



Commission for Gender Equality
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REPORT ON THE COMMISSIONERS' PERFORMANCE - FOURTH QUARTER OF THE FINANCIAL YEAR 2014/15

Prepared by Office of the Chairperson and Commissioners

Submitted: 22nd May 2015

Introduction

The information that follows include the following:-

1. Individual Commissioners' Fourth Quarter Reports of the Financial Year 2014/15 - January to March 2015
2. Commissioners' Allocation to Provinces
3. Commissioners' Allocation to CGE Committees
4. Commissioners' Allocation to Focal Areas

1. Fourth Quarter Reports

Commissioner Mfanozelwe Shozi – Chairperson

1. Introduction

This report covers activities over the Fourth Quarter; 01 January to 31 March 2015 of the financial year 2014/15.

My office interacted with relevant stakeholders such as Parliament, Civil Society Organisations, Human Rights Institutions, Organised Civil Society Organisations and the Private Sector.

The period under consideration include the observance of Human Rights month and attendance at CSW. The reports of both Chairperson and Deputy Chairperson cover the work undertaken by the Office of the Chairperson.

CGE Committees have been sitting regularly to oversee the work of the Secretariat. My observation is that these Committees have been able to develop strategies that assist Secretariat to roll out their work. Although these Committee meetings compete with a lot of priorities; Management has been able to honour them.

The Fourth Quarter has been characterised by a series of Parliament appearances where CGE was required to present reports. CGE has presented its Budget and the Annual Performance Plan, CEDAW and Beijing Reports, SADC Protocol on Gender and Development and other International Instruments Reports.



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Members of Parliament rely on CGE presentations and advising them on International instruments that relate to gender equality. CGE is being seen as one of the organisations that provide expert knowledge on international instruments relating to gender equality.

CGE is continuing to be recognised by the South African Media and other critical stakeholders as the most important role player in gender equality matters. CGE receives invitations from the media and this necessitates CGE to provide quality, awareness raising and informative media interviews.

The biggest challenge the CGE is facing is the reduction of funds/budget. The Office of the Chairperson has approached the President guided by Section 16 of the CGE Act as amended which mandates the Commission to approach the President at any time, with regard to any matter relating to the exercise of its powers or the performance of its functions. The President has responded and his response has been shared with Commissioners.

In the next quarter, my office will meet with Financial and Fiscal Commission to seek assistance in terms of assisting with the costing of the CGE as stipulated in the Act and PEPUDA. I am aware as the Finance Committee member that the Finance Committee will ensure full implementation of the fundraising policy.

Institutions are requesting CGE to play an advisory role which is enshrined in the Constitution as one of the Functions of the CGE. Section 187 (2) of the Constitution empowers the CGE to perform its functions including the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality. We must ensure that as an institution we assist these organisations bearing in mind our monitoring and oversight role.

2. Overall Goal of Commissioners

Working towards the realisation of the vision and mission of the CGE by establishing good governance and ensuring that the organisation operates effectively and efficiently.

3. Commissioners' Objectives

To attain this goal Commissioners pursue the following objectives:-

- 3.1 Ensure that good corporate governance exists by executing fiduciary responsibility and perform oversight function
- 3.2 Make strategic interventions and provide leadership in relation to gender equity and equality issues



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- 3.3 Ensure that the CGE organisational policies and practises are consistent with its vision and organisational values
- 3.4 Preserve institutional autonomy and independence
- 3.5 Strengthen institutional systems by serving on statutory, theme and any other Committees as allocated by Plenary

4. Support for Implementation of the Strategic Plan

4.1 Strategic Objective number one: To ensure the creation and implementation of an enabling legislative framework that promotes the attainment of Gender Equality

4.1.1 Committee Strategic Planning Workshop

The Portfolio Committee on Women in the Presidency undertook a Strategic Planning session with the CGE which took place from the 3rd to the 5th February 2015.

The purpose of the Strategic Planning session was to request key stakeholders to brief the Committee on key issues affecting women in South Africa.

Amongst presenters were:-

- i. The Department of Small Businesses which presented on Women and the Economy,
- ii. Business Women's Association of South Africa which presented on Women and Economy,
- iii. The Department of Rural Development and Land Reform which presented on Women Empowerment and Land Ownership,
- iv. The Department of Justice and Correctional Services which presented on Women and Justice and Gender Based Violence,
- v. The Department of Police which presented on the Gender Based Violence.

CGE was invited to present on two topics:-

- i. An overview of all key treaties covenants, declarations that would directly inform the work of the Committee and which is pertinent for planning oversight for the 5th Parliament
- ii. Inform the Committee in developing its Strategic Plan for the next MTEF period.

CEO and her team developed a presentation on the international instruments and I developed a presentation on the second topic.



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The Office of the CEO will circulate these presentations to all Commissioners and staff.

4.1.2 State of the Nation Address

On the 12 of February 2015, I attended the State of the Nation Address by the President of the Republic of South Africa His Excellency J G Zuma and was able to witness the may hem in Parliament. The Portfolio Committee on Women in the Presidency requested CGE to present a gender analysis of the State of the Nation Address. The briefing was scheduled to take place on the 17th February 2015 and was postponed to the next financial year (1st Quarter).

4.1.3 Presentation of the CGE Strategic Plan and Budget 2015/16

In the history of Parliament, CGE presented its Budget and Annual Performance Plan before the beginning of the financial year.

CGE briefed the Committee on Annual Performance Plan, Strategic Plan and Budget for 2015/16. The briefing took place on the 24th of March 2015. I have attached the minutes of the PMG Monitoring Group that captured all the issues discussed during this appearance.

4.1.4 Engagement with the Minister and Speaker of the National Assembly

During Plenary held on the 06th of March 2015, I presented a report detailing discussions held with the Minister Susan Shabangu and the Speaker Baleka Mbete. The meetings took place on the 2nd of February 2015 and 27th of February 2015 respectively. I have also attached the very same report that was presented during the 06th of March 2015 and for Plenary's record I have also included the report presented during the Plenary meeting of the 06th March 2015.

4.1.5 Briefing on CEDAW and Beijing

CGE briefed Parliament on CEDAW and Beijing Platform for Action. The presentation was on the 03rd of March 2015.

4.1.6 Presentation on SADC Protocol on Gender and Development

The 36th Plenary Assembly of the SADC held in Victoria Falls in Zimbabwe (2014) resolved that Member States should track the implementation of the SADC Protocol on Gender Equality and Development. The expectation was that the Caucus Chair was to report on the progress South Africa has made in implementation of the regional as well as international conventions on Gender Equality and Development during CSW.



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Consequently, the Caucus has expressed a concern regarding the absence of a report from the Commission for Gender Equality when the South African report was presented at this forum. Therefore CGE was invited to update the Multi-Party Women's Caucus on the compliance of South African Government, Private Sector, and Society in the implementation of gender equality protocols and conventions. The meeting took place on the 04th of March 2015.

4.2 Strategic Objective number two: To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take action against infringements of gender rights through the implementation of appropriate redress

4.2.1 Fatherhood Project

The Department of Social Development in KwaZulu-Natal invited me to do a presentation on the fatherhood programme. What I found interesting was that participants were local head men and women who are members of Local Traditional Council. The Department of Social Development asked participants to indicate how they use their time during the day (time use studies). Participants were asked to share activities that they perform on a weekly basis. Responses were analysed and discussed and gender equality issues were raised. Participants learnt a lot from this exercise and men indicated that they were not aware that they do not assist in domestic activities. In closing remarks I spoke about GBV and issue of estate and requested that Traditional Leaders should encourage women and victims of violence to report these to the police and assist them in getting protection orders.

I also raised the following issues: -

- i. Under age marriages,
- ii. Forced marriages,
- iii. Arranged marriages and
- iv. Human trafficking

Headmen and women indicated to men that they have been trained on these issues but there is a need to educate families about these issues because they are the ones who practiced them.



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4.2.2 House of Traditional Leadership

I attended and participated in the Annual Address of the Fourth National House of Traditional Leaders which was addressed by the State President of the Republic of South Africa, His Excellency J.G. Zuma.

4.2.3 Media Intervention

I have engaged with various electronic and print media platforms. The Spokesperson and the Department of Public Education and Information (PEI) report has given an account of all media interviews conducted, press statements released as well as coverage by print media.

4.2.4 Nominee to the National and Provincial Dialogue Technical Task Team

At the Women's Day celebration on the 09th of August 2014 in KwaZulu Natal; the President committed to the public that on the 09th of August 2015, South Africa will launch the first National report on the status of women.

The Department of Women in the Presidency is planning to convene National and Provincial Dialogues between March and June 2015 in order to develop a National Report on the Status of Women. As a result, the Department has set up a Technical Team to advise on the strategy and approach of the development of a plan and schedule to roll out the dialogues to be able to reach all areas. I was requested by the Department to nominate a Commissioner to represent our institution in the task team. In the spirit that CGE shall liaise and interact with any organisation which actively promotes gender equality and other sectors of civil society to further the object of the Commission and to comply with the Constitution which empowers CGE to advise and report on issues concerning gender equality. Commissioner Lulama Nare was nominated to participate and represent CGE at this forum. I have written a letter to the Department and provided Commissioner Nare's contact details.

4.2.4 Engagement with DA Shadow Minister of Women in the Presidency Hon Denise Robison

The DA Shadow Minister wrote to me requesting me to table the final report into the DA's complaint of sexism levelled against President Zuma in Parliament. She further requested me to commit to a date by which the report will be finalised and when I will submit the report to Parliament. I responded and informed the Honourable Member that DA was not a complainant on the matter therefore CGE is not obliged to furnish the report to the DA.



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I further informed the Honourable Member that it would be difficult to commit to any date because CGE needs to follow due process to ensure that all stakeholders who are affected by the report have sight of the report. On the request to provide detailed reasons why it has taken almost two years to finalise the report; I informed the investigators that investigations are different and different factors and circumstances might lead to an investigation being prolonged or taking long. Attached are the two letters for more details.

4.2.5 North West Engagement

I had an engagement with staff, Commissioner and CEO.

4.2 Strategic Objective number three: To monitor state compliance with regional and International conventions, covenants and charters which have been acceded to or ratified by the Republic, relating to the objects of the Commission.

4.3.1 Participation in the United Nations Project on the Rights of Persons with Disabilities- Accelerating the Implementation of the UNCRPD in South Africa

South Africa is a signatory to the International Convention on the Rights of Persons with Disabilities (CRPD), to promote the rights of persons with disabilities. In light of this the United Nations invited SAHRC to actively participate in its programme on accelerating the implementation of the UNCRPD in South Africa. SAHRC is a member of the Working Group 2 tasked with the objective to provide a CRPD Complaint Legal and Policy Framework established to implement provisions of the Convention in South Africa. CGE was invited to serve in the Steering Committee to ensure that the project is gender sensitive by tapping into the wealth of experience of the CGE. In the spirit of the CGE Act and the Constitution which empowers CGE to advise any organisation on matters relating to Gender Equality, Deputy Chairperson Commissioner Thoko Mpumwana was nominated and is now serving and representing CGE at this Committee.

