first Employment Equity Report, the Commission for Employment Equity indicated that: “The EEA (Employment Equity Act) and the SDA (Skills Development Act) also provide the basis for addressing other indicators of inequality in the labour market. These two Acts must complement each other in addressing inequalities and unfair discrimination in human capital development and thus helping this country to harness fully the potential of its diverse human capital.” Twenty years later, the 4th Commission of Employment Equity highlights that the impact of the Skills Development Act to redress the inequality in the workplace appears to have been minimal⁴³⁰.

The CEE Report 2017/18 states that employers still complain of a lack of a skilled labour pool from which to draw from to increase the percentage of employees from designated groups at the top four

⁴³⁰ Department of Labour: 2018: Commission for Employment Equity - Report for 2017/18, Pretoria

occupational levels of organisations. The Commission states that it is particularly concerning when the training and development activities reported by designated employers seem to favour the White population group, adding that year-on-year, the statistics indicate that the White population group remains favoured for training and development, while males remain favoured in terms of gender. Thus, the two pieces of legislation that are supposed to be supporting each other in driving transformation are not achieving the desired outcome. What could be the problem, one might ask? The CEE embarked on sectoral engagements during 2016, which provided great insights on the perceptions of employers and the reasons for the slow pace of transformation. One of the key reasons offered was the lack of commitment from top management of designated employers. There is simply no real “political will and commitment” to transform.

If the implementation of the SDA was supposed to have borne fruit in creating a pool of suitably qualified candidates from the designated groups for promotion to the top four occupational levels of organisations, why is it that these results are not evident, while training and development is taking place at these levels? The statistics indicate that the intended beneficiaries of the Act are overlooked in training and promotions. This is totally counterproductive to the very objectives of the Act. The Employment Equity Act, No 55, 1998 as amended incorporates two elements: a) the elimination of unfair discrimination and b) the implementation of affirmative action measures to enable the equitable representation of employees in relation to their population groups, gender status and disability status in the workplace.

Fig 105: Private sector top management by gender sector

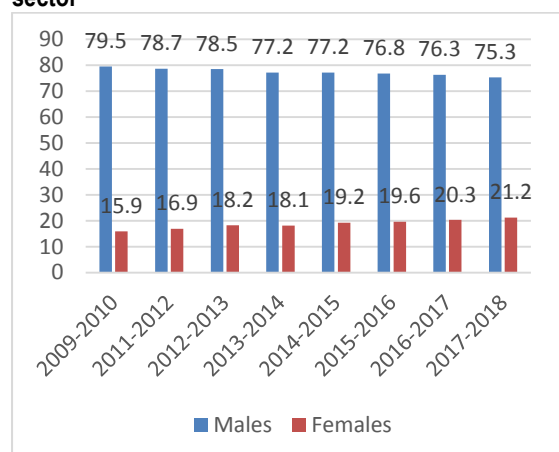
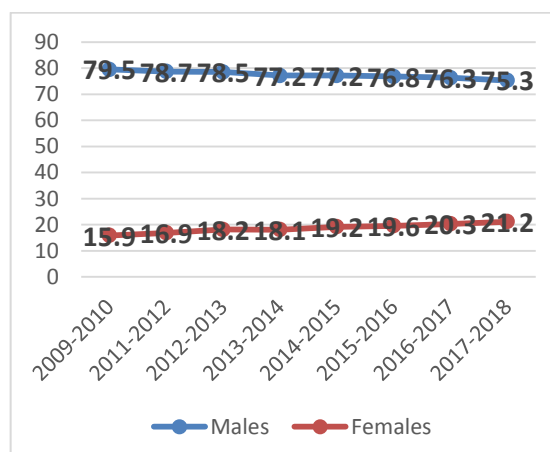
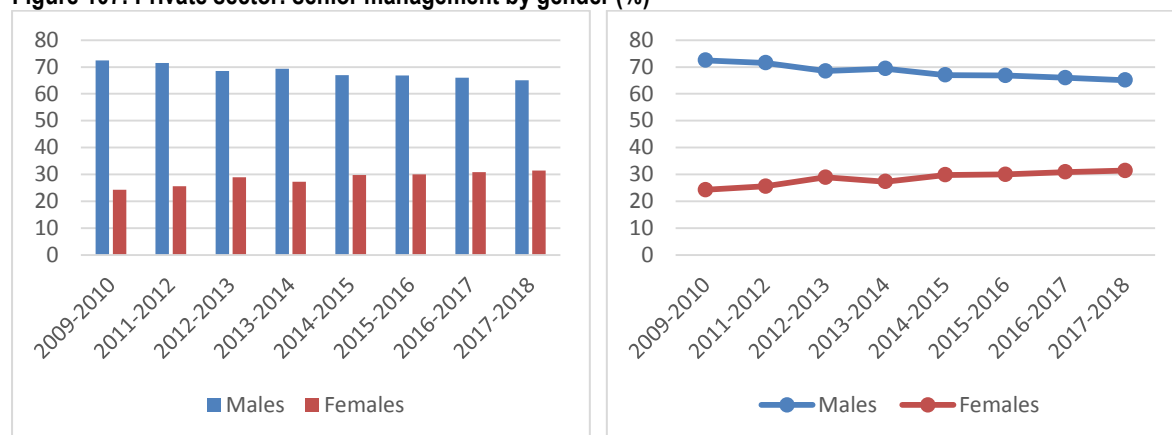


Fig 106: Trends in representation of women in the private



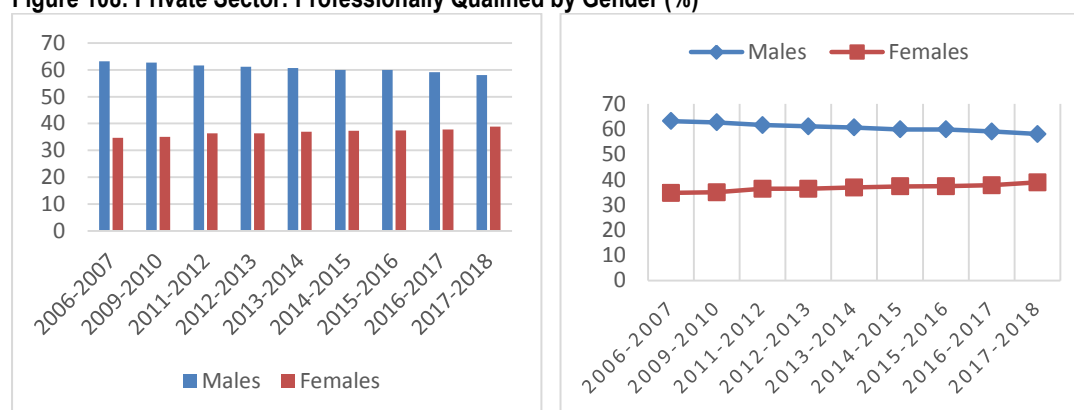
A trend analysis indicates that men continue to dominate at top management level over the twenty-five years since democracy. In 2018, women only comprise 21.2% of the top management level. Although there is an upward trend illustrated in women’s representation at this level, the gap between women and men is very wide and the pattern has been the same since 1994.

Figure 107: Private sector: senior management by gender (%)



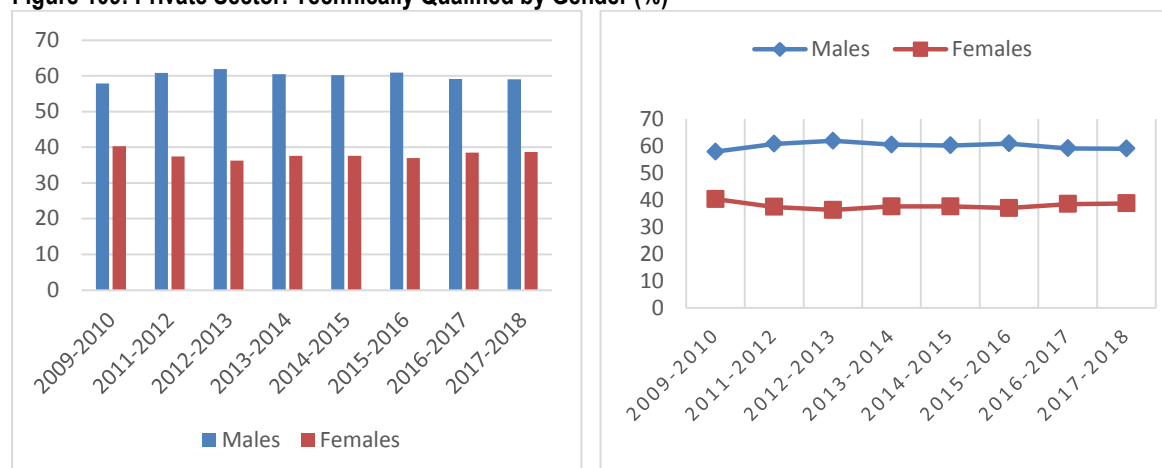
Women make up 31.4% of senior managers in the private sector in 2018, increasing by a mere 7.1 percentage points from 23.3% representation in 2009/10. Although there are more women at the senior management level than in top management, the trend at this level is similar to that for women in top management level. Irrespective of an upward trend, the gap between women and men at this level remains wide.

