



**Sonke Gender
Justice Network**
HIV/AIDS, Gender Equality, Human Rights

Submission

to

The Portfolio Committee on Women, Children and People with Disabilities

on

The Women Empowerment and Gender Equality Bill [B50-2013]

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The Structure of this Submission

In this submission, we will highlight our concerns with the Bill and will make recommendations in regard to what we have identified as gaps.

The submission is structured as follows:

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1 Introduction

Sonke Gender Justice (Sonke) welcomes the opportunity to make submissions to the Portfolio Committee on Women, Children and People with Disabilities (the Committee) on the Women Empowerment and Gender Equality Bill of 2013 (the Bill).

Sonke is a non-profit, human rights and social justice organisation that strives to achieve gender equality by preventing gender based violence and reducing the spread and impact of HIV and AIDS, including through the involvement of men and boys.

Sonke's interest in the Bill is based on its core mission to attain gender equality in South Africa. The law is an important avenue through which women's and gender non-conforming persons' human rights can be advanced and plays a critical role in shaping social and cultural norms. If the content of this Bill is well informed and it is implemented, it could play an important role in tackling patriarchy and shifting gender inequitable attitudes and practices which keep gender inequality alive in South Africa.

2 Executive Summary

Sonke applauds the Department of Women, Children and People with Disabilities for creating the Bill and supports the general purpose and objectives of the Bill. Nonetheless, the Bill is problematic in several respects: It does not adequately address the root causes of gender inequality; omits to recognise and address the compounded effect of intersectional discrimination; and omits to categorise unfair discrimination against Lesbian, Gay, Transgender, and Intersex persons ('LGBTI') as a form of unfair gender discrimination.

One of our major concerns with the Bill pertains to the gender mainstreaming objective that the Bill seeks to achieve. In doing so, it has duplicated multiple provisions and mechanisms covered by the Employment Equity Act 55 of 1998 (the EEA) and the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA) in respect of gender mainstreaming and women's empowerment. The Bill also duplicates the powers of the Minister of Justice and Constitutional Development and the Minister of Labour. This entails that the Bill would need to amend both Acts to avoid conflict between the statutes or should not apply to women covered by the EEA or PEPUDA. This would essentially mean that the Bill will have very little purpose.

Sonke is not opposed to the Bill amending these Acts on the basis that the Minister of Women, Children and People with Disabilities has a focus on women which could better serve their needs and the legal and factual advancement of women's human rights. It must however be taken into account that the Department of Women, Children and People with Disabilities is under-resourced and may accordingly not have the necessary resources to optimally enforce and implement the Bill and attain its objectives.

Whilst we recognise the significant changes made to the previous version of the Bill in regard to the powers vested in the Minister of Women, Children and People with Disabilities, we maintain that certain of the Minister's powers that remain in the Bill in respect of monitoring, research and education duplicate and could cause jurisdictional conflict with the powers of the Commission for Gender Equality (the CGE). It is imperative that the CGE's independence as a constitutional oversight body is upheld in the interest of upholding our Constitution.

Most importantly, the process followed in drafting the Bill did not include adequate consultations with rural women and other groups of women on the margins of our society and disadvantaged due to a lack of education, unemployment, poverty and disability. A thorough consultative process could improve the content of the Bill in an attempt to better address the difficult realities faced by these categories of women and to best serve their needs.

As a final point, and to avoid the Bill becoming paperbound like other progressive statutes aimed at advancing women's rights, it is imperative that the Committee launch an investigation into the reasons for the uneven implementation of existing frameworks and to ensure that the Bill is appropriately costed and budgeted.

3 Comments and Recommendations on the Various Sections of the Bill

3.1 Section 1 – General Provisions – Definition

3.1.1 The definition of ‘gender based violence’

This definition excludes violence against lesbians, gay men, bisexuals, transgendered and intersex people (LGBTI). Violence committed against LGBTI’s amounts to gender based violence as it is committed on the basis that the targeted person does not conform to socially and culturally accepted gender norms. It is essential that this definition extend to LGBTI’s as they constitute a group of people disadvantaged by unfair discrimination historically and currently.

Recommendation

The definition should be extended to include acts of violence committed against LGBTI’s due to actual or perceived sexual orientation and/or gender identity.

3.1.2 The definition of ‘gender discrimination’

As stated above, discrimination against LGBTI’s amounts to gender discrimination as it is motivated by the targeted person’s failure to conform to socially and culturally accepted gender norms. This definition does not include violence against LGBTI’s.

Recommendation

This definition should be revised to extend application to LGBTI’s who are subjected to discrimination on the basis of actual or perceived gender identity.

3.1.3 The definition of ‘gender equality’

The definition of ‘gender equality’ is a generally accepted definition but is also a gender neutral definition of the term.

Whilst the aim