4.3.2 Participation in the South African National Commission for UNESCO

The South African National Commission for UNESCO (NATCOM) was established in 1998, to effectively integrate and coordinate UNESCO activities in South Africa; through cooperation with Government Departments, Institutions, and Civil Society Organisations. The Commission is currently based at the Department of Basic Education; and its work covers the UNESCO thematic areas, namely Education, Natural Science, Culture, Communication and Information; and Social and Human Science.



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The Social and Human Sciences focuses on areas such as Social Transformation; Youth, Physical Education and Sport; Human Rights and Gender Equality based on the UNESCO Priority Gender Equality Action 2014-2021. In the light of the above, I was invited to participate in the meetings and activities of the South African National Commission for UNESCO and will lead on Gender Equality issues. I have put my name forward and Commissioner Sobahle as an alternate member.

4.3.3 59th Session of the CSW

I attended the 59th Session of the CSW. The report is being finalised and will be ready in the next Plenary meeting.

4.4 Strategic Objective Number Four: To build an effective, efficient and sustainable institution that will fulfil its constitutional mandate on gender equality

4.4.1 Plenary Meeting of Commissioners

- CGE Main Plenary meeting of Commissioners for the 3rd quarter was held from the 9th to the 11th February 2015.
- Special Plenary was held on the 06th March 2015. Draft minutes of both meetings are included in the packs for Plenary.

4.4.2 CEO's Performance Assessment

On the 20th January 2015, the Performance Assessment of the CEO was conducted by myself, Deputy Chairperson and Commissioner Hicks. The report of the team has been included but the report has been moderated by the Moderation Team which has revised the scores and raised other critical issues.

4.4.3 Standing Committee Meetings

I attended the following Committee meetings this quarter:-

SPM&E

The SPM&E Committee meeting was held on the 21st January 2015



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Human Resources Committee

The Human Resources Committee meeting was held on the 22nd January 2015

Finance Committee

The Finance Committee meeting was held on the 3rd February 2015

Good Governance

The Good Governance Committee meeting was held on the 6th February 2015

Section Six Committee

The Section Six Committee meeting was held on the 9th February 2015

Joint SPM&E and Finance Committee

The SPM&E Committee meeting was held on the 24th February 2015

5. Commissioners' Issues

5.1 Media

I request Commissioners to ensure that whenever they desire to lodge or initiate press statements they should canvass with the Office of the Chairperson. Commissioners are further requested to at least provide pointers to assist.

5.2 Approval of Commissioners' Requests

I have approved a number of requests from Commissioners such as travel, leave and have engaged Commissioners on a number of issues.

5.3 Commissioners' Reports

The Portfolio Committee on Women in the Presidency resolved that Commissioners' reports should form part of the overall quarterly presentation of Commissioners in the future. This means that Commissioners' reports will be sent to Parliament.



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5.4 Amendments to the Determination of Remuneration of Members of Constitutional Institutions Matters Amendment Act

There is no new information; facts are still as they were presented in March 2015.

6. Recommendation to Plenary

The Office of the Chairperson intends engaging with Commissioners with the view to rotate the Chairpersonship of the CGE Standing Committees. This is necessary because some Commissioners' terms are ending in 2016 and some in 2017. The reconfiguration of Committees should take place during the May 2016 Plenary.

7. Conclusion

In conclusion, I wish to express my gratitude to my fellow Commissioners, the CEO and the Staff of the CGE for remaining committed to pursuit the vision for a "society free from gender oppression and inequality".

It is important for Plenary to note the following events which will be Carried out in the next quarter:-

- A hearing on the appeal by Rev. Sandile Ngobeni – former CGE Researcher
- A hearing on the appeal by Mr Lecholo Nkabiti – former Education Officer: Free State
- Fourth Quarter Plenary
- Presentation at Parliament
- Participating in and partnering with other organisations
- Ordinary administrative work
- Signing of the MOU with Military Ombud
- June 16 celebration
- Meeting with FFC
- Meeting with the First Lady Madam Tobeka Madiba Zuma
- Meeting with House of Traditional Leadership



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2. Commissioner N F T Mpumlwana – Deputy Chairperson

1. Introduction

This report will cover my activities for the period January to March 2015.

2. Activity report in line with Strategic objectives and Plan:

2.1. SO 1:- Ensure creation and implementation of an enabling legislative framework that promotes attainment of gender equality.

- a) Attended follow up Employment Equity Hearings (Transformation) held at the Parktonian in Johannesburg. Observations are that
 - i) In terms of transformation, people with disabilities especially women with disabilities are still marginalised. The 2% target seems to be difficult for entities to attain. **The CGE should now require that statistics indicate disabled women as well.**
 - ii) Instability remains a barrier to sustaining transformation and institutionalisation of policies in some entities. This seemed to affect both municipalities and some provinces especially North West and Eastern Cape.
 - iii) Entities in rural areas seemed to have challenges with attracting requisite skills. There may need to be special incentives proposed.
 - iv) Buy in from Unions and leadership from the top is critical in driving transformation.
 - v) There is still a problem with understanding the concept of mainstreaming. Gender mainstreaming requires adequate budget.
- b) Participated in preparation of CGE submission to Firearms Control Amendment Act. My observation was that the pro gun lobby is very strong whilst communities that are really victims of guns do not have strong champions advocating for gun control. The hunting, security and private owners and sellers industry is united against any efforts to tighten the rules on gun ownership.
- c) Read and made inputs into the CGE submission to Criminal Law (and Related Matters) Amendment Act the so-called Sexual Offences Bill.



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The Constitutional Court had found that the act unintentionally criminalised consensual sexual activity of minors that was not the intention of legislators. **It appears that the overwhelming view is that of decriminalising sexual acts between minors. The appeal from legislators is that of going back to family structures assisting and educating children on the value of delaying engaging sexual activities. The big question is the age of consent!**

2.2. SO 2:- To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal gender stereotypes and take action against infringements of gender rights through appropriate redress.

- a) Attended a Breakfast on Women in technology convened by UN Women where the Minister gave a kenote and in the panel were ED UN Women Dr Mlambo-Ngcuka, Deputy Minister of Basic Education Mr Surty, Dr Phethiwe Matutu from Science and Technology, the DDG for Curriculum in Gauteng and Senior executive from Twitter international Ms Jill Wetsler .

The objective of the meeting was to dialogue about barriers that prevent girls and young women from pursuing STEM and in particular technology. The UN resident Co-Ordinator in South Africa Mr Gana Fofang made it clear that STEM should be prioritised for girls education in member states.

UN Women asserted that technology is a game-changer for development and poverty alleviation.

It was reported by the Deputy Minister of basic education that 1500 schools in South Africa are connected to the internet. And that there are 133 Teacher Resources centres established to assist educators to be able to upskill themselves in this information technology era. In Gauteng there are 7 paperless schools.

It was also observed that technology can provide remote coaching in STEM subjects for both learners and educators.



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In Science and Technology there are programmes like DWESA, Miraka Institute, M Lab. Telkom also reported that they have established SA Women in ICT Forum.

- b) Attended meetings organised by the Department of Women to discuss the Country Report on CEDAW and preparation for CSW 59. One of the major issues at these meetings was the confirmation that the department of Women will be the convenor of the NGM. Further noted that the issue of the level of Focal persons is to be tabled at Cabinet for a decision. The proposal is to peg them at senior management level. The Minister also promised at the NGO meeting, to keep lines of communication open. She articulated her concern that the NGM has not been inclusive and that there will be roadshows that will ensure that as many CSO's as possible will be involved, going forward.
- c) Attended the Strategic Planning Session of the Portfolio Committee on Women in the Presidency. It was a very good session to interact in a less formal environment with political principals. The following, inter alia, emerged:
- i) The Trafficking Act not yet in operation because Justice still working on Regulations;
 - ii) Country only has 51 Thuthuzela Care Centres;
 - iii) There are only 76 Forensic Social Workers who are able to deal with sexual offences like rape. A Task Team for Serial rapes has been established by SAPS;
 - iv) South Africa to host an international Conference on Trafficking in 2015;



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v) DOJ reported that there is a possibility of merging the three registers on abuse viz:

- Sexual Offences register
- Abuse of Older Persons register
- Register in terms of Children's Act

It was clear from the presentations that the NAP is not being properly planned and that these departments were not working well together. Even some of the statistics given did not tally.

d) Attended SAFA Senzo Meyiwa Gun campaign to plan on raising awareness about illegal guns as well as a Conference on amendment to Firearms Control Act convened by the parliament Portfolio Committee on Police. Of reference to CGE is the use of Guns for Femicide that we have asked to be specified in the discourse.

e) Attended Department of Social Development's celebration of International Women's Day as well as the Launch of the study entitled **Gender Equality Assessment of Provincial HIV, STI's and TB: strategic Operational Plans in South Africa** jointly sponsored by UNAIDS, SANAC and Social Development.

f) Attended 20 Year celebration of Human Rights convened jointly by SAHRC and FISD. Some of the questions and issues raised included:-

- Are we as C9's and 10's succeeding in our mandate of transforming South Africa?
- We must never be shy to ask difficult questions;



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- There seems to be a gulf between the constitution and the lived reality of the majority of South Africans;
- Collaboration and working together by C9's and 10's will result in more impact on entrenching constitutional democracy.
- Complaints handling still needs harmonization as well as M& E Tools

g) Attended a briefing session as well as a meeting on the Project on Rights of People with Disabilities funded jointly by UN and Government of South Africa. The project seeks to analyse the extent to which South Africa has complied with the UN Convention on the Rights of People with disabilities. The SAHRC is the designated focal point on Disability in terms of the UNCRPD. They requested the involvement of CGE with a view to engendering the project but also given the fact that there is an agreement that CGE handles gender issues.

h) Attended funeral of Ms Tembeka Nkamba –Van Wyk an icon of African heritage, culture and women empowerment activist.

i) Media work:

- ENCA ETV Interview on Sterilization of HIV Women issue.
- SABC 404: Transformation hearings
- CHANNEL AFRICA radio: Interview of status of Women in South Africa
- SAFM Are women able to fight for their rights?
- POWER FM : On president statement that teenage mothers should be taken away to get education and separate from their babies.
- UKHOZI FM on EE hearings and gender transformation



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2.3. SO 3:- To monitor state compliance with regional and international conventions, covenants and charters which would have been acceded to or ratified by the Republic relating to the Object of the Commission

- a) Participated DoW on CEDAW report process
- b) Was in the delegation that presented to PC on Women in the Presidency on CEDAW and BPA. Some of the issues raised and my observations are;
 - They requested that when CGE presents they should make clear recommendations on what government should do to improve, ;
 - There is still a concern about CGE's visibility in rural areas;
 - Concerned that child trafficking cases growing;
 - There was a strong recommendation that formal education for girl children as well as education on rights by all women should be prioritised.
- c) Held a meeting with Ms Jacqueline Nzoyihera, Regional (Southern Africa) Human Rights Officer of UN High Commission for Human Rights to discuss Outcome 2 of the UN Project on the Rights of People with Disabilities and to clarify CGE role therein.

2.4 SO 4:- To build an effective, efficient and sustainable institution that will fulfil its constitutional mandate on gender equality.