Figure 108: Private Sector: Professionally Qualified by Gender (%)



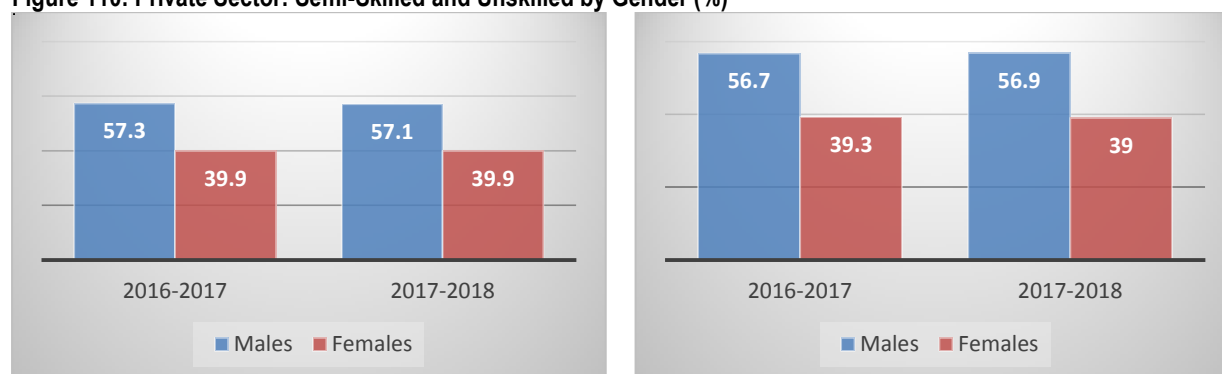
There is a 38.9% representation of women in the professionally qualified level in the private sector, increasing from 34.7% in 2006/07. The trend patterns indicate almost a straight line, with a very small narrowing of the gap between males and females. The concern remains that of the lack of increase of professionally qualified women into the private sector, yet women outnumber men in terms of the number of graduates emerging from tertiary institutions. It is evident that graduate women are finding it difficult to obtain employment within the private sector.

Figure 109: Private Sector: Technically Qualified by Gender (%)



At the technically skilled level, women comprise 38.7% in 2018, actually dropping from 40.3% in 2009/10. This is a matter of concern. The trend patterns indicate almost linear pattern for women's representation at this level over the years, with a wide gap between men and women.

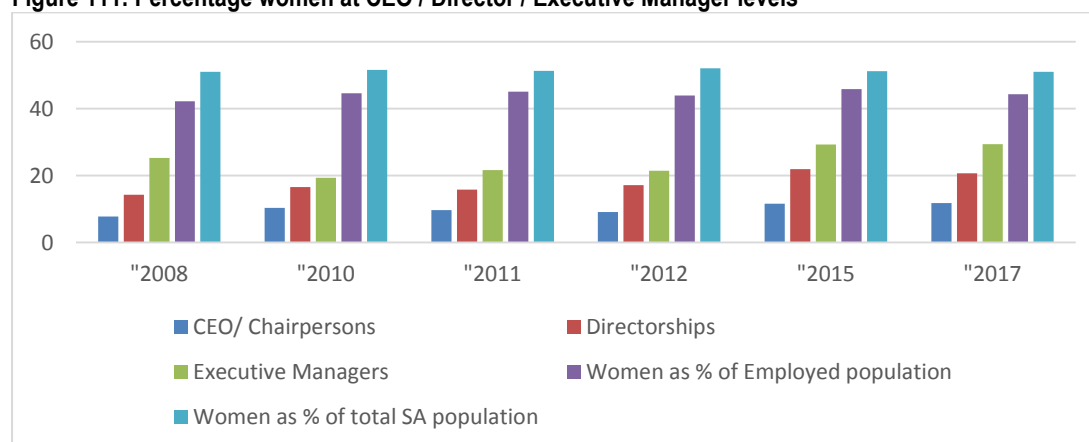
Figure 110: Private Sector: Semi-Skilled and Unskilled by Gender (%)



Women comprise 39.9% of the semi-skilled and 39% of the unskilled labour force in the private sector

Women in Business

Figure 111: Percentage women at CEO / Director / Executive Manager levels



Source: Women in Leadership Census 2017, BWSA, 2017

In 2017, women constituted 51% of the total population of South Africa, however, they make only 44.3% of the employed workforce, which is often concentrated at lower levels of organisations. Gender equity in the workplace at large and in the boardroom in particular as a focal point of economic empowerment provide the ability to drive gender equality within society as a whole. According to the 2017 BWASA 2017 Census, only 20.7% of directors and 29.4% of executive managers are women. At the top leadership level of organisations, women account for only 11.8% of CEOs or chairpersons. However, between 2008 and 2017, the share of organisations with either a female Chairperson or CEO has increased faster than the share of female directors at organisations. In 2008 only 7.8% of companies had female CEOs and chairpersons.

In real terms the share of female chairpersons and CEOs increased by 51.3% by 2017. During the same period, the share of women-held directorships increased by 44.8%. Although a concerted effort has been made to increase, albeit gradually, representation of women at the top of organisations, further initiatives are required to grow the available talent pool at lower organisational levels. It is concerning that progress at the executive manager level has been slowest, growing by only 16.2% between 2008 and 2017.

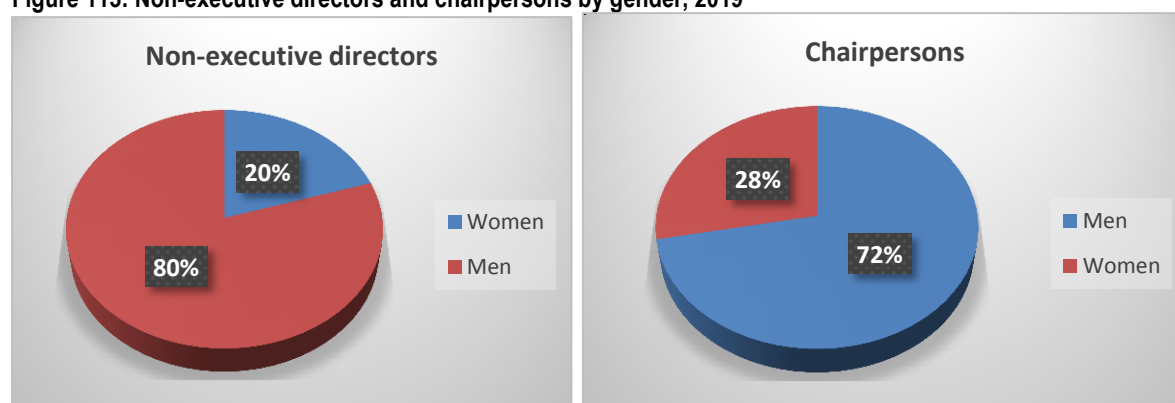
Figure 112: Workforce Representation across organisations 2017



Source: Women in Leadership Census 2017, BWSA, 2017

More recent data from a Price Waterhouse Cooper Report examines the gender composition of the workforce in companies listed on the JSE. The data indicates that women still have a long way to go in achieving parity within senior management in the private sector. The diversification of leadership positions is central to innovation in a fast-changing world, and in South Africa directors and management incumbents, together with the future pool of management, are the leaders that need to be cultivated and trained.

Figure 113: Non-executive directors and chairpersons by gender, 2019



Source: PWC Practices and fees trends report

The number of women CEOs at South African entities has doubled, from seven CEOs in 2015 to 14 CEOs in 2017 but has only increased slightly from 13 women CEOs in 2008. As a result, of the 297 companies in the last Census, 4.7% have a female CEO. The highlighted companies have either appointed a female CEO since the 2015 Census or are newly listed. Despite the number of female CEOs doubling in real terms between 2015 and 2017, women remain underrepresented at the most senior management level. Only one in 21 CEOs is a woman.

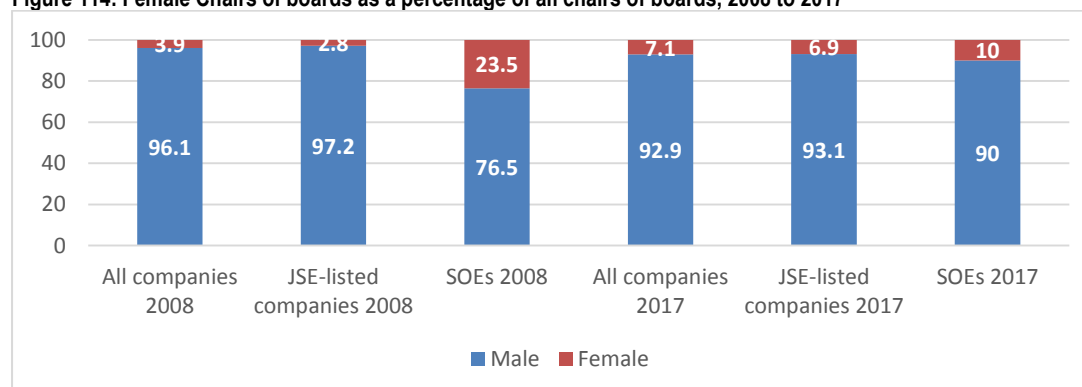
Table 47: Number and share of companies with female CEOs, 2008 to 2017

Evolution of companies with female CEOs, 2008 – 2017							
	2008	2009	2010	2011	2012	2015	2017
No. of female CEOs	13	19	15	15	12	7	14
Share of companies with female CEOs	3,9	3,8	4,5	4,4	3,7	2,4	4,7

Source: Women in Leadership Census 2017, BWSA, 2017

Only 7.1% of companies have a female Chairperson, compared to 9.2% in the 2015 Census and 3.9% in 2008. Overall, there are 21 women chairpersons, 19 of which are Non-Executive Chairpersons. Over the past decade of tracking these results, the percentage share of female chairpersons has seen improvements largely among JSE-listed companies. While SOEs have the highest share of female chairpersons, as 10% of SOEs have a woman chairing the respective boards, in real terms, this equates to only two female Chairpersons at SOEs, namely at the Airports Company South Africa (ACSA) and the Industrial Development Corporation of South Africa (IDC). This also translates to be the only deterioration over the past decade's results amongst SOEs.

Figure 114: Female Chairs of boards as a percentage of all chairs of boards, 2008 to 2017



Peaceful and inclusive societies

This section focuses on responding to: (i) Critical Area E on Women and Armed Conflict; (ii) Critical Area I on Human Rights of Women; and (iii) Critical Area L on the Girl Child, as outlined in the Beijing Platform for Action. This section also responds to the UN Women Guidance Note – Section Two questions 15-18.

Member States are expected to (i) ensure the full and effective participation and representation of women in peace processes including the prevention, resolution, management of conflicts and post-conflict reconstruction in Africa in line with UNSCR 1325 (2000) and to also appoint women as Special Envoys and Special Representatives of the African Union.

The South African National Defence Force derives its mandate primarily from Section 200(2) of the Constitution of the Republic of South Africa, 1996. Giving substance to this Constitutional mandate, is the Defence Act, 2002 (Act No. 42 of 2002), the White Paper on Defence (1996), the Defence Review

(1998) and other national legislation that guide the Defence strategy of the DOD. The important role South African women play in peace and security is grounded by Government's initiatives to promote a non-sexist society. Norms and values promoting gender mainstreaming inform its foreign policy, and particularly promote gender mainstreaming as a significant element of participation in peace missions.

South Africa's attempts to centralise gender mainstreaming in peace missions is also premised on both the United Nations Security Council Resolution 1325 on Women, Peace and Security; the African Union's constitutive elements of a Post Conflict Reconstruction and Development (PCRD) framework that seeks to consolidate women's gains made during conflict; and rebuilding public institutions that are responsive to women's needs. South Africa revised its White Paper on participation in international peace missions. This was a collaborative venture between the Departments of Foreign Affairs (known now as International Relations and Cooperation), Defence, Correctional Services, South African Police Services and other government institutions. The National Office for Coordination of Peace Missions is a host to such a joint task team. This is an interdepartmental committee whose mandate is to coordinate various departments' activities pertaining to South Africa's participation in peace missions. One of its chief objectives is to emphasize the role of women in peace missions abroad as well as mainstreaming of gender into such missions.

The country has put in place a draft Plan of Action on implementing UNSCR 1325 and is currently initiating a national implementation framework, which is jointly collaborated on government departments, chapter 9 institutions, civil society organisations academia and private sector. (27 June 2019: DIRCO). The draft Action Plan contains a matrix with clear strategic objectives, activities, expected outcomes, indicators, and means of verification, time frames and responsible key actors. It will provide a coordinating mechanism that the State could rally with all stakeholders to increase women mediators but also connect local practice and expertise with the national structures as well as global efforts for conflict resolution. The Government of South Africa's Department of International Relations and Cooperation (DIRCO) in partnership with University of Pretoria, provides a promising case study of how to achieve this.

For the last few years, DIRCO conducts Capacity Building on Conflict Resolution, Negotiation and Mediation for women and since 2017, for youth leaders as well. The comprehensive capacity building programme aims to create a competent pool of women who can be drawn on as mediators from local to international levels. The Programme not only attracts diplomats and senior decision makers but also civil society and local community women leaders who show great potential in mediation. The local women have experience from the work done to address community challenges that require mediation. Further, the focus on the youth (mainly female and male student leaders) was initially necessitated by the continued student unrests over demands for free tertiary education. It was anticipated that the skills would assist the student leaders in negotiating with the authorities in a constructive way on the fees matter and act as mediators between decision makers and the larger student body. This also contributes to a reservoir of a new generation of mediators, particularly young women. In another intervention for example, the South Africa Department of Women has been holding local level national dialogues to understand the issue of gender-based violence as a human security issue. This also a mechanism learn lessons on how women and men communities have been handling the issue as well as hear possible solutions to be implemented at local and national levels.

The responsibility for peace keeping operations rests with the South African National Defence Force. As at March 2013, there has been a total of 10 females represented in the 34 top management positions and 86 females represented in the total of 367 senior management positions. In terms of gender representation, the Defence Force in South Africa has witnessed an increase in the number and percentage of female employees from 21 822 (27.8%) in 2011/12 to 22 195 (28.2%) 2012/13 fiscal

years. This trend augers well for the mainstreaming of gender equality into peace-keeping and conflict resolution operations that South Africa undertakes on the continent.

The Military Police Division as a component of the SANDF was involved in external and internal deployments throughout the year 2010. A total of 197 members were deployed in the Democratic Republic of the Congo (DRC), Burundi and the Sudan, while 122 were deployed internally during operations and exercises. Ten female Military Police members, of whom two were commanders, were deployed in the DRC.

In terms of external deployments, as at October 2014, of the total number of 6 348 members of the South African Defence Force deployed to Op-Mistral, Op-Copper and Op-cordite, 14% were females.

South Africa has the highest number of women in the Defense Force in the Region which up from 24% in 2010 to 30% in 2015. The total percentage of males and females deployed in the Mistral and Ops corona are as follows: Males 949 (83%) and Females 194 (17%) on Mistral and Males 2372 (83%) and Females (17%) on Ops Corona. South Africa recruits 30% of women through the Military Skills Development (MSDS) annually and are found in the core mustering such as anti-aircraft, Infantry, Armour, and Combat Navy.

At the Peace Mission Training Centre of the SANDF, the gender specialist is responsible to ensure that gender imperatives are integrated into the curriculum of all courses provided by the Training Centre. These courses include Gender for Instructors and Gender Advisors Course and were attended by 89 males and 51 females. Further preparations for deployment to the conflict areas PMTC also present Disarmament, Demobilisation and Reintegration; introduction to Peace Mission for Commanders, Peace Mission for Staff Officers as well as Military Observes. Gender Advisors Course provides participants with the knowledge, skills and attitude to be in the position to address gender related issues in the conflict areas. Women from SADC Member States also attend these courses.

The SANDF also deployed women in uniform for the border safeguarding and are able to apprehend illegal immigrants, arrest criminals, recover stolen cars, weapons, livestock, copper cables and confiscates drugs. The Anti-Rhino Poaching Operations in the Kruger National Park forms part of the border safeguarding operations that are being executed along the RSA/Mozambique border within the Kruger National Park. The deployment of the SANDF resulted in a number of poachers arrested as well as the confiscation of hunting rifles, including AK47 assault rifle.

Contributing to peace, stability and post conflict transition in Africa has been integral to South Africa's post-apartheid policy. Since 1994, the country has earned a reputation for being an accomplished mediator, with successive presidents playing key roles in negotiating settlements elsewhere in Africa.

South Africa was also involved with the AU in the following ways:

- Promoting the AU as a continental institution of governance and development;
- Helping to establish and strengthen the AU Commission to implement decisions by the AU Assembly and the AU Council;
- Hosting the Pan African Parliament (an institution of the AU) since 2005, NEPAD Agency and APRM Secretariat since 2001, and the African Commission on Nuclear Energy (AFCONE);
- Contributing to the establishment of the AU Peace and Security Council, which deploys peacekeeping missions, among other activities;
- Contributing to the establishment of the Economic, Social and Cultural Council, which has become a vehicle for civil society to present its position on major issues; and

- Contributing to capacity building by training diplomats as well as other civil servants from the continent.

In 2013, South Africa contributed troops which included women, together with the Republic of Malawi and the United Republic of Tanzania, to the SADC led Intervention Brigade in the Eastern Democratic Republic of the Congo under the UN mandated peace mission (MONUSCO) to end the military attacks and violation of human rights perpetrated by the M23 rebels against the civilian population. This intervention resulted in the M23 renouncing the rebellion and agreeing to enter into negotiations with the DRC government. South Africa also contributed to conflict resolution on the continent through its role as a member of the AU ad hoc high-level committee on the resolution of the Libyan crisis and as a member of the AU high-level panel.