- a) Acted as Chairperson from 09 -20 March 2015 in the absence of the Chairperson who had attended UN CSW 59 performing all duties assigned to the Chairperson of CGE in terms of CGE Act.
- b) Attended Tele-Plenaries as well as Plenary and Special Plenary meetings: Finance Committee, Strategic Plan, Monitoring and Evaluation, and HR;
- c) Attended the Section 6 Committee meeting;



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- d) Attended a number of meetings with the Chairperson and the CEO including three meetings on the CEO performance assessment;
- e) Participated in a delegation to the joint Portfolio Committees Women in the Presidency to present APP and Budget for 2015/16;
- f) Followed up on Minutes and resolutions taken by Plenary.

3. Other additional information.

- a) Continued my interaction with Genderlinks, Foundation for Human Rights and SAWID.

4. Recommendations.

1. The internal system regarding these hearings still needs to be tightened. It is only proper that Commissioners be apprised on follow up measures taken with entities considering recommendations and proposals made to entities. If CGE does not follow, CGE will lose its authority. Word will go around that nothing happens if CGE is ignored.
2. May need a researcher to assist with engendering the report on UNCRPD.
3. There is still a need to tighten the parliamentary submission process to ensure participation of CGE.

3. Commissioner Bata

Strategic Objective 1

Ensure the creation of an enabling Legislative framework that promotes attainment of gender equality.

Eastern Cape Provincial Legislature House Sitings

The Commissioner maximally utilizes the absolute advantage of residing less than 10 kilometers away from the Eastern Cape Provincial Legislature, to attend plenary sessions and debates of the Provincial Legislature in terms of the Rules of Procedure, the Public Finance Management Act and the Treasury Regulations.



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During the Fourth Quarter the Commissioner attended the State of the Province Address presented by the Premier of the Province of the Eastern Cape. The Provincial Members of the Executive Council presented their Policy Speeches, Annual Performance Plans, Operational Plans, Strategic Plans and Service Delivery Improvement Plans.

The Member of the Executive Council for Finance also presented the Budget Speech which culminated in the passing of the Appropriation Act for the Financial Year 2015/16.

Quarterly Meetings between the Eastern Cape Provincial Legislature Presiding Officers and Chapter 9/10 Institutions

Chapter 9/10 institutions convened a quarterly meeting with the Eastern Cape Provincial Legislature chaired by the Honourable Speaker of the House. The meeting creates a platform where best practices and information shared. Noteworthy was the fact that CGE presented a comprehensive report on its programmes and important upcoming events and activities. The commissioner and Legal Officer were in attendance. The other representatives came from the Human Rights Commission, the Auditor General, Public Protector and the Public Service Commission. Of importance also was the fact that a draft memorandum of understanding was presented for consideration to formalise the partnership. But the memorandum was not finalised and remains work in progress. CGE and Public Service Commission emphasised the fact that the memoranda of understanding are entered to and signed by Chairpersons of the Commissions only.

Quarterly Meetings between Chapter 9/10 Institutions

The commissioner, the Provincial Co-ordinator and the Public Education Office attended the meeting held at the Human Rights Commission in East London. The CGE presented a report in the meeting which was chaired by the Human Rights Commission and attended by the Public Protector, Public Service Commission and the Audit General. A draft memorandum of understanding was tabled by the Human Rights Commission and will be finalized in the next quarterly meeting.

Strategic Objective 2

To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal gender stereotypes and action against infringements of gender rights through appropriate redress.



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Support rendered to Religious Faith Based Organizations

The Commissioner attended and presented the mandate of the CGE to the Hindu Community at the celebrations of the Dewali Festival in King Williams Town.

Follow-up Event on the Rural Women`s Day

The CGE conducted a follow-up event as a means of monitoring and evaluating service delivery initiatives related to the International Women`s Day in the Ncera Villages. This was attended by plus minus 200 diverse stakeholders.

Important Deliverables

Based on the myriad of challenges raised by the community, the follow up session involved Provincial Government Departments namely Rural Development and Agrarian Reform, Education and Social Development. The ward councilor and the Buffalo City Municipality did not attend to the dismay and dissatisfaction of the communities. CGE is further sending correspondence to all the affected Departments to address and respond to the community on challenges as raised.

CGE was applauded and commended by the community as a result of the following:

- ESKOM responded by constructing fencing for the Women`s Bakery as security measure.
- ESKOM is in the process of purchasing a vehicle for the Bakery.
- Ablution Facilities have been constructed for the school in the area. This will provide security and the dignity of the learners of the school.

LGBTI Workshop

The commissioner attended the LGBTI Workshop which was well attended by the LGBTI sector from across provinces. Again CGE enjoyed a lot of recognition and presented a paper on work done by the institution in support of the LGBTI Sector.

The CGE was highly commended and praised by the sector and mention was made of the work done with the Deputy Chair of the CGE.



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Launch of Freedom Month

The commissioner attended the launch of the Freedom Month at Steve Biko foundation which was hosted by the Department of Sport, Recreation arts and culture.

CGE was given a platform to present its mandate and give a message of support. The occasion placed the institution on the map and was highly commended indeed.

Employment Equity Supplementary Hearings

The Commissioner attended and participated in Supplementary Employment Equity Hearings in Johannesburg which went on successfully.

Strategic Objective 3

To build an effective, efficient and sustainable institution that will fulfil its institutional mandate on gender equality.

The Commissioner attended and participated in all Committee meetings namely; Strategic Planning, Monitoring and Evaluation and the Legal Committee Meeting. Sharing of information and constructive engagements have yielded good dividend towards orientation, mentoring and coaching for the 1st year in the Commission.

Joint strategic planning and finance meeting

The commissioner attended this very important meeting at head office for adoption of the budget and the Annual Performance Plan. The meeting went on extremely well.

United Nations Commission on the Status of Women in New York

The commissioner got a golden opportunity to attend the CSW Conference with the South African Delegation. The CGE Delegation was ably led by our Chairperson and our CEO who was representing our secretariat. The Conference was an eye opener and a learning curve for the Commissioner. The exposure, the interaction and the information sharing was mind blowing and a breath of fresh air and was a life experience indeed.

The commissioner wishes to express a sincere word of gratitude to the commission for entrusting her with this wealth of experience and knowledge.



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Recommendations to Plenary

The Commissioner wishes to recommend that media relation be intensified and strengthened.

4. Commissioner - Botha

Strategic Objective 1

Ensure the creation of an enabling Legislative framework that promotes attainment of gender equality.

Polokwane Municipality 25 February, 2015

The meeting was about strengthening relationships between the two organizations. Also discussions were held on best practices for women empowerment and employment equity. The Municipal Manager suggested that CGE strikes a relationship with the South African Local Government Association (SALGA) because all municipalities are accountable to SALGA and it will be easy for CGE to have access municipalities through SALGA.

Speaker of the Legislature 16 March, 2015

The Commissioner and PC had a meeting with the speaker of legislature, he noted the following:

- Lack of CGE visibility at rural areas
- Lack of collaboration /working relationship with the legislature and portfolio committee on women, children and people with disability
- Lack of proper coordination of the provincial gender machinery

Recommendation:-

- Striking a relationship with municipalities and organizations such as SANCO in order to increase visibility within the province
- Participation in activities of the legislature
- Proper regulated working relationship with the office of the speaker and the portfolio committee
- CGE to be more involved in public participation initiatives especially public awareness sessions on new/amended legislations



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Meeting with SALGA CEO 18 March, 2015

The objective of the meeting was to strengthen relationship between the two organizations. The two entities have similar interests of serving the communities so it will be prudent that the two have a relationship, share resources and collaborate on programmes. The recommendation from the meeting was that a formal relationship should be initiated at high level with the national organizations, it is then that the provincial counterparts will follow suit.

Commissioner Botha to follow up with HOD PEI on progress made in terms of signing a MOU with SALGA national office.

Safety and Security Department 18 March, 2015

The meeting was to assist the department in ensuring that gender mainstreaming is being achieved. The HOD, Ms Tsebe mentioned the following challenges:

- Separation of powers between accounting officer and executive (MEC)
- The Public Service Act states that the MEC has power to appoint and that usually nullifies the plans to meet the gender targets at SMS level.
- Political interference, especially from Unions
- Lack of quality in terms of appointing people with disability – lack of requisite skills

Recommendations:-

- CGE commissioners to engage with political leaders on accelerating women empowerment focusing on employment equity
- CGE to engage with DPSA – looking at some compliance directives in relation to gender and employment equity that emanate from DPSA

Strategic Objective 2

To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal gender stereotypes and action against infringements of gender rights through appropriate redress.

Men's Dialogue 29 January, 2015

The office collaborated with the Provincial Department of Agriculture men's forum.



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The objective of the dialogue was to sensitize men on issues of gender equality and human rights in general. We moved from a premise that any society to attain gender equality we need to be inclusive in all sectors of the population and because we are a patriarchal society, focus should be on men in our quest for deconstructing patriarchy and andro-centrism. The focus areas of the dialogue was on men's health, indigenous knowledge and its impact on health, estates and wills, maintenance and domestic violence etc. The dialogue was attended by the MEC and HOD of the department and from CGE Commissioner Botha attended and spoke on the role that men play in the quest for gender equality.

Mr Dennis Matotoka, CGE legal officer spoke at length on the legal mandate of the commission and also on how men can access the commission. From this initiative, the HOD requested that we work hand in hand in order to inculcate a culture of gender equality within her department.

Gender Barometer 25 February, 2014

The research department held a successful policy dialogue at the HOD's office of the Department of Safety and Security on 25 February, 2015. The dialogue was on the gender barometer. The recommendations and challenges were as follows:

Challenges:-

- Political interference from executive level, union interfering with human resource matters.
- Lack of interest from people in the department to participate in gender mainstreaming activities.
- Lack of resources of gender mainstreaming, lack of capacity for gender mainstreaming

Recommendations:-

- The Commissioner and HOD to have a bilateral to discuss how CGE can assist politically
- The research department to assist in gender mainstreaming
- The provincial office to play a supportive role to the department and communication to be as frequent as possible.

A Lutheran Church man's meeting in Magalis.
An African Episcopal Methodist Church man's meeting.



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Employment Equity Supplementary Hearings

The Commissioner attended and participated in Supplementary Employment Equity Hearings in Johannesburg which had the Department of Higher Education.

Also attended hearing in Mafikeng, North West with different government departments and municipalities appearing before the commissions.

NB: Some government departments and municipalities not taking these hearings seriously.

Strategic Objective 3

To build an effective, efficient and sustainable institution that will fulfill its institutional mandate on gender equality.

The Commissioner attended the following meetings with:

- Finance
- ITC
- Editorial ad hoc committee

The Commissioner met with the Section 6 Specialist

Recommendations to Plenary

The Employment Equity Hearing to find synergy with the Department of Labour. How do we use these hearings, their effectiveness or lack thereof? Where is the Department of Labour in all of this?

To strengthen the North West CGE office, in particular supporting the resident Commissioner. There are huge challenges with this office that needs huge attention, especially the provincial coordinators relationship with the Commissioner and work ethics relating to the head office.

5. Commissioner Janine Hicks

1. Introduction

This report covers my activities over the quarter 1 January – 31 March 2015, mapping these against CGE POA objectives.



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2. Overall goal of Commissioners

Working towards the realisation of the vision and mission of the CGE by establishing good governance and ensuring that the organisation operates effectively and efficiently.