Gender conferences are held to address challenges women experience during deployments and also to empower women for future deployment.

In South Africa, under the Defence Act No. 44 of 1957, the relevant provisions of which operated until 2002, persons between the ages of 12 and 17, both included, were required to undergo mandatory cadet training. The Act further expressly provided that every citizen between the age of 17 and 65, both included, was liable to render service in the South African Defence Force. This position changed in 2002 when the new Defence Act No. 42 of 2002 was enacted. This new Act prohibited the recruitment of children into the armed forces by expressly providing that the South African regular armed forces should consist of persons not younger than 18 years of age. In South Africa, children are defined as between 0-18 years. Thus, the country, in line with the Constitution and Bill of Rights, does not foster the promotion of child soldiers nor the violation of children's rights during conflict, either in South Africa or in any other country, especially if it is serving in a peace-keeping or conflict resolution capacity.

South Africa acceded to the UN Convention on the Rights of the Child in 1995. The country has put in place an elaborate inter-sectoral programme on the advancement of the rights of the child, which include the development and implementation of a National Plan of Action in 2012, which is being implemented in the country. In addition, the country has adopted the Refugees Act, No. 130 of 1998. The Department of Home Affairs, as the department dealing with documentation of foreign nationals, has established five (5) Refugee Reception Offices assisting refugee children in the Republic of South Africa. In terms of section 27 of the Refugees Act of 1998, refugees are also entitled to free basic education and health services at the same rate as South African citizens.

Environmental conservation, protection and rehabilitation

This section focuses on responding to: (i) Critical Area I on Human Rights of Women; (ii) Critical Area K on Women and the Environment; and (iii) Critical Area L on the Girl Child, as outlined in the Beijing Platform for Action with specific reference to issues of gender mainstreaming in environmental conservation, protection and rehabilitation processes in South Africa. This section also responds to the UN Women Guidance Note – Section Two questions 30-31.

Over the period 2014-2019, South Africa has taken several measures to integrate gender perspectives and concerns into environmental policies, including:

- Supporting women's participation and leadership in environmental and natural resource management and governance
- Strengthened evidence and/or raised awareness about gender-specific environmental and health hazards (e.g. consumer products, technologies, industrial pollution)

- Increased women's access to and control over land, water, energy, and other natural resources
- Promoted the education of women and girls in science, engineering, technology and other disciplines relating to the natural environment
- Enhanced women's access to sustainable time- and labour-saving infrastructure (e.g. access to clean water and energy) and climate-smart agricultural technology
- Taken measures to protect and preserve the knowledge and practices of women in indigenous and local communities related to traditional medicines, biodiversity and conservation techniques
- Taken steps to ensure that women benefit equally from decent jobs in the green economy
- Monitored and evaluated the impact of environmental policies and sustainable infrastructure projects on women and girls

The country has also taken several actions in the last five years to integrate gender perspectives into policies and programmes for disaster risk reduction, climate resilience and mitigation. These include:

- Supporting women's participation and leadership, including those affected by disasters, in disaster risk reduction, climate resilience and mitigation policies, programmes and projects
- Strengthening the evidence base and raised awareness about the disproportionate vulnerability of women and girls to the impact of environmental degradation and disasters
- Promoting access of women in situations of disaster to services such as relief payments, disaster insurance and compensation
- Introducing, strengthening and implementing gender-responsive laws and policies related to disaster risk reduction, climate resilience and mitigation (e.g. disaster laws addressing vulnerability of women in disaster)

Sustainable development is enshrined in South Africa's Constitution and laws. The Constitution of the Republic of South Africa (No. 108 of 1996), Section 24 states that "everyone has the right (a) to an environment that is not harmful to their health or well-being; and (b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that: prevent pollution and ecological degradation; promote conservation; and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development." From 1997 to 2018⁴³¹ the country has developed numerous policy guidelines which give effect to the environmental rights in our Constitution.

Since 1992 to 2016 various Acts and regulations have been enacted to address matters related to environmental conservation, protection and rehabilitation⁴³². In June 2018 the Climate Change Bill⁴³³ has been gazetted for public comment. In June 2017 the Marine Spatial Bill⁴³⁴ was gazetted for public comment. The need to sustain biodiversity is directly or indirectly referred to in a number of Acts, not least the National Environmental Management: Biodiversity Act (No. 10 of 2004) and is fundamental to the notion of sustainable development.

Other legislation include the Mineral and Petroleum Resources Development Act (No. 28 of 2002) (the main piece of legislation governing all stages of the mining and petroleum production process in South Africa). Mining is prohibited in protected areas defined in the National Environmental Management Protected Areas Act (No. 57 of 2003). While management and conservation of biodiversity is often

⁴³¹RSA: Department of Environmental Affairs: Guidelines and policies: <https://www.environment.gov.za/legislation/guidelines>

⁴³² RSA: Department of Environmental Affairs: <https://www.environment.gov.za/legislation/actsregulations>

⁴³³RSA: Government Gazette Vol 636, 8 June 2018, No 41689

⁴³⁴ RSA: Department of Environmental Affairs: https://www.environment.gov.za/sites/default/files/legislations/marinespatialbill2017_0.pdf

associated with formal reserves or protected areas, and protected areas are a key component of biodiversity management, the majority of important remaining biodiversity is found outside protected areas, on private or communal land in production landscapes and seascapes. Numerous opportunities and tools exist to integrate the management and conservation of biodiversity into production sectors (mining, forestry, agriculture etcetera) to reduce impacts on biodiversity and ensure ecosystem integrity (DEA, 2013).

The National Heritage Resources Act (No. 25 of 1999) describes the importance of heritage in the South African context. Mine-water regulations (Government Notice No R. 704) are aimed at ensuring the protection of water resources through restrictions on locality, material, and the design, construction, maintenance and operation of separate clean and dirty water systems.

Since 1997 to 2014 various White Papers has been developed, namely the Discussion Document Towards a White Paper on Integrated Pollution Control and Waste Management (1997); White Paper on Marine Fisheries Policy (1997); White Paper on Environmental Management Policy, (1997); White Paper on Conservation and Sustainable Use of Biodiversity (1997); Environmental Management Policy White Paper (1998); Draft White Paper on Integrated Pollution and Waste Management (1998); National Climate Change Response White Paper (2011); White Paper on National Environmental Management of the Ocean (2014)⁴³⁵.(Department of Environmental Affairs).

South Africa is signatory to several International Agreements and Obligations since 1994. In 2017, the country ratified the South African Development Community (SADC) Protocol on Environmental Management for Sustainable Development aimed at enhancing the protection of the environment in order to contribute to human health, well-being and poverty alleviation. This document has incorporated gender mainstreaming to its fullest.

Gender-mainstreaming in the environmental sector

South Africa recognizes the link between gender and the environment, and the role of women in the planning, management and preservation of the environment. The National Environmental Management Act, 1998⁴³⁶ specifically provides that ‘the vital role of women and youth in environmental management and development must be recognised and their full participation therein must be promoted’. Regarding indigenous knowledge systems, the Act provides that all forms of knowledge, including traditional and ordinary knowledge, must be recognized.

In 2010 the Department of Environmental Affairs in the country established the National Women and Environment Forum that serve as a platform for women to share experiences in the environment sector representing government spheres, private sector and organised business, civil society representatives in rural and urban environments, organised labour, and academia and research institutions. A Sector Gender Framework, 2014 -2019 was developed to prioritise gender mainstreaming related issues within the environment sector.

The objectives of this strategy, amongst others, include: (i) to mainstream gender into environmental policies and programmes; (ii) to assess the effect of women on environmental policies; and (iii) to integrate further gender equality and environmental consideration into their work. It further strives to: (i) strengthen women’s, including young women’s, leadership and cooperation in the environment sector; (ii) identify opportunities for integration of gender considerations that will ensure environmental sustainability in the respective programmes and initiatives; (iii) ensure active engagement and advice on environmental sector policy development matters to ensure consideration of gender issues; (iv)

⁴³⁵ <https://www.environment.gov.za/legislation/whitepapers>

⁴³⁶ Act No. 107 of 1998

facilitate partnerships and/or sponsorships from high impact organisations on women programmes; (v) guide the formulation, monitoring and evaluation of the medium-term implementation strategy; and ensure compliance with the gender Equality Framework for the Public Service.

The Department of Environmental Affairs implemented the Strategy Towards Gender Mainstreaming in the Environment Sector (2016 -2012). The strategy implements the Expanded Public Works Programme's environmental programmes, namely Working for Water; Working for Land and Working on Fire. The Working for Water project has a target of women recruitment of 60%, youth 20%, and disabled persons 5% and to date has provided jobs and training to approximately 20 000 people of whom 52% are women.