3. Commissioners' objectives

To attain this goal Commissioners pursue the following objectives:

- 3.1 Ensure good corporate governance exists by executing fiduciary responsibility and perform oversight function
- 3.2 Make strategic Interventions and provide leadership in relation to gender equity and equality issues
- 3.3 Ensure the CGE organisational policies and practises are consistent with its vision and organisational values
- 3.4 Preserve institutional autonomy and independence
- 3.5 Strengthen institutional systems by serving on statutory, theme and any other Committees as allocated by Plenary

4. Support for implementation of Strategic Plan

4.1 Strategic Objective number one: *To ensure the creation and implementation of an enabling legislative framework that promotes the attainment of Gender Equality*

Parliamentary submissions and law reform

I presented the CGE's submission on the SOA Amendment Bill in relation to consensual underage sex, and participated in the CGE presentation to the Women's Portfolio Committee on the 3 March on regional conventions. Further, I reviewed and made input into the CGE's submission on the Firearms Bill, and made input into a proposed law reform document for the CGE's engagement with the DoJCD.

Implementation of EE legislation

I lent support to the **follow-up EE hearings** convened from 17-18 February, participating in same and developing a synthesis of issues emerging and CGE recommendations for the press release.

Strengthening state gender mainstreaming interventions

I have continued to drive the gender mainstreaming of the **KZN Provincial Growth and Development Plan** of the Office of the Premier of KZN.



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This quarter, I developed a write up of our KZN PGDP engagements, and provided the Premier's Office team with a summary of interventions to date, requesting their intervention in outstanding areas where we still require to make presentations to Action Working Groups (AWG).

I attended the AWG 7 meeting on human resource development on 22 January, and worked to identify and brief stakeholders to bring into a gender sub-committee thereafter, to drive this process, preparing a table of interventions for their review and input. These activities are designed to increase the number of women professional and technical graduates, and graduates with disabilities. I convened a planning meeting on 30 March with the stakeholder partners in this gender subcommittee, to refine our proposed interventions, targets, outcomes and indicators. I was invited to join the KZN Human Resource Development Council as an advisor, and attended a meeting of this forum of 31 March, presided over by the KZN Premier, DG and several MECs, presenting on CGE inputs on engendering human resource development through AWG 7 gender interventions.

Likewise, I developed a set of activities to drive women's economic empowerment, for AWG 4, and participated in this group's meeting of 6 February. I brought on board the KZN DEDTEA stakeholder who is driving KZN women's economic empowerment strategy, and met with her on 16 February to refine and finalise the proposed interventions, targets, outcomes and indicators for this set of gender interventions, and shared same with our gender sub-committee for this AWG.

I followed up with Convenors of AWG 1 and AWG 16, and worked to secure gender specialists to represent us at meetings of these AWGs, to speak to our recommendations on engendering access to land and agricultural interventions, and on engendering food security measures, briefing these stakeholders accordingly.

I developed a concept note and proposed programme for a joint dialogue on 20 March between eThekweni Municipality, CGE and Agenda Feminist Media on **engendering city resilience strategy**, developing a presentation on eThekweni gender equality issues for input and participating in this dialogue.

4.2 Strategic Objective number two: To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take action against infringements of gender rights through the implementation of appropriate redress



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Addressing gender-based violence

Our process with addressing **forced and early child marriage** in KZN is continuing. I prepared a presentation for the NPA on forced and early child marriage, and presented same at a workshop on this topic on 4 February, subsequently reviewing and contributing towards the KZN provincial strategy on forced and early child marriages, and followed up with the DPP KZN regarding statistics collation on ukuthwala. I prepared a presentation for and participated in the COGTA/CGE joint dialogue on forced and early child marriage in Dundee, on 25 February.

One of the recommendations from the dialogues was that we should see established a hotline or rapid response mechanism for cases of forced or early child marriage, that could be widely publicized in communities – so that community members have a number they can call should they become aware of such an instance, and then state stakeholders such as DSD and SAPS would then respond immediately. It was proposed that the CGE approach the national Minister for DSD with the request to expand their existing hotline on DVA to include forced and early child marriage, which we could all then publicise.

I reviewed and inputted into **DSD KZN GBV strategy** document for Cabinet, and developed an input on GBV for the KZN Premier's SOPA address – which he read out in full!

Outreach

I engaged with the Free State office to prepare for a gender equality accountability session with a broad range of provincial stakeholders, reviewing concept note, programme and process for the dialogue. I developed a CGE presentation for the dialogue, presenting at and participating in same on 26 March. I compiled and submitted a report on issues raised and recommendation on take-up of same.

The following issues of concern in relation to gender equality were surfaced in the dialogue:

1. **Gender transformation in the workplace**, and the public service in particular: The DG noted the disconnect between issues of 50/50 in legislature, where we have seen successful transformation in the political landscape, vs non-transformation and poor representation of women in the executive and judiciary. In Free State province provincial departments, whereas women comprise in excess of 60% of the public service, they constitute around 23% of SMS in the executive.



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Recruitment processes fail to produce female candidates, and gender stereotypes follow women into selection processes. There is a need for mentoring and coaching to support women in leadership positions. We are seeing a reversal in terms of 50/50 gains, with women's political representation decreasing and an inappropriate policy environment created to support women's progression.

2. **Need for evaluation of impact of women's empowerment programmes**, of the provincial government – women in agriculture and development, women in construction, SAPS women's empowerment programmes, PALAMA training on Gender Mainstreaming (GM) etc – attempts to make inroads into previously male-dominated sectors. Need to address gender stereotyping and transform our society to transform negative perceptions and behaviours.
3. **Inadequate collaboration between CGE and provincial and local government**, with Ntuthuko Manzini, our PC, having noted that provincial departments and municipalities fail to understand the CGE's mandate and powers, do not cooperate in our requests for information as part of complaint investigation and research programmes, and do not send high level officials to attend our dialogues on research findings.
4. **Provincial shortcomings viz GM**, within both provincial departments and municipalities, with inconsistencies in level of appointment of GFPs, inadequate resources made available, and GM largely consisting of events, rather than substantive policy response to address gender inequality in programme service delivery and policy formulation and implementation.
5. **Ineffective PGM**, with no clear understanding of roles and mandates of PGM stakeholders, infrequent meetings convened, and a focus on women's empowerment and events, rather than on GM, and no active presence of civil society networks within the gender equality sector.
6. **Backlash from men** viz focus on gender equality being reduced to women's empowerment, and concerns raised about interventions to support men in attaining gender equality.



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7. African Men's Voice Organisation (*Isikhalo Samadoda*) has been formed in Free State province.
8. **GBV in the Correctional Services** and prisons in particular, and the need for rehabilitation interventions with repeat offenders (who resist rehabilitation measures), and the need for this to be factored into decisions around the parole of offenders, and rights of victims in these processes.
9. **Harmful practices within traditional communities**, including widows' rights and abuse by family members, and women and children being disinherited from property and possessions by relatives of the deceased husband. There are a significant number of disputes and claims to positions of traditional leadership, impacting on spouses of deceased traditional leaders, with uncles imposing themselves. The issue of initiation schools also needs to be addressed, where some schools are problematic in terms of compliance with legislation.
10. **GBV and sexual abuse levels** in Free State, and sexual offence of children by known family and community members. Gender inequality is at the root of GBV, and needs to be addressed, with specific interventions to bring men on board in necessary interventions. Need for more interventions to raise awareness around gender equality, with some interventions with men in response to positive social roles, support for families and partners, and championing interventions against GBV, being driven by CSOs in the province. There is a need for coordination of data collection, analysis and dissemination on issues of GBV in the Free State province, as there is currently a dearth of data on patterns, trends, impact of GBV, to inform prevention and response to GBV.
11. **Discrimination against LGBTI** communities in the province, and the need for awareness interventions on and responses to violations and rights of LGBTI people.

I strategised with the PC to set up agreed upon follow-up interventions on these issues with key stakeholders in the province, including the Director-General and his Forum of Heads of Department, the Speaker of the Free State Legislature, MEC for COGTA, and leadership of the ANC Women's League in the province. We worked to secure meetings with these stakeholders, and for Ntuthuko to follow up with additional stakeholders, such as the Free State Provincial House of Traditional Leaders, SAPS, SALGA. These will be reported on in the following quarter.



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Collaborations with civil society

I undertook the following interventions with civil society organisations and the media during this quarter:

- Gave presentation on CGE and gender equality in SA to visiting US Student International Training students, on 17 January
- Undertook media interview on Inanda FM radio on SONA, on 12 February, and reviewed and commented on SONA
- Began preparation of course outline and content for UKZN advocacy training on children in situations of trauma
- Developed presentation for NDI dialogue on women's political participation study, presenting same on 5 March
- Developed presentation on the state of gender equality, for visiting US students, presenting same at a workshop on gender I facilitated for the KZN office, on 18 March
- Developed recommendations for TLAC strategic planning process, and was interviewed on same on 24 March
- Met with teachers at local private school to develop ideas on building a programme on gender equality at the school

In addition, I researched and developed paper on human trafficking, presenting same at and participating in Family Law conference from 12-13 March, compiling report and recommendations on same. Some critical issues emerged during deliberations at this conference, which I wish to share with Plenary:

1. CGE to urgently make further recommendation to the SALRC and DHA on issue of age of marriageability, and harmonising civil and customary law in this regard, and advise that the minimum age for marriage should be set at 18, with no grounds for exceptions (parental consent or judicial discretion).
2. CGE to engage with African Committee of Experts in relation to the Special Rapporteur on child marriage, and seek interaction/make input. In particular, CGE to engage with concluding observations to the government of SA in relation to ukuhlolwa and ukuthwala, and take these up with Parliament and CRL (noting recent consultative dialogues on ukuhlolwa being convened), the issue of Committee of Experts call for the banning of ukuhlolwa.



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3. From discussion with Pat Moodley of DoJ&CD in KZN, she advised that she is requested to report on any complaints referred to her by Chapter 9 institutions in the province, and she noted that she does not receive such from the CGE. We discussed the opportunities here, and propose that the CGE engage with Justice stakeholders in provinces, to report on systemic justice failures, for instance in Maintenance Courts, or court responses to domestic violence or sexual offences cases. While we should continue engaging with DoJ&CD nationally on justice shortcomings, it would be of great value for provincial legal officers to raise such issues at the provincial level, to generate an immediate, local response targeted at problematic courts in the province.
4. South Africa has not ratified the Hague Convention on Maintenance (CONVENTION ON THE RECOGNITION AND ENFORCEMENT OF DECISIONS RELATING TO MAINTENANCE OBLIGATIONS - Concluded 2 October 1973) – which I believe SA could ratify, even as a non-member state. Can we assess whether we should advise Parliament on this, and take to the Minister of Justice?

4.3 Strategic Objective number three: To monitor state compliance with regional and International conventions, covenants and charters which have been acceded to or ratified by the Republic, relating to the objects of the Commission.

I ensure that where appropriate, analysis of state compliance with regional and international conventions is used to frame analyses of state interventions, and include this in presentations.