The Working for Land project has targets of 60% women, 20% youth and 2% disability, and in partnership with the Land Care Programme, communal farmers and community leaders prevent and continuously control natural resources so as to mitigate bush encroachment/thickening and loss of top soil. The programme is implemented by the South African National Biodiversity Institute (SANBI) on behalf of the Departments of Environmental Affairs; Agriculture, Forestry and Fisheries; and Water Affairs. It forms part of the government's Expanded Public Works Programme, which seeks to draw unemployed people into the productive sector of the economy (DEA Sector Gender Diagnostic Report, 2015).

The Working on Fire project employs more than 5 000 young men and women, of whom 85% are youth; 37% are women⁴³⁷. The programme was launched in September 2003 as part of the South African Government's initiative to create jobs and to alleviate poverty. The young men and women in the programme have been fully trained as veld and forest fire fighters and are stationed in more than 200 teams throughout South Africa. The programme addresses the prevention and control of wild land fires to enhance the sustainability and protection of life, poverty and the environment through the implementation of Integrated Fire Management practices - 85% of the participants are youth and 37% are women (the highest level in any comparable fire service in the world) (DEA Sector Gender Diagnostic Report, 2015).

It is important to state that the country has found, given the progress made in gender mainstreaming within the environment public sector, that the absence of a gender mainstreaming strategy has meant that the collection of gender aggregated data has been an add on function and unstructured in the manner of implementation of gender mainstreaming programmes. This has resulted in the country not being able to effectively assess the level of gender mainstreaming at all tiers of government, in the private sector as well as the within civil society⁴³⁸.

The Department of Environmental Affairs identified amongst others, the need for a baseline of indicators to be established which will include the definition of minimum standards and ideal standards for the sector's performance. The variable availability and quality of data suggests that the standard indicators are not adequate for capturing the complex nature of gender equality challenges in South Africa (DEA Sector Gender Diagnostic Report, 2015). The priorities towards gender mainstreaming within the environment sector were identified and are implemented by the Strategy and the Gender Action Plan through the different strategies outlined during the 2016 -2020 implementation.

The Government of South Africa through the Department of Environmental Affairs has set up a Green Fund to support the transition to a low carbon, resource efficient and climate resilient development path delivering high impact economic, environmental and social benefits. Systematic biodiversity planning has provided a powerful platform for mainstreaming biodiversity into planning and decision-making

⁴³⁷ RSA: Department of Environmental Affairs: Strategy Towards Gender Mainstreaming in the Environment Sector (2016 -2012)

⁴³⁸ IBID

across a range of production sectors, urban and rural development, municipal development planning, and environmental assessment. Women are beneficiaries, albeit at a limited level, of the Green Fund which has enabled women to establish SMMEs and micro enterprises and businesses.

The implementation of a Green Jobs Training Programme in 2014 for government officials, civil society and private sector was aimed to provide stakeholders with the knowledge and tools to assess green jobs potential, devise appropriate policies and strategies, discuss investments and technology options, implement strategies, and monitor and evaluate progress towards job creation in the green economy. Women and young women have been included within this training programme.

Gender Mainstreaming in Disaster Risk Reduction

The Constitution of the Republic of South Africa requires all spheres of government to 'secure the wellbeing of the people of the Republic'. Schedule 4 Part A identifies disaster management as a functional area of concurrent national and provincial legislative competence, while Part B of the same schedule allocates fire fighting services to local government. In 2016 the President of South Africa, through Proclamation⁴³⁹ established the Intergovernmental Committee on Disaster Management.

Gender is integrated into the emergency response to disaster management through understanding the roles of men and women in families and communities to identify needs and ensure the fair distribution of resources (COGTA 2008/2009 Annual report)⁴⁴⁰. The development and integration of the National Disaster Risk Reduction Toolkit into the schooling system was endorsed in 2016.

The distribution of fire-related deaths is not uniform across the age groups. The 0 to 4 years and 25 to 35 years age groups are identifiable as particularly vulnerable groups. Men are more vulnerable to fire than women. This trend is observable up to the age of 55 years where after the vulnerability reverses. More research is required to clarify these phenomena and find suitable solutions to curb the high incidence of fire-related deaths in the Republic (COGTA, 2008/2009 Annual Report). The National Disaster Management Committee ran a project to support implementation of the National Fire Safety and Prevention Strategy through capacity assessments and support of 12 municipalities across the country. This approach is linked to the 'Back to Basics' programme in the country (COGTA, 2017/2018 Annual Report).

Climate Resilience and Mitigation

The White Paper on Climate Change Response (2017)⁴⁴¹ addresses the need for collaboration across all sectors of society to achieve the comprehensive approach to disaster management set out in the Disaster Management Act. This includes measures to promote the development of Risk and Vulnerability Service Centres at universities, which will, in turn, support resource-constrained municipalities; collaboration with social networks such as community organisations, non-governmental organisations (NGOs), women and farmers' organisations, and the Adaptation Network to help raise awareness and to transfer technology and build capacity and to develop mechanisms for the poor to recover after disasters, including micro-insurance (National Climate Change Response White Paper, 2017).

Climate change is an issue for all South Africans and government realises that the objectives set out in this White Paper can only be fully realised with the active participation of all stakeholders. This means

⁴³⁹ 61 of 2016 in Government Gazette No 40394, 2 November 2016.

⁴⁴⁰ National Disaster Management Centre Annual Report, COGTA 2008/2009

⁴⁴¹ https://www.environment.gov.za/sites/default/files/legislations/national_climatechange_response_whitepaper

that women play a pivotal role in the process. The government is committed to substantive engagement and, where appropriate, partnerships with stakeholders from industry, business, labour and civil society in a manner that enhances coordination. Civil society organisations that work directly with communities and particularly with the urban and rural poor and with women are an important conduit for ensuring that climate information is timeously communicated and to inform government and research institutions of vulnerable groupings' climate change-related issue (National Climate Change Response White Paper, 2017).

CHAPTER FIVE NATIONAL INSTITUTIONS AND PROCESSES

This chapter of the report responds to the UN Women Guidance Note – Section Three, questions 32-35.

National Gender Machinery (NGM)

South Africa developed the National Policy Framework for Women's Empowerment and Gender Equality which was adopted by Cabinet in 2000. This Policy Document outlined the National Gender Machinery in the country as "an integrated package of structures". It comprised four arms: Government, Legislature, Commission for Gender Equality and Civil Society. The nodal or central point was the Office on the Status of Women located in the Presidency. It was established in 1997 and reported to the Minister in the Presidency. In 2009, following the national elections and the reconfiguration of Government, it evolved into the Ministry for Women, Children and People with Disabilities and reported to a Cabinet Minister for Women, Children and People with Disabilities and the concomitant Department. Hence it became a dedicated ministry.

Following the 2014 national elections, the President announced a dedicated Ministry for Women located in the Presidency, under the stewardship of the Minister in the Presidency Responsible for Women. In May 2019, following the national elections, government is reconfiguring the state once again. Consequently the President announced a Department of Women, Youth and Persons with Disabilities located in the Presidency, under the Minister in the Presidency for Women, Youth and Persons with Disabilities. She is now the head of the National Gender Machinery in the country.

Given the several evolutionary developments of the nodal structure heading the National Gender Machinery, vis a vis the National Policy outlines of the Machinery and its coordination, many challenges were experienced in its remaining effective. In 2018 a process was initiated to review the National Machinery and realign its coordination mechanism with the developments that have occurred over the past few years. A diagnostic Report on Reviewing and Strengthening the NGM has been developed and is currently being consulted on. This process will redefine, realign and strengthen the National Gender Machinery in South Africa going forward.

The SDG implementation process is driven through an Inter-Ministerial process and the Minister for Women is part of this process. In addition the SDG coordination process includes the Chairperson of the Commission for Gender Equality, who is also one of the arms of the NGM. The Department of Women is the Chairperson for the Sectoral Working Group: SDG 5 and is part of the Steering Committee. This task is executed by the current Acting Director General of the Department. The

process of the SDG's is inclusive of the gender equality principle and is incorporating gender mainstreaming across all 17 SDGs, including ensuring that the indicators, where possible is gender responsive. This is illustrated in detail in the next Chapter.

Further details regarding the SDG implementation process is outlined in the next chapter of this report. The process is championed by Statistics South Africa as the chief coordinating structure especially with regard to the monitoring of the indicators and reporting to the UN. Formal structures have been established for the coordinating mechanism and includes civil society, business, labour, government (all levels including local level), Chapter 9 institutions, State Owned Organisations, among others.

Global and regional instruments related to women's empowerment and gender equality are implemented through the National Gender Machinery structures. The Commission for Gender Equality acts as a watchdog over this process and develops independent reports in this regard. The Parliamentary Portfolio Committee on Women as well as the Women's Multi-Party Caucus in the Legislature provides an oversight of this process. The actual implementation of programmes, policies and strategies that would achieve the objectives of the instrument such as CEDAW, Beijing Platform for Action, among others is done through government departments. The NGM is the platform through which interactions by all stakeholders, including women's organisations from rural areas and marginalised groups such as LGBTQI+ sector takes place.