4.4 Strategic Objective Number Four: To build an effective, efficient and sustainable institution that will fulfil its constitutional mandate on gender equality

Governance interventions

There were numerous plenary and oversight processes which took place during this period. In summary, I:

- Prepared for and participated in CEO performance evaluation meetings of 13 and 20 January, typing up meeting recommendations
- Participated in NGM committee teleconference of 19 January, to finetune concept note, and made inputs as requested
- Prepared for and participated in SPM&E meeting of 21 January 2015



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- Prepared for and chaired Legal Committee meeting of 26 January, reviewing strategy and concept documents for Plenary
- Prepared for and chaired ITC Committee meeting of 28 January, and developed ITC Committee report to plenary, for members' review and input
- Developed ITC Committee report for Plenary
- Reviewed Legal Committee report for Plenary
- Prepared for and participated in Commissioners' Plenary from 9-11 February
- Prepared for and participated in SPM&E meeting on 24 February
- Prepared for and participated in joint Finance/SPM&E committee meeting on 2 March
- Reviewed and sent feedback on Plenary minutes and resolutions
- Participated in Commissioners' Plenary of 6 March
- Prepared for and convened ITC Committee meeting of 30 March
- Reviewed CGE press release on Jezile judgement
- Advised and assisted Free State province CGE Legal Intern on a complaint, and revised and signed letter to SAPS, as requested.

5. Additional interventions

In addition to interventions supporting the implementation of the CGE's POA outlined above, I undertook the following:

- Undertook responsibilities for non-profit organisations on whose boards I serve, the CLRDC, The Valley Trust and Agenda Feminist Media
- Attended opening of KZN Legislature on 26 February
- Attended KZN SOPA on 27 February
- Undertook editorial review of chapter on women's political participation study, for journal publication
- Implemented editorial review comments on co-authored book chapter on citizen participation in governance

6. Plenary Recommendations:

6.1 I propose that Plenary adopt the recommendation I set forward within my report, in relation to addressing **forced and early child marriage**, and **other harmful practices**, namely:-

- 6.1.1** CGE to approach the national Minister for DSD with the request to expand their existing hotline on DVA to include forced and early child marriage, which we could all then publicise.



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- 6.1.2** CGE to urgently make further recommendation to the SALRC and DHA on issue of age of marriageability, and harmonising civil and customary law in this regard, and advise that the minimum age for marriage should be set at 18, with no grounds for exceptions (parental consent or judicial discretion).
- 6.1.3** CGE to engage with African Committee of Experts in relation to the Special Rapporteur on child marriage, and seek interaction/make input. In particular, CGE to engage with concluding observations to the government of SA in relation to ukhlohlwa and ukuthwala, and take these up with Parliament and CRL, noting the Committee of Experts' call for the banning of ukhlohlwa.
- 6.1.4** CGE provincial legal officers to engage with DoJ regional offices to report on systemic justice failures, for instance in Maintenance Courts, or court responses to domestic violence or sexual offences cases, to generate an immediate, local response targeted at problematic courts in the province.
- 6.1.5** CGE to request Minister of Justice to take up the state's ratification of the Hague Convention on Maintenance (CONVENTION ON THE RECOGNITION AND ENFORCEMENT OF DECISIONS RELATING TO MAINTENANCE OBLIGATIONS - Concluded 2 October 1973)

6.2 On behalf of the **ITC Committee**, I will table our report and recommendations for Plenary's consideration.

6. Commissioner Maphazi

1. Overall goal of Commissioners

Working towards the realisation of the vision and mission of the CGE by establishing good governance and ensuring that the organisation operates effectively and efficiently

2. Commissioners' objectives

To attain this goal Commissioners pursue the following objectives:-



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- Ensure good corporate governance exists by executing fiduciary responsibility and perform oversight function
- Make strategic Interventions and provide leadership in relation to gender equity and equality issues
- Ensure the CGE organisational policies and practises are consistent with its vision and organisational values
- Preserve institutional autonomy and independence
- Strengthen institutional systems by serving on statutory, theme and any other Committees as allocated by Plenary

Support for CGE Strategic Objectives

Strategic Objective number one: *To ensure the creation and implementation of an enabling legislative framework that promotes the attainment of Gender Equality*

Parliament APP and Budget presentation

Attended the meeting in Parliament on the presentation of the APP and budget which was successful and the issue was discussed in length and members of the portfolio committee were concerned about our financial situation and committed to support us in fighting the continued reduction in funding CGE. The Committee also emphasized the importance of 20 years celebrations for CGE and looking to hear the good story on the existence and the impact of the CGE in the democratic society.

Strategic Objective number two: *To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take action against infringements of gender rights through the implementation of appropriate redress*



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HELLENVALE ECONOMIC MEETING

Was invited to present and participate in the discussion on how women could revive the economic status of Hellenvale in order to reduce the participation of their children in criminal activities and drugs.

CANISA SOCCER TEAM LAUNCH

I was invited to participate and made input on women's role and importance of their participation in the launch of CANISA soccer team launch in the Nelson Mandela with the Kenyan Ambassador.

WESTERN CAPE GENDER TASK TEAM

Had a meeting with the WCGT that was appointed in the last workshop that we convened as CGE to plan the coordination of gender programmes for 2015 in the province.

AFRICA WOMEN'S CONFERENCE

Attended the official opening of the Africa for Africa Women's Conference at the ICC Boardwalk Convention Centre in Port Elizabeth, Themed "Locating Women at the Centre of the Global Economy for Sustainable Development – MAKE IT HAPPEN", the Conference was seeking to create a vibrant and dynamic network of women leaders and entrepreneurs to actively champion the cause of women emancipation .

CHAPTER 9 Constitutional bodies engagement with the UN and ACHPR mandate holders meeting.



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As CGE we were invited to a meeting by Human Rights Commission as above to meet with mandate holders based in South Africa and discuss the future engagements. Many presentations were done by different speakers with the exception of CGE as the only institution representing Gender Equality in South Africa in fact Human Right Deputy Chair presentation covered our mandate. Advocate Tlakula in her remarks said Human Rights ; CGE and CRL need to clarify on their future going forward and the sooner the status of the Kader Asmal report is clarified going forward we will still continue to be represented by Human rights as one can see the interest of being the one to be recognised. The other important recommendation was to develop focal points within Chapter 9 in SA and a mechanism to implement the recommendations.

WOMEN PARLAMENTARY COMMITTEE STRATEGIC PLAN

We participated in the portfolio committee strategic planning session and CGE made presentations which were positively received and different department made their own presentation on the role of their departments in promoting gender equality through economic empowerment and security. In order to maximise the impact of gender machinery structure in promoting gender equality we have discussed the possibilities of partnership in the implementations of the resolutions of the strategic planning session those that are in line with our APP and the officials providing support to the portfolio committee were to share the report with CEO so that they could isolate the areas of collaboration.

Strategic Objective number three: *To monitor state compliance with regional and International conventions, covenants and charters which have been acceded to or ratified by the Republic, relating to the objects of the Commission.*



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Strategic Objective Number Four: *To build an effective, efficient and sustainable institution that will fulfil its constitutional mandate on gender equality*

Many meetings were convened by relevant Chairpersons of the oversight committee and I participated in the following ones and reports will be presented by the relevant Commissioners.

Attended and participated in the Audit Committee meeting

Participated in the SPME meeting

Attended and participated in the Special Plenary 6/03.

Attended and participated in the last quarter Plenary 9-11/02.

Attended Human Resource Committee meeting

Attended and participated in the finance committee meeting

Attended and participated in the Good governance tele-meeting

I participated in Research and Education Committee

Participated and commented in the finalization of the Concept document for Women Economic focal area.

Attended and participated in the bilateral between Finance and SPME bilateral meeting.

Communicated with PC and attended a meeting with the staff and Commissioner Mgoqi on the progress in the implementation of the Western Cape APP programme

OTHER EVENTS:

Attended Rev Xundu memorial services organized by NMBM and EC Provincial government and his funeral service.



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7. Commissioner Nomasonto Mazibuko

Introduction

This report covers activities over the 4th Quarter: 1 January – 31 March 2015. These activities are mapped against CGE Strategic Plan objectives. This quarter had its own challenges but was very empowering. There is still so much that we need to do to improve the lives of ordinary South African's. Working towards the realisation of the vision and mission of the CGE by establishing good governance and ensuring that the organisation operates effectively and efficiently

1. Commissioners' objectives

To attain this goal Commissioners pursue the following objectives:

- 2.1 Ensure good corporate governance exists by executing fiduciary responsibility and perform oversight function
- 2.2 Make strategic Interventions and provide leadership in relation to gender equity and equality issues
- 2.3 Ensure the CGE organisational policies and practises are consistent with its vision and organisational values
- 2.4 Preserve institutional autonomy and independence
- 2.5 Strengthen institutional systems by serving on statutory, theme and any other Committees as allocated by Plenary

5. Support for implementation of Strategic Plan

3.1 Strategic Objective number one: To ensure the creation and implementation of an enabling legislative framework that promotes the attainment of Gender Equality

3.1.1 Supplementary Employment Equity Public Investigative Hearings Gender Transformation in the workplace

On the 17-18th o February and 20 March 2015 were had EE Hearings, focusing on gender transformation in the work place. We are obligated to have these hearings as per these legislations:



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CGE Act No 39 of 1996:-

- The CGE's mandate is to *monitor* and *evaluate* legislation, policies and practices of the state, statutory bodies and private businesses, as well as indigenous and customary laws and practices; *research* and make recommendations to Parliament; receive and *investigate complaints* of gender discrimination; and conduct *public awareness* and education on gender equality. CGE has the power to subpoena and litigate.

S. A Constitution

- S 187 of the Constitution requires the CGE to promote respect for, and the protection ,development and attainment of gender equality

PEPUDA Act 4 of 200

- Obliges the CGE to institute proceedings of unfair discrimination on the grounds of gender.

From these EE hearings we want to achieve the following:-

- Track and monitor the implementation of the CGE's recommendation from the initial hearings
- Identify challenges and progress experience and o share best practice models
- Raise awareness on national legislation and relevant international commitments
- Assess measures in the work place to achieve transformation in terms of gender and disability.

We can acknowledge that there is a lot of work done but there is still a lot to be done at all levels of employment.

3.1.2 Marikana Widow Legal Clinic

The event was a response from commission's plenary resolution. This was both a legal clinic and a public and education activity in Marikana. Studies has shown that widows or women who lose their spouses, husbands or partners through death are some of the most vulnerable and disadvantaged groups not only in Africa but also in other societies around the world. Widows are extremely vulnerable to socio-economic, religious, cultural, sexual, physical and emotional abuses not only within their families but also in their communities and society at large. Widowhood is a social status associated with a set of prescribed institutionalized cultural taboos.



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As a commission we have a constitutional mandate to promote respect for, as well as protect, develop and attain gender equality through research and public education programme. Through our power to monitor, investigate, lobby and advice we are able to advance the rights of women and men to gender equality.

The study conducted by CGE in 2006/07 gave relevant insight to the event. From the study we were able to share the information with the community and evaluate if the cultural taboos still exist. Which unfortunately still do.

3.1.3 Round table Discussion on Human Trafficking

The discussion focused specifically on the crime of human trafficking as a form of Gender Based Violence perpetrated against women and children who are most vulnerable to exploitation in the sex industry.

As a country we have a role to play and respond to the challenge of trafficking of human beings which can be viewed as a modern form of slavery. The programme of assistance to the South African Government to prevent and react to Human Trafficking and Provide Support to victims, formed part of the country's National Strategy to combat the crime of human trafficking through prevention, response and support for victims. The country's strategy to combat human trafficking was known TSHIRELEDZANI. Its overall objectives were to ensure full compliance with the United Nations Protocol to Prevent, Suppress and Punish trafficking in persons, especially women and children.

As a country we can refer to the Prevention and Combating of Trafficking in Persons Bill (Act No 7 of 2010) the bill was enacted into law by parliament on the 29th of July 2013

The 2012 Global Report of the United Nations highlighted sexual exploitation as the most common reason for trafficking of humans as it accounted for 79% of global victims. The report also indicated that almost 20% of the victims are children.

We need to disseminate information in order to create awareness on the hidden crime of human trafficking and its seriousness. i.e. Creation of awareness on the crime of Trafficking in Persons and its implication. Great need to use the opportunity provided by the 365 Days of Action to highlight government's commitment to fight the crime of human trafficking. Accelerate media and information campaigns that reach rural and urban communities, ports of entry and transit cities.



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3.1.4 Human Rights Commission from 20 years of Constitutional Democracy to 20 years of Human Rights in South Africa

This event was attended by the members of the FISC. These institutes have played a vital role in our democracy. The Commission for Human Rights was also celebrating their existence.

4. Strategic Objective number two: To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take action against infringements of gender rights through the implementation of appropriate redress

4.1.1 Strategic Objective Number Four: To build an effective, efficient and sustainable institution that will fulfill its constitutional mandate on gender equality

4.4.1 Plenary Meeting of Commissioners

CGE plenary meeting of commissioners was held on the 9th-11th of February 2015. Please see the minutes and resolutions. The Section Six Meeting formed part of plenary. The input from the specialist was information and gave important direction with regards to the concept documents.

4.4.2 Meeting with Deputy Chairperson

I had an in dept meeting with the Deputy Chairperson who was the acting Chairperson to issues and matters relating to the functioning of the commission.

4.4.3 Good Governance Committee

Attended and participated in the scheduled meetings of the above mentioned committee.

4.4.4 PWMSA

Attended the meeting scheduled 22 March 2015. The provinces presented their quarterly reports. Certain provinces have been identified that are struggling to meet and carry out the mandate of the organisation. These provinces have been tasked with an individual in the steering committee that will be identifying the issues and assisting where possible. There was a clear indication that there is still more than can be done by PWMSA and a great need for visibility at all level of the community



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4.4.5 Provincial Report

North West is operating at optimum level.

The office renovations are done we are only left with arranging with Internal IT department and Telkom to get new telephone lines for two offices and the boardroom.

Below is gender breakdown and total number of people reached through public education and information activities. The activities were mainly workshops. The themes for the activities during the reporting period, are in line with strategic objective 2, were namely:-

People reached by PEI during this reporting period			
			Total
Province	Male	Female	Total
North West	220	389	609
TOTAL	220	389	609

Geographical areas covered (PEI)		
Date	District and Town	Urban
21st January 2015	Bojanala District, Marikana	Peri Urban
05 th – 06 th February 2015	Dr. Kenneth Kaunda District – Klerksdorp	Urban
25 th February 2015	Ngaka Modiri Molema - Mahikeng	Peri - Urban
26 th February 2015	Ngaka Modiri Molema - Mahikeng	Peri - Urban
27 th February 2015	Ngaka Modiri Molema - Mahikeng	Peri - Urban
11 th March 2015	Ngaka Modiri Molema - Mmabatho	Peri - Urban
12 th March 2015	Ngaka Modiri Molema - Mmabatho	Peri - Urban
13 th March 2015	Ngaka Modiri Molema – Mmabatho (Kebonang High School)	Urban
17 th March 2015	Ngaka Modiri Molema – Mmabatho (Molema Primary School)	Peri - Urban
18 th March 2015	Ngaka Modiri Molema – Mmabatho	Peri - Urban
19 th March 2015	Ngaka Modiri Molema - Mmabatho	Peri - Urban



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Areas indicated as Peri – Urban below are those that although are near the Mahikeng town or Mmabatho capital city, they are underdeveloped and also known as villages in the province.

Summary:

- Brought forward files from previous quarter: **29**
- **Add:**
- Total number of files opened for the reporting period: **21**
- **Deduct:**
- Total number of files closed for the reporting period: **14**

TOTAL CURRENT FILES: 36

Key Issues

- Gender issues affecting persons with disability and maintenance still remains the main issues in the province.
- Continual monitoring of prominent hate crime case in the province (murder of Gift Disebo in Ventersdorp)
- Strengthening our relationship with the religious sector through NICSA.

Conclusion

In conclusion, I wish to express my gratitude to my fellow Commissioners, the CEO and the staff of the CGE for remaining committed to pursuit of the vision for a "society free from gender oppression and inequality".

8. Commissioner: Dr Wallace Amos Mgoqi

Commissioner's reporting and accountability is stated in the Commissioner's Hand book at 5.5 thus:

"Commissioners are (a) individually accountable to Plenary and (b) individually and collectively accountable to Parliament.

Commissioner's activities are, as far as possible to be aligned to the Strategic Plan and the Annual Performance Plan of the CGE.

All Commissioners, reports mentioned in 5.5.2 below should be submitted to the Office of the Chairperson within the timeframe agreed upon by Plenary.



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Arrangements for late submission of reports should be agreed upon with the Office of the Chairperson."

Monthly reports are a requirement. As regards Quarterly reports, the Hand book states as follows:

"Every quarter all Commissioners shall compile comprehensive reports on their activities and submit these to the Office of the Chairperson within timeframes agreed upon at Plenary. Such timeframes should take into consideration preparation of documentation for quarterly plenary meetings.

1.

The format of quarterly reports will be based on the Strategic Objectives of the CGE and shall enhance the mandate of the Commission. The Office of the Chairperson shall consolidate all

Recommendations and table these in plenary for consideration by the Commission

This report is also written having regard to the stipulation of Commissioners, Roles and Responsibilities in 5.3.7 of the Commissioners, which shall not be regurgitated here, suffice to say that they form the foundation of this quarterly report.

Strategic Objective 1

To ensure the creation and implementation of an enabling legislative framework that promotes the attainment of gender equality.

This quarter began with meetings with the attendance of the Land Claims Court, held in Durban, from the 19 – 30 January, 2015. The matter is a land restitution claim involving no less than 195 farms, in the South, West and North of Durban, bordering Pietermaritzburg on the north, in which thousands of women stand to benefit.

Serving as an acting Judge on this court presents an opportunity to influence the direction, orientation of the Court as a whole to infuse gender in everything it is doing, a departure from past practices, which have been gender blind.



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2.

Whilst there as a practical example, I drafted a Practice Note , aimed at mainstreaming gender thinking on the part of Judges, lawyers practicing in that Court, the Commission For Restitution of Land Rights, as well as the Department For Rural Development, and the Court Staff.

In essence the Practice Note is encouraging judges to think of matters of gender, even as they are formulating their judgments, as to how these will impact women. The intervention is aimed at the promotion and attainment of gender equality in the land reform sector, as well as the economic empowerment of women, as they are generally marginalized and end up getting the raw end of the stick.

The other major activity in this quarter has been the campaign the CGE adopted in One Woman, One Hectare of Land, which is continuing to roll on inexorably and relentlessly, both at the macro-level, in terms of Ministers and Deputy Ministers, Premiers, and some Mayors of Municipalities. Regrettably, the uptake has been rather slow, if not non-existent, at this public sector level. It could be said that a golden opportunity has been lost, where Government could have taken the initiative, packaged it in a manner it deems fit, and appeared magnanimous in offering it as a new deal, something imaginative and innovative, that would create a legacy.

3.

Whilst there was this public sector approach to the lobbying and advocacy by CGE, there was also an approach aimed specifically at grassroots, women's land organizations, advocating for land rights for women and meaningful women economic empowerment.

The upshot of this work is that on the 21 March, 2015, in Cape Town, the Rural Women's Assembly, launched its " We Want Land For Food " Campaign, with the demand : One Woman, One Hectare of Land. Now this places Government in a back-foot, as it has to defend whatever it is doing or not doing.

These are women and land groups like the Rural Women Movement in KZN, the Rural Women's Assembly of South Africa, (whose jurisdiction extends to the SADC Countries), Land Movement of SA(Lamosa) and other land movements in the country. This bottom –up way of mobilization is fast –gaining traction and will clearly hasten the coming into fruition of the day women working the land will have a more secure form of tenure in the land, they are working on , than is the case at present.



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The day is coming when they will break the precarious and tenuous hold they have with the land, to a more firm and secure form of tenure.

The ultimate aim of the campaign is that land rights which vest directly in women shall be buttressed by legislation that guarantees those rights in land, away from the current reality, where women have a tenuous and precarious relationship to land, via the father, or a male sibling, or a husband, if married, or an uncle, but never directly in their name, such as to be able to enjoy the freedom of testation as regards land, and be able to leave it as an inheritance to their children, as they deem it fit to do so.

Our Constitution is a good basis for this to become a reality, in its Bill of Rights providing against discrimination on grounds of gender; the UN Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol; the African Union Maputo Protocol also has specific provisions obliging State Parties to review their laws and practices, with a view to facilitating the economic empowerment of women through access to and ownership of land; finally, the SADC Protocol also has similar provisions as regards the necessity to promote gender equality in matters of land as well as creating the climate for this to happen seamlessly.

As stated above, it is envisaged that this will culminate in the creation and implementation of an enabling legislative framework that promotes the attainment of gender equality in the land sector, which hitherto has been the sole domain of males. Sadly, even the re-opening of the lodgement of land claims has no special measures guiding how women's rights should be protected so as not to result in the skewed distribution of benefits, (13 % women beneficiaries, as against 87% male beneficiaries) which characterized the process hitherto, from 1995 to the present.

4.

Strategic Objective 2

To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take action against infringements of gender rights through the implementation of appropriate redress.

In this quarter, the first assignment was to be part of the meetings held in the NORTHERN CAPE with Members of the Provincial Legislature, in the N. Cape, in particular the Portfolio Committee dealing with Women affairs, as well as Mayors and Councillors.



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In particular, we had a meeting with the HOD: Department of Transport, Roads and Community Safety. In respect of CGE we were expected to bring a key note address, which I did in all of them.

This period was also characterized by attending to presentations to community –based organizations, involved in the Land Movement from a women's perspective, like the Rural Women, s Movement, in KZN and the Rural Women, Assembly and the Trust For Community Outreach and Education.

Also attended meetings with the Elandskloof community, whose land was restituted in 1996, but is sadly still lingering in abject and grinding poverty. It is in the public interest that something be done to expedite the finalization of development plans, completed some years ago, but never implemented.

5.

In order to find a solution to the problems faced by this community, I have been trying to secure a meeting with an official dealing with this community, for a considerable period of time now, to no avail.

Strategic Objective 3

To monitor State compliance with regional and international conventions, covenants and charters which have been acceded to or ratified by the Republic, relating to the objects of the Commission.

Not much by way of monitoring of these conventions has taken place in this quarter.