The involvement of stakeholders in the preparation of this National Beijing+25 Report is outlined in detail in Chapter 2 in this report. The country is embarking on a National Beijing+25 campaign across the country during the 2019/2020 fiscal year, and it is envisaged that the Campaign will be launched by the Head of State, the President on 9th August 2019 during the commemoration of National Women's Day in South Africa.

CHAPTER SIX DATA AND STATISTICS

In this chapter the report seeks to provide a summary of the data and statistics in the country related to women's empowerment and gender equality. Much of the evidence data and statistics available have been highlighted in the previous section of this report. Thus in this section the report seeks to respond mainly to the issues raised under the UN Guidance Note - Section Four, questions 36-40.

The top three areas in which South Africa has made most progress over the past five years in relation to gender statistics at the national level include:

- Conducting new surveys to produce national baseline information on specialized topics (e.g., time use, gender-based violence, asset ownership, poverty, disability):
 - Time Use Survey: Statistics South Africa has produced its first Time Use Survey in 2000 and its second one in 2010. Time use surveys will be developed in a ten year period.
 - Community Survey 2016 (Stats SA)
 - GBV: annual Victims of Crime Survey; National Police Crime Statistics; NGO surveys; Medical Research Council of South Africa surveys, among others
 - Quarterly Labour Force Surveys (Stats SA)
 - Annual General Household Surveys (Stats SA)
 - Department of Basic Education surveys

- Department of Higher Education surveys
 - Poverty Trends Analysis (Stats SA, 2016)
 - Department of Justice Task team on LGBTQI+ - baseline information and monitoring of rapes and/or deaths of gay and lesbian women
 - SESE (Stats SA)
 - Disability data (StatsSA)
 - Profile of Vulnerable Groups Series (Stats SA)
 - Department of Health and Stats SA – Demographic Health Survey (2018)
- Produced knowledge products on gender statistics (e.g., user-friendly reports, policy briefs, research papers)
 - Commission for Gender Equality produces a number of user friendly research and investigative reports and Policy Briefs
 - Department of Women has produced research reports and policy briefs – Status of Women in the South African Economy (2015); GVB Report (2014); CEDAW 5th periodic report (2016); AU Women's Protocol Report – Initial Report 2004-2014; Gendered Analysis of Government's Incentive Schemes especially those Administered through the Dti (2018), among others
 - Stats SA – Gender series – Gender and Education (2015); Women and Public Transport (2017); Gender and the Economy (2016);
 - Department of Labour (Commission on Employment Equity) – annual Employment Equity Reports – from 1996 to 2019
 - Department of Education Research Reports
 - Women and mining – NGO
 - Gender Links – reports on GBV
 - Human Rights Commission Research and Investigative reports
- Used more gender-sensitive data in the formulation of policy and implementation of programmes and projects
 - Sanitary Dignity Programme and Zero rating of pads by National Treasury (2019 Budget) – utilised data and statistics on indigent girls in Quintile 1-3 schools in South Africa; indigent young women in TVET Colleges. Department of Women also produced research reports on the situational analysis of sanitary dignity programmes in three pilot provinces. The data, statistics and information contributed to the evidence based policy development, implementation framework and to the Cabinet approved rollout programme.
 - Employment equity data captured through the Commission for Employment Equity annual Reports is focusing on the issue of wage parity and wage differentials especially in the private sector
 - Recent election manifestos – influenced appointment of Cabinet Ministers following the May 2019 elections and other appointments
 - Data on representation in the judiciary is informing the process of transforming the judiciary in terms of representation by sex and population groupings
 - Local government positions
 - Education and women
 - GBV statistics

Other areas were also implemented, or are being initiated, in the country to ensure that the generation of relevant data and statistics on women's empowerment and gender equality are strengthened. These include:

- Promulgated new laws, regulations, or statistical programme/strategy setting out the development of gender statistics
 - Legal framework and policies are very gender responsive and calls for disaggregation of data and statistics e.g. Amended Employment Equity Act; National Sanitation Policy (2017);
 - Cabinet adopted the Gender Responsive Planning, Budgeting, Monitoring, Evaluation and Auditing Framework (Department of Women) in 2019, and together with the Country Gender Indicator Framework will seek to institutionalise gender responsive targets and indicators across the different sectors of government and through the MTSF 2019-2024 and the National Development Plan's 5 Year Implementation Framework (2019-2024). In 2017 Cabinet adopted that the generation and accessibility of gender and disability disaggregation must be provided for across all targets and indicators of Government
- Established an inter-agency coordination mechanism on gender statistics (e.g., technical working group, inter-agency committee);
 - Interdepartmental coordination mechanism for the National Development Plan 5 Year Implementation Framework (2019-2024) and the Medium Term Strategic Framework (2019-2024)
 - The Department of Planning, Monitoring and Evaluation carries out national evaluations on government programmes and policies, a process which generates much data and statistics. This process is coordinated through the establishment of Interdepartmental Steering Committees comprising Director-Generals or Deputy Director Generals. The Department of Women has been included in some of these Steering Committees by virtue of the issue of ensuring that gender is mainstreamed into the process. However the Department's inclusion is sporadic and several evaluations have been gender blind. This remains a challenge that needs to be addressed going forward.
 - The Department of Planning, Monitoring and Evaluation has established a unit linked with the Wits University called Twende Mbele Project which has been undertaking work on the gender responsiveness of the Government-wide M&E system and on gender responsiveness of National Evaluations Processes. The Department of Women has been involved in the process in collaboration with Twende Mbele.
- Developing a centralized web-based database and/or dashboard on gender statistics
 - Statistics South Africa is the national statistical agency for the country and is a web based repository of data and statistics that it generates.
 - The Department of Planning, Monitoring and Evaluation, based in the Presidency, has an existing web-based database / repository for evaluations and research documents. However it is currently working on the process of establishing a national knowledge hub.
 - The Department of Women is initiating a process towards establishing a centralised or national Gender Knowledge Hub for the country. This is a process that is envisaged to take about three to four years.

South Africa is focusing on strengthening national gender statistics over the next five years. In this regard, a country gender indicator framework has been developed and is currently being finalised for adoption by Cabinet. This framework will guide the process of gender responsive indicators being mainstreamed across government's M&E systems. This framework will work in tandem with the 2019 Cabinet approved Gender Responsive Planning, Budgeting, Monitoring, Evaluation and Auditing Framework which provides for a short, medium and long term process of ensuring that targets,

interventions, and indicators are included into all planning, budgeting, monitoring and evaluation. In the immediate period, the Department of Women is fully involved in the government-wide process of ensuring that gender responsive targets and indicators are included in the Medium Term Strategic Framework 2019-2024 and the National Development Plan 5 Year Implementation Framework 2019-2024. This would also entail the inclusion of gender responsive targets and indicators into all 5 year Strategic Plans and Annual Performance Plans of Government Departments at all levels.

The engendering of the annual National Budget Statement has also been initiated through the national planning process and this will ensure that gender responsive budgeting becomes institutionalised.

SDGs

The country has also defined a national set of indicators for monitoring progress on the SDGs, including gender specific indicators in all 17 SDGs.

South Africa was one of the early supporters of the 2030 Agenda for Sustainable Development. This Commitment is intertwined with its contribution to setting Africa's long-term development goals. In 2013 South Africa played a leading role in the African Union to define 8 long-term development ideals for the continent, which were later translated into the 7 aspirations contained in the AU's Agenda 2063. At the same time, Heads of State of the AU established a High-Level Committee, which included South Africa – to develop the Common African Position on Post-2015 Development Agenda. In September 2014, South Africa was elected the Chair of the Group of 77 plus China and in this capacity it led the group in the international negotiations in 2015.

South Africa emphasises the significant convergence between the SDGs and its own National Development Plan: Vision 2030. Approximately 74% of the SDG targets are addressed through the National Development Plan: Vision 2030 and South Africa's sectoral policies and programmes address 19% of the remaining targets (Stats SA, 2019). Thus the SDGs are seen as a potential to accelerate the realisation of the National Development Plan targets through policy coherence, increasing efficiencies and avoiding duplications.

South Africa developed its SDG Indicator Baseline Report in 2017 (Stats SA, 2017) which covered Tier i and Tier ii indicators. In that period, 156 of the 230 indicators had agreed standards and methods. South Africa was able to report on 63% of these indicators. In 2019, South Africa is able to report on indicators as represented in the table below:

Table 48: South Africa's SDG data availability in 2019

SDG	No of Targets	No of Tier i and Tier ii indicators	No of Tier i and Tier ii indicators with data	No of domesticated and additional targets with data	Percentage of Tier i and Tier ii indicators reported	No of indicators that are gender specific
SDG 1	7	11	5	4	45%	0
SDG 2	8	13	4	2	31%	0
SDG 3	13	26	17	8	65%	4
SDG 4	10	10	4	11	40%	4
SDG 5	9	14	5	5	36%	all
SDG 6	8	11	8	4	73%	0
SDG 7	5	5	3	3	60%	0
SDG 8	12	16	9	4	56%	4
SDG 9	8	12	6	2	50%	0
SDG 10	10	11	4	1	36%	0

SDG 11	10	11	2	5	18%	0
SDG 12	11	6	1	1	17%	0
SDG 13	5	3	0	1	0%	0
SDG 14	10	7	0	3	0%	0
SDG 15	12	14	3	3	21%	0
SDG 16	12	22	3*	8	14%	0
SDG 17	19	19	7	1	37%	0

*includes 2 indicators reported under SDG 10 and SDG 17

SDG 5

The country has already begun its data collection and compilation on SDG 5 indicators and on gender-specific indicators under other SDGs.

Prior to the development of the SDG's, South Africa committed to addressing gender equality through the targets set out by MDG's, in particular MDG3. South Africa achieved 5 of the 7 MDG targets in 2015, and this set the path for its smooth transition to the MDGs. The development of SDG 5 sought to further the targets set out by MDG 3 by encompassing both the issues included in the MDG's as well as emerging issues which the MDG's failed to address.

The Global SDG framework includes a target for SDG5 measured through 14 corresponding indicators. These are:

Target 5.1: End all forms of Discrimination of all women and girls everywhere

- Measurement is through indicator 5.1.1.

Target 5.2: Eliminate all forms of violence against women and girls in the public and private spheres, including trafficking, sexual and other types of exploitation

Target 5.3: Eliminate all harmful practises, such as child early and forced marriages and female genital mutilation.

Target 5.4: Recognise the value unpaid care work and domestic work through provision of public services, infrastructure and social protection, policies and promotion of shared responsibilities in the household and the family as nationally appropriate

Target 5.5: Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision making in politics, economy and public life

Target 5.6: Ensure access to universal sexual and reproductive health and rights as agreed in accordance with the Programme of Action of the ICDP and Beijing Platform of Action, and outcome documents of their review conferences

SDG 5 contains 9 targets with 14 corresponding indicators. South Africa is able to report on 6 of the 9 SDG targets, using 8 data sources. Apart from the standard SDG indicators, South Africa has provided two domesticated indicators. The table below illustrates the SDG indicators used in the measuring of SDG 5, including domesticated indicators devised through a round of technical and regional workshops held in South Africa.

Table 49: Indicators measuring SDG 5 in South Africa in 2019

Target	Indicator	Type
5.1	5.1.1 Whether or not legal framework are in place to promote, enforce and monitor equality and non- discrimination on the basis of sex	SDG: Tier II
5.2	5.2.1 Promotion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age	SDG: Tier II
	5.2.2D Percentage of ever-partnered women and girls aged 18 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age	Domesticated

	5.2.2 Promotion of the rights of girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age, and place of occurrence	SGD Tier II
5.3	5.3.1 Promotion of the rights of women aged 20-24 years who were married or in a union before age 15 and before age 18.	SDG Tier II
	5.3.1D Percentage of early marriage experienced by girls before the age of 15 years	Domesticated
	5.3.2 Proportion of women and girls aged 14 -49 years who have undergone female genital mutilation/cutting, by age	SDG Tier II
5.4	5.4.1 Proportion of the time spent on unpaid domestic care work, by sex, age and location	SDG: Tier II
	5.4.1D Percentage of time spent on unpaid domestic and care work by sex	Domesticated
5.5	5.5.1 Proportion of seats held by women in (a) national parliament and (b) local government	SDG Tier I (a) Tier II (b)
	5.2.2 Proportion of women in managerial positions	GDG Tier I
5.6	5.6.1 Proportion of women aged 15-49 years, who make their own informed decisions regarding sexual relations, contraceptive use and reproductive health care	SDG Tier II
	5.6.2 Number of countries with laws and regulations that guarantee free and equal access to women and men aged 15 years or older to sexual and reproductive health care, information and education	SDG Tier II
5a	5a.1 (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex, and (b) share of women among owners as rights-bearers of agricultural land by type of tenure	SDG Tier II
	5a2 Proportion of countries where the legal framework, including customary law, guarantees women's equal rights to land ownership and/or control	SDG Tier II
5b	5b1 Proportion of individuals who own a mobile telephone, by sex	SDG Tier II
5c	5c1 Proportion of countries with systems to track and make public allocations for gender equality and women's empowerment	SDG Tier II

Challenges for collection and compiling data on SDG5 in 2019

In the process of developing the 2019 SDG Report, the country has experiences some challenges. These are indicated as follows:

- Target 5.2 is marred by the unavailability of data.
- Data for prevalence of physical and sexual violence is only available for one year. As such, the effectiveness of the relevant laws and policies in this regard is not able to be measured.
- There is a limiting factor in the reporting of data on human trafficking as data is only available for trafficking of sexual nature, and therefore other forms of trafficking such as in human organs, are not included in South Africa's 2019 report.
- South Africa has statistics on registered marriages only, as the validity of a marriage in South Africa is not dependant on its registration. These figures may be understated.
- South Africa does not currently report on the incidence of Female Genital Mutilation, therefore South Africa's progress in eliminating this practise cannot be measured.
- South Africa does not have data on the prevalence of early marriages before the age of 18 as per indicator in SDG 5
- South Africa needs to develop an indicator and means to capture the frequency of incidences of harmful practises such as early marriages and virginity testing.
- With regard to target 5.4, the most recent data that South Africa has is that of 2010. Hence no conclusive assessment can be drawn on the progress made
- South Africa does not currently report on the indicator set out by target 5.6. As such its progress towards fulfilling this target by 2018 cannot be assessed.
- South Africa does not report on the indicators provided by target 5.6. As such no conclusive assessment may be made on South Africa's progress towards achieving this target.

- South Africa does not have a means to measure its progress of achieving target 5.c as it has not yet achieved the other targets set out by SDG 5.

REFERENCES

01. Benya, A.: 2016: Women in mining: occupational culture and gendered identities in the making
Business Women South Africa: 2017: Women in Leadership Census 2017
02. Centre for the Study of Violence and Reconciliation: 2009: An overview of sexual violence in South Africa Written by S. Sigworth)
03. Commission for Gender Equality: 2017: 20 Year Review Report, Johannesburg
04. Commission for Gender Equality: 1996: Audit of Legislation for gender equality implications, Johannesburg
05. Commission for Gender Equality: 2016: Talking the Talk, Not Walking the Walk, Johannesburg
06. Commission for Gender Equality: 2017: Report on 20 Years of Gender on the Agenda, Johannesburg
Council for Higher Education: 2016: Vital Stats 2016- Public Higher Education
07. Deloitte: 2018: The Fourth Industrial Revolution is here—Are you ready?
08. Department of Basic Education: 2018: School Realities, 2005 -2017; Pretoria
09. Department of Education: 2017: Stats at a Glance, 2000: School Realities – 2017, Pretoria
10. Department of Health: 2017: The 2015 National Antenatal Sentinel HIV & Syphilis Survey Report, Pretoria
11. Department of Health: 2018: Input into 25 Year Review – report submitted to the Department of Women; unpublished
12. Department of Health: 2018: Annual Report 2017/18, Pretoria
13. Department of Justice: 2017: Traditional Courts Bill – B1 – 2017
14. Department of Justice: 2018: List of Regional Courts upgraded into Sexual Offences Courts by 26 July 2018
15. Department of Justice: 2018: National Prosecuting Authority Annual Report, 2017/2018, Pretoria
16. Department of Labour: The Commission for Employment Equity: The Employment Equity Report 2017-18; Pretoria
17. Department of Planning, Monitoring and Evaluation: 2016: Indicators 2016, Pretoria
18. Department of Rural Development and Land Reform: 2018: Land Audit Report – 2017, Pretoria
19. Department of Trade and Industry: 2018: Industrial Policy Action Plan: Economic sectors, employment and infrastructure development cluster 2018/19 - 2020/21, Pretoria
20. Department of Women, Children and People with Disabilities: 2014: Review of the Implementation of the 365 Days National Action Plan (NAP), unpublished
21. Department of Women: 2018: Press Release: “Minister Dlamini Calls on South Africans to ensure that gender equality remains everyone’s responsibility”
22. Department of Women: 2019: Address by Minister Bathabile Dlamini on “Sanitary Dignitary Programme. Free Sanitary Pads to Poor Girl Learners – The First Step to Achieving Equitable and Sustainable Sanitary Dignity in South Africa
23. Department of Women: 2019: A Report on the Gendered Analysis of Government’s Incentive Schemes – especially those administered by the Dti, Unpublished
24. Field, S.; Onah, M.; van Heyningen; T, Honikman: 2018: Domestic and Intimate Partner Violence among pregnant women in a low resource setting in South Africa: a facility-based mixed method study.
25. Gauteng Provincial Government: 2018: 25 Year Review inputs, report submitted to the Department of Women
26. Gender Links: 2017: Promoting Gender Equality in the Mining Industry
27. Hassim, S. and Gouws, A.: 1998: Redefining the Public Space: Women’s Organisations, Gender Consciousness and Civil Society in South Africa
28. Health Systems Trust: 1997: South Africa Health Review
29. HEARD: May 2016: Country Fact Sheet: South Africa: Unsafe abortions
30. <https://www.unicef.org/wash/schools>: WASH in Schools Empowers Girls’ Education: Menstrual Hygiene Management in Schools Virtual Conference (2013)
31. <https://www.fin24.com/Finweek> : How to bring more women into mining: 2018
32. <http://www.aidsmap.com/Medical-male-circumcision-for-HIV-has-benefits-for-women-oo/page/3159979>
33. <https://africacheck.org/reports/femicide-sa-3-numbers-murdering-women-investigated>
34. <https://data.unicef.org/topic/hiv/aids/emtct/>
35. <https://www.news.uct.ac.za/article/-2015-08-25-what-the-constitution-promises-women>(Prof Waheeda Amien: Dept of Public Law, University of Cape Town)
36. <http://workspace.unpan.org/sites/Internet/Documents>: Outcome Document of the High-Level Meeting of the General Assembly on the Overall Review of the Implementation of WSIS
37. GSM Association: 2018: GSMA Connected Women – The Mobile Gender Gap Report 2018
38. GSM Association: 2019: GSMA Connected Women – The Mobile Gender Gap Report 2019
39. Human Sciences Research Council: 2016: Winners and losers: Gender disparities in the South African labour market