Strategic Objective 4

To build an effective, efficient and sustainable institution that will fulfill its constitutional mandate on gender equality.

In this quarter one Legal Committee meeting has taken place.

Various issues have been brought to the Committees attention. The Legal Committee oversight report will cover these.

In this quarter, I also participated in one Governance Committee meeting, on matters affecting the governance of the Commission.

In this quarter Commissioners took turns in presenting numerous reports to Parliament, ranging from previous quarter reports, the Budget, the Annual Performance Plan, and some financials as well as other areas work of the Commission as the Portfolio Committee for Women in the Presidency deems fit.



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6.

As a resident Commissioner in Cape Town, I form part of every Delegation that comes down to present to Parliament.

RECOMMENDATIONS

1. Periodically, Plenary should issue a Statement on the Land Question, as it unfolds, stressing the necessity to make it gender sensitive, having regard to the inequality that continues to be experienced by women and the girl-child in this area of life.

2. CGE needs to continue to make noises about the paucity of financial resources allocated to the Commission, having regard to the volume of work that is carried by the Commission. In the Legal Department the CGE could move to establish a Fellowship which is aimed at attracting young legal minds, who would like to get orientation in litigation on gender rights, under the supervision of Legal Officers admitted as Attorneys, at least, duly qualified to supervise in terms of the Rules of the Law Society. In this it would be proper to pay a stipend as the Legal Resources Centre in its Fellowship Programme, of which I am a graduate in the eighties, with the likes of the former Constitutional Court President Sandile Ngcobo and others. CGE is uniquely placed to give leadership in matters of gender.

9. Commissioner Lulama Nare

Working Conditions

WORK SPACE

"It is important to mention here that the commissioner allocated to the province came with so much energy and enthusiasm showing an interest in participating in all programmes. She has dedicated herself to accompanying the team whenever requested; there has never been any activity or invitation that is not important for her to attend if and when she is available. Her direction and guidance has always been appreciated. On the negative side has been the issue that there is no office space to house her when she is in the province. This has been managed by accommodating her in the boardroom if it is not in use otherwise she shares with the PC. It is hoped that with the new offices being sought this matter will be addressed accordingly".

Cannot say it better, currently I have no functional office I squat at the PC office or the BOARDROOM



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PA Support and Services

NONE THIS QUARTER

ASSET

- Laptop
- Cellphone Allowance month to month

Office where deployed Gauteng Office

Action Asset disposal: New equipment and process of disposal for absolute Asset

STRATEGIC OBJECTIVE 1 : TO ENSURE THE CREATION AND IMPLEMENTATION OF AN ENABLING LEGISLATIVE FRAMEWORK THAT PROMOTES THE ATTAINMENT OF GENDER EQUALITY

Sub strategy 1.1.1: Employment Equity

- Community Safety dialogue and discussions on the findings on their report with their Senior Management led Head of Department.
- The entire team reflected on the report and confirmed our findings and committed to relook at the position of Gender Focal persons and their entire budgeting and focus areas.

Sub strategy 1.1.3: Number of gender transformation hearings with targeted government departments on women empowerment and gender equality

This sub-strategy is being implemented together with above.

Sub strategy 1.1.4: Number of National Gender Barometer reports on status of gender policies and practices in public and private sector.

- Department of Community Safety and Liaison and the Senior Management where the researcher and with the
- National Civilian Secretariat for Police..

Sub strategy 1.4: To evaluate the implementation and effectiveness of national justice facilities in addressing gender discrimination and GBV.

The legal department can share the tool used by Legal Officers in their court monitoring



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Strategic objective 1

To ensure the creation and implementation of an enabling legislative framework that promotes the attainment of Gender Equality

- Participated in the Parliamentary Multi party Caucus on MDG et al.
- Ruling Party in Gauteng discussion on MDGs and the a brief on Gauteng Employment Equity.

STRATEGIC OBJECTIVE 2: TO PROTECT AND PROMOTE GENDER EQUALITY BY ENGAGING WITH RELEVANT STAKEHOLDERS TO EDUCATE AND RAISE AWARENESS ON ISSUES OF GENDER EQUALITY, CHALLENGE PATRIARCHAL PERCEPTIONS AND STEREOTYPES AND TAKE ACTION AGAINST INFRINGEMENT OF RIGHTS THROUGH IMPLEMENTATION OF APPROPRIATE REDRESS.

Sub strategy 2.1: To investigate complaints of violations of gender rights and identify appropriate redress

2.1.1: complaints a

The province has been meeting with people through public information and Legal clinics. The province went on drive of outreach to increase the reach and number of complainants.

The one strategy:

- Desk in courts at least once a month and take complaints direct as people attend cases.
- Partner with CSO and visit their offices at least once a month.
- The complaints form may need to have summary forms and follow-up comprehensive forms for the outreach programmes.
- Advice outlet.

Sub-strategy 2.3: To develop coordinated campaigns and programmes with targeted stakeholders to promote gender equality

STAKEHOLDER ENGAGEMENT

- Office of the Premier and the Provincial Gender Machinery.
- We have made presentation for the ANC Provincial Women's Caucus on MDG' and this was well received.
- We also established a firm relationship with an NGO called Pink Drive which focuses on cancer awareness. We toured with their truck in our 16 days activities and women were able to be checked for breast cancer by the nurses. The truck is fully fitted with medical equipment to conduct cancer tests.



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- We have also made positive inroads in strengthening our role in working with the Gauteng Provincial Legislature.
- The Gauteng legislature invited Sex Work, LGBTI, and Community Liaison.
- In the reporting quarter we received three invitations and made presentations on the mandate and position of CGE with respect to sex workers and LGBTI.
- The GFP and the gender barometer report and policy dialogues we held with the forum of HODs and the PGM respectively.
- CGE descended on the community of Diespoot and that of Etwatwa for information sharing on human rights followed by legal clinics.
- Community Traditional Chiefs and partnership with Councillors

Sub-strategy 2.4.: To initiate interventions for the sustainable development and promotion of gender equality by addressing violations in the cultural and religious .

- Commission on Religious and Cultural Rights to present on our study and cases of virginity testing. The section attended by groups of young maidens, Traditional Chiefs and the Isilo Spokesperson, Izangoma and Media ie the SOWETAN.
- LOCALISATION OF Virginity testing to ZULU AND Zulu own culture polarised the discussion as all the the Ethnic groups in SA WERE PRESENT FROM VARIOUS PROVINCES.
- Zulu maidens from KZN. It appears that there is a strong support for virginity testing supported by young maidens themselves.
- The maidens were so set in their beliefs felt they wanted to be freed from Gender Equality as they participated voluntarily to the process and were not feeling oppressed.
- There is a need to start afresh conversations with all relevant sectors to unpack the constitution in terms of Gender Equality and human rights.
- CGE has done work on these matters especially around the discussion on Submission to the Child Protection Acts. Guidance on this matter needs to be developed taking into consideration the amount of research that CGE and the contemporary issues on Gender Equality and Constitution ie, dignity in relation to a right to practice cultural beliefs and privacy.

Sub -strategy 2.4.2:to use public media platforms to disseminate gender equality education and information

The ITC Oversight committee discussed and resolve to the full discussion on MEDIA AND Communications Strategy, the SABC MOU and strategic current issues.



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Sub-strategy 2.5: To collaborate with organs of state, civil society and other institutions to effectively develop promote and attain gender equality

- **Note: Stakeholder Engagements**

Strategic objective 2

To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take action against

- Mamelodi Community Outreach in partnership with Tshwane and National Police.
- Equity report with the Office of the Premier and Provincial Gender Machinery
- Gender Barometer with Department of Community safety
- Police Secretariat on Employment Equity
- Etwata BENONI, Community legal clinic and Public Awareness and Gender Equality in partnership with the local counsellor and the local traditional authority.

Building and effective efficient and sustainable institution that will fulfil its constitutional mandate on Gender Equality.

Oversight Report as Chairperson of HR

1. Convened the Moderation on Assessment of the CEO and Management report from the Office of the Chair report and the Office of the CEO Challenge remains the alignment processes of the Assessment panel and the recommendations of the Moderation committee. The recommendations of the previous year assessment and moderation recommendations were varied in implementation with both the office of the Chair and the Office of the CEO differing on the implementation for the current year under review. This is a challenge.

2. The role and Terms of reference for this role as the Chairperson of this Committee

- Staff Disciplinary Disputes ranging from Junior staff and Employees and my role as the HR Chair guideline, scope of work and terms of reference versus the
- Powers and DELGATION of the CEO AND SENIOR MANAGEMENT of the Institution.



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- Gazetted PP&R GOVERNANCE FRAMEWORK VERSUS THE NEWLY ADOPTED POLICIES since 2012-2014?
- Implementation and Operational report will be reported by the office of the CEO

3. Attended Plenary on strategic and Governance Framework discussions.

10. Commissioner Fundi Nzimande

Introduction

This report is for the fourth quarter of the 2014-2015 financial year which starts in January and ends in March 2015 and it will cover work covered in this period. It will also make recommendations about matters that have arisen recently that are considered to be urgent.

Strategic Objective 1

To ensure the creation and implementation of an enabling legislative framework that promotes the attainment of gender equality.

10 January 2015 Review of CGE Submission on the Maintenance Bill
06 February 2015 COSATU Meeting to discuss Maintenance Bill

Strategic Objective 2

To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take action against infringements of gender rights through the implementation of appropriate redress.

08 March 2015 Preparation for and attendance of ANN interview
11 March 2015 Preparation for Concept Paper
12 & 13 Mar 2015 CGE-PSC Meeting (MoU discussion) and Opening of House of Traditional Leaders
20-23 Mar 2015 Submission on Guns/ Femicide Doc
23-24 Mar 2015 preparation for and attendance of CoGTA policy discussion meeting
Mar 2015 Ongoing CGE Article (NDP) for COSATU Publication



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Strategic Objective 3

To monitor State compliance with regional and international conventions, covenants and charters which have been acceded to or ratified by the Republic, relating to the objects of the Commission.

- 15 January 2015 Worked on updates for the National Gender Machinery & II Paper with support staff
19 January 2015 Preparation for and attendance of NGM Committee meeting
05-06 February 2015 Reading of CEDAW Report

Strategic Objective 4

To build an effective, efficient and sustainable institution that will fulfill its constitutional mandate on gender equality.

- 26 January 2015 Preparation for and attendance of Legal Committee meeting
28 January 2015 Preparation for and attendance of ITC Committee meeting
03 February 2015 Preparation for and attendance of Women' Portfolio Committee Workshop in Pretoria
03 February 2015 Preparation for and attendance of Finance Committee
05 February 2015 Compiling of 3rd Quarter Report for Plenary
05 February 2015 Reading of CGE documents (committee & other reports to plenary)
27 Feb & 4 Mar 2015 Reading of CGE documents
16 - 18 March 2015 Reading of CGE docs from Mpumalanga & for submission to Parliament (SONA; APP)
26-29 Mar 2015 Reading of CGE docs (MoU; Committee Reports)
31 Mar 2015 ITC Committee Meeting
Ongoing Administration

Recommendations to Plenary

1. That issues that Commissioners want to raise pertaining to provinces are discussed with the relevant Commissioner or the CEO before being addressed directly with the staff concerned. These would be issues relating to performance; professionalism; communication challenges etc.
2. That Commissioners get adequate support from the relevant staff when it comes to various areas of Commissioners' deployment.