40. Hunnicut, G.: 2009: Varieties of Patriarchy and Violence Against Women - Resurrecting "Patriarchy" as a Theoretical Tool
41. IEA, Energy and Gender at <https://www.iea.org/topics/energyandgender/>
42. International Alliance of Women: <https://womenalliance.org/womens-economic-empowerment-in-the-hanging-world-of-work>
43. Jewkes Rachel; Jonathan Levin & Loveday Penn-Kekana: 2002: Risk-factors for domestic violence; findings from a South African cross-sectional study
44. Legal Resource Centre: 2016: About Child Marriages, www.girlsnotbrides.org/about-child-marriage
45. Minerals Council South Africa: Fact Sheet 2017
46. Mosley E. A.; et al: 2018: Abortion Attitudes Amongst South Africans: Findings from 2013 Social Attitude Survey
47. Muller A.: 2014: Public Health Care for South African Lesbian, Gay, Bisexual and Transgender People: Health Rights Violations and Accountability Mechanisms: www.researchgate.net/publication/267237378
48. ODI: 2015: Balancing Paid Work and Unpaid Care Work to Achieve Women's Economic Empowerment
49. OECD: 2014: Social Institutions and Gender Index
50. OECD: 2018: Policy Dialogue on Women's Economic Empowerment.
51. Office on the Status of Women, The Presidency, RSA: 2005: Beijing +10 Report; Pretoria
52. Office on the Status of Women, The Presidency, RSA: 2000: The South African National Policy Framework for Women's Empowerment and Gender Equality, Pretoria
53. Oosthuizen M: 2018: Counting Women's Work in South Africa: Incorporating Unpaid Work into Estimates of the Economic Lifecycle in 2010, University of Cape Town (DPRU)
54. Parliament of the Republic of South Africa.: Aug 2017: Towards Women's Economic Empowerment: An overview of challenges, achievements, legislative mechanisms and programmes, International Women's Conference – written by C Levendale
55. Republic of South Africa: 1993: General Law Fourth Amendment Act 132 of 1993: Section 29
56. Republic of South Africa: 1998: The Truth and Reconciliation Commission of South Africa Report: Volume 4: Chapter 10: "How the Gender hearings came about" (p284 -318)
57. Republic of South Africa Government Communications and Information Systems: 2018: Presidential Summit on Gender-based violence and Femicide (Communications Thematic Area Base Document)
58. Republic of South Africa; 1994: Reconstruction and Development Programme
59. Republic of South Africa: 1994: Government Gazette No 16085, 23 November 1994: White Paper on Reconstruction and Development, Government Printers, Pretoria
60. Republic of South Africa: The Planning Commission: 2015: National Development Plan – Vision 2030, Pretoria
61. Republic of South Africa: 2018: Saving Mother's Report, 2014-2016: Seventh triennial report on confidential enquiries into maternal deaths in South Africa: Executive Summary
62. Republic of South Africa: 2018: SANAC Annual Report 2016-2017
63. Republic of South Africa - South African National Aids Council: South Africa's National Strategic Plan for HIV, TB and STIs 2017-2022
64. Rosenfeld, D.: 2009: Sexual Coercion, Patriarchal Violence & Law, (in Muller), Harvard University Press.
65. Sassen, S.; Galvaan, R.; and Duncan, M.: 2018: Women's experiences of informal street trading and well-being in Cape Town, South Africa: South African Journal of Occupational Therapy — Volume 48, Number 1, April 2018
66. Satri: 2016: Challenges Facing Women in the Mining, Energy and construction Sectors of South Africa.
67. Seekings, J.: 2015: The 'Developmental' and 'Welfare' State in South Africa': Lessons from the Southern African Region; Centre for Social Research, UCT.
68. Social Protection in Africa: 2014: A review of Potential Contribution and Impact on Poverty Reduction. Study Report <http://www.za.undp.org/>
69. South African Human Rights Commission: 2015: Investigative Hearing Report: Access to Housing, Local Governance and Service Delivery
70. South African Law Reform Commission: 1999: Research Paper on Domestic Violence, April 1999, Pretoria
71. South African Law Reform Commission: 2009: Discussion Paper 0001/2009, Project 107 on Sexual Offences: Adult Prostitution, June 2009, Pretoria
72. South African Petroleum Industry Association: SAPIA Annual Reports
73. South African Police Service: 2017/2018 Crime situation in RSA Twelve Months. 1 April 2017 to 31 March 2018
74. South African Police Service: 2017: Annual Plan, 2017/2018
75. South African Police Service: 2009: Annual Report 2008/2009
76. South African Police Service: 2015: Annual Report 2014/2015.
77. South African Police Service: 2016: Annual Report, 2015/2016: p186.
78. South African Police Service: 2017: Annual Report, 2016/2017.
79. South African Police Service: Annual Reports (2002/2003 – 2017/2018).
80. Statistics SA: 2018: General Household Survey, 2017, Pretoria
81. Statistics South Africa: 2013: Social Profile of Vulnerable Groups, 2002-2012

82. Statistics South Africa: 2017: Poverty trends in SA, 2006 and 2015; Pretoria
83. Statistics SA: 2013: Social Profile of Vulnerable groups, 2002 – 2012
84. Statistics South Africa: 1996: Education in SA: <http://www.statssa.gov.za>
85. Statistics South Africa: 2001: A Survey of Time Use. How South African Men and Women Spend Their Time, Pretoria.
86. Statistics South Africa: 2017: Community Survey 2016, Pretoria
87. Statistics South Africa: 2016: South African Demographic Health Survey- Data Quality Report, Pretoria
88. Statistics South Africa: 2016: South African Demographic Health Survey-Indicator Report
89. Statistics South Africa: 2018: General Household Survey, 2017, Pretoria
90. Statistics South Africa: 2018: Labour Force Survey - Q2; Pretoria
91. Statistics South Africa: 2018: Mid-year Population Estimate, Pretoria
92. Statistics South Africa: 2016: Crime Statistics Series Volume III 2014/2015
93. Statistics South Africa: 2010: Non-financial census of municipalities for the year ended 30 June 2010
94. Statistics South Africa: 2017: Non-financial census of municipalities for the year ended 30 June 2017
95. Statistics South Africa: 2010: Quarterly Labour Force Survey 2010; Pretoria
96. Statistics South Africa: 2012: Quarterly Labour Force Survey 2012; Pretoria
97. Statistics South Africa: 2015: Quarterly Labour Force Survey 2015; Pretoria
98. Statistics South Africa: 2018: Quarterly Labour Force Survey 2018; Pretoria
99. Statistics South Africa: 2016: Labour Market Dynamics; Pretoria
100. Statistics South Africa: 2014: Survey of Employers and the Self Employed 2013; Pretoria
101. Statistics South Africa: 2018: Discussion Document on South Africa's Motor Trade Industry
102. UNDP: 2015: Human Development Report, pg. 77.
103. University of Cape Town: Children's Institute: Abduction: <http://childrencount.uct.ac.za/mm/indicator>
104. Vetten, L.: 2005: Addressing Domestic Violence in South Africa: Reflections on Strategy and Practice.
105. Women's Legal Centre: Case No: 22841/2014 on www.wlce.co.za as extracted on 22/11/2018 @ 11:47
106. World Economic Forum: 2018: The Future of Jobs Report 2018
107. World Economic Forum: 2018: Insight Report - The Global Gender Gap Report 2018,