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3. That the CGE supports the MP Concept Note on dealing with customary and conventional marriages as these relate to legal provisions and the protection both men and women's rights. This concept note is motivated by the volume of complaints received by the Mpumalanga Office pertaining to issues of inheritance and maintenance.
4. That the CGE seeks a meeting with the Minister of Communications, the Head of SABC and the Head of GCIS for the following purpose:
 - a. To discuss public education programmes from government as government and SABC as the public broadcaster regarding the misogyny in our country as signified by increasing violence and atrocities committed against women and girl children and the increasing rate of femicide which involve family members, women in intimate relationships with men and lesbian women.
 - b. This should include education about what the constitution means for women and girls as well as men as fathers; explaining the rights culture that South Africa is trying to implement.
 - c. This should include education about male support for their offspring as women tend to carry the financial burden of taking care of children whose fathers are alive and employed. This is important as some women choose not to bother with seeking financial support from the fathers and ultimately end up buried in debt.
5. That the CGE considers the issue of EE hearings for the mining sector. This is driven by:
 - a. This sector (alongside the banking sector) has yet to show any transformation be it in terms of racial; gender or disability representivity and at the same time transformation with a positive developmental impact on communities especially the poor where they have pledged to implement Mining and Finance Charter prescriptions.
 - b. Developments in Emalahleni where the community (especially women) is carrying the load of all the challenges that are emerging as a result of coal mining such as impact on clean water; coal mining- related illnesses from pollution and acid rain; risk of burning coal in the communities where children live and play; sinkholes. Other strategies can be considered on how to deal with mining houses and Emalahleni muchj more specifically. This is a matter that the CGE can take up not just as an EE matter but much more directly as research and media reports do indicate the impact of the Emalahleni developments on women.



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(It is important to note that this matter was raised by the CGE in Mpumalanga with the municipality in the meeting held last year, perhaps not strongly enough)

11. Commissioner P S Sobahle

1. Introduction

This Report covers activities from 1 January to 31 March 2015. They are mapped against CGE Strategic Plan objectives.

2. Overall Goal of Commissioners

Working towards the realisation of vision and mission of the CGE by establishing good governance and ensuring that the organisation operates effectively and efficiently.

3. Commissioners' Objectives

To attain this goal, commissioners pursue the following objectives:

- 3.1. Ensure good corporate governance exists by executing judiciary responsibility and platform oversight function.
- 3.2. Make strategic interventions and provide leadership in relation to gender equity and equality issues.
- 3.3. Ensure the CGE organisational policies and practices are consistent with its vision and organisational values.
- 3.4. Preserve institutional autonomy and independence.
- 3.5. Strengthen institutional systems by serving on statutory, theme and any other committees as allocated by plenary.



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4. Support for Implementation of Strategic Plan

Strategic Object No. 2

To protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take action against infringements of gender rights through the implementation of appropriate redress.

National Human Rights Day Celebrations

I attended the 2015 National Human Rights Day Commemoration. The event was held in Uitenhage. The theme was "Celebrating the Freedom Charter, enjoying Equal Rights for all".

Attending were government officials from a number of government departments, NGOs some Chapter Nine Institutions, cultural groups and a number of community members.

The keynote address was delivered by the Minister of Justice and Correctional Services, the Honourable T M Masutha. He went through the Bill of Rights. He stressed the importance of caring for one another so that children can get to learn about ubuntu; the need to share with the elderly; rooting out the habit of destroying property and encouraging reporting illegal activities to police or councilors.

Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL) Dialogue

Recently the country has been flooded with media articles, debates and discussions on cultural practices that are harmful.



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One of the focus areas is the Virginity Inspection (ukuhlolwa). Government, civil society and Chapter Nine Institutions have been working on dealing with this issue in one way or the other. The CRL Rights Commission as well saw it fit to convene a Dialogue on the matter.

The event was held at the Southern Sun Hotel in Durban. It was attended by cultural groups and the Traditional Healers Association. It was unfortunate that the event did not become the dialogue it was meant to be. Instead it became a platform to attack those who were perceived not to be supporting the practice without having given them the platform to state their positions.

Radio Interview with Ukhozi FM

I had an interview with Ukhozi FM. This formed part of an educational campaign for Human Rights. The interview was supposed to have been done by the Provincial Manager or the Educational Officer. I was informed that due to the fact that there had been media reports which attacked the CGE on their position regarding cultural practices like Virginity Inspection and Ukuthwala, it was agreed that this interview should be done by a Commissioner in KZN rather than an Education Officer or Provincial Manager.

This happened soon after the CRL Dialogue in KZN and the one in Gauteng.

Free State Accountability Dialogue

The Free State Office convened an Accountability Dialogue with key provincial stakeholders with similar interest to that of the CGE.

The Director General attended and committed to working with the CGE.



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Strategic Objective 4

To build an effective, efficient and sustainable institution that will fulfill its constitutional mandate on gender equality.

In order to achieve the above Strategic Objective CGE organised the following activities in which I participated. The relevant chairpersons will report on them:

- Plenary Sessions
- Strategic Planning Workshop
- Good Governance Committee Meetings
- Research & Education Committee Meetings
- Legal Committee Meetings.

I also attended and monitored a number of complaints that were sent directly to the KZN Office.

RECOMMENDATIONS TO PLENARY

I wish to recommend to Plenary the following:

Because of the seemingly attack on the position of the CGE on Ukuthwala and Virginity Testing, CGE should seek audience with the Chairperson of the CRL.

In KZN, there is a growing tendency not to respond to enquiries. I wish to request Plenary to suggest possible ways of ensuring that the CGE is taken seriously.



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3. Commissioners' Allocation to Provinces

3.1 Role of Commissioners in providing support to provinces

Commissioners' Plenary assign Commissioners to give support to all nine provinces. Each province is assigned a lead Commissioner and a Back up Commissioner, to lend support to provincial interventions

Commissioners' primary provincial responsibilities include:-

- Assisting the Provincial Coordinator in escalating policy issues within that province to provincial government stakeholders, or to the national spheres, through the office of the Chairperson
- Supporting and participating in provincial interventions and activities as requested by Provincial interventions and activities as requested by the PC, such as giving keynote addresses and presentation, chairing meetings and facilitating discussions
- Strengthening networking with key state and civil society stakeholders in province. The PC in the province is the responsible officer for that office, and all engagements between the designated Commissioner and that officer shall be through the office of the Provincial Coordinator. The Commissioner's role is not to give instruction to the Provincial Coordinator or provincial office staff, or to monitor their implementation of the CGE programme of action, but to lend support to this process as required. Should the Commissioner come across any issues of concern in relation to performance of their designated provincial office, this should be raised through the Office of the Chairperson, with the CEO.

Furthermore Commissioners has to perform the following duties in the provinces :-

3.2 Provincial planning and engagement with stakeholders

Commissioners should seek to establish their presence in their designated province, and work with the Provincial Coordinator to plan engagements such as the following :-



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- Meeting and presentation with the provincial gender machinery
- Meeting and presentation with the provincial legislature's Women's Portfolio Committee
- Meeting and presentation with their relevant provincial structures , such as the House of Traditional Leaders
- Dialogue or meeting with civil society stakeholders in the province
- Receive information on the province's quarterly work plans, and identify where the Provincial Coordinator requires a Commissioner's support which events should be attended, what presentations are required, and what role is required of the Commissioner.

3.3 Leadership on gender equality issues in provinces

As designated leaders, Provincial Commissioners, should seek to identify key issues of gender equality emanating from the work of provinces, and work with the PC to strategise on the take-up and resolution of these issues, either through engaging with relevant provincial stakeholders, or referring this for national intervention, through the office of the Chairperson.



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3.4

COMMISSIONERS' ALLOCATION TO PROVINCES 2014/15

PROVINCE	LEAD	BACK-UP
Western Cape	N Maphazi	W Mgoqi
Gauteng	L Nare	N Mazibuko
Northern Cape	W Mgoqi	F Nzimande
KwaZulu-Natal	P Sobahle	J Hicks
Eastern Cape	N Bata	N Maphazi
Free State	J Hicks	P Sobahle
North West	N Mazibuko	M Botha
Limpopo	M Botha	L Nare
Mpumalanga	F Nzimande	N Bata

4. Plenary and Committees

4.1 Plenary

Plenary is the final decision making body of the CGE. Plenary is convened on a quarterly basis with secretariat quarterly reporting on the implementation of the CGE Annual, Performance Plan and Budget. The purpose of Plenary is for Commissioners and Secretariat reporting and deliberation on key issues before the Commission, as well as for policy and decision making.

4.2 Committees

Section 6 (3) states that subject to the directions of the Commission, a committee may exercise such powers of the Commission as the Commission may confer on it and shall perform such function of the Commission as the Commission may assign to it.



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Functions and Purpose of CGE Committees:-

- Provide input, advice and assistance in respect of addressing strategic and policy issues and challenges
- Identify significant emerging issues affecting implementation of programmes and develop solutions to these issues for Plenary approval
- Make recommendations around their theme or function for the purpose of further developing the CGE policy stance around this theme
- Integrate this theme into CGE strategic planning
- Formulate the integration of committee issues into CGE strategic planning, guide implementation of designated projects, as well as monitor and evaluate CGE
- Regularly report back to plenary
- Initiate and discuss policy and strategic issues between the Commission and Staff
- Table matters that need the decision of the Commission
- Receive and discuss progress reports on issues that pertain to work of the Committee
- Deliberate on issues referred to the committee by Plenary and provide recommendations to Plenary
- Monitor project implementation, budgeting as well expenditure against the budget
- Have oversight on compliance and Risk

Secretariat and Heads of Department report back to committee on policy and programmatic implementation. Committees will flag issues to bring to the attention of Plenary, and bring through urgent issues for decisions where required

4.3 Role of Commissioners in CGE Committees

Commissioners' role in Committees, apart from those identified above, includes the following:-

- Assist with conceptualizing planning and development of thematic focus area
- Perform an oversight role in overseeing the implementation of agreed upon programmes



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

- Perform a support role in the implementation of agreed upon programmes as required
- Provide a link between committee and Plenary, taking forward any issues requiring decision or guidance from Plenary

4.4 Allocation to Committees and schedule (Attached as Annexure A)

5. Extraordinary Reports and Policies Considered by Plenary

5.1 Investigative reports considered and approved by Plenary

- Judicial Services Investigative Report
- Adoption of 9 Employment Equity Reports
- Adoption of the Supplementary EE Hearing Report
- Adoption of the Department of Higher Education UNIVEN, UNISA Transformation Report

5.2 Policies considered by Plenary

- Bereavement Policy
- Telephone Landline Policy and Acting Allowance Policy
- Employee Wellness Policy and Procedure
- Remuneration Policy

6. Oversight Committee Reports (Attached as Annexure B)

- 6.1 Legal and Complaints
- 6.2 Good Governance
- 6.3 Strategic Planning, Monitoring and Evaluation
- 6.4 Education and Research
- 6.5 Section Six
- 6.6 IT and Communications

7. Conclusion

The above information includes work performed by Commissioner and hope that honourable members will find the report interesting to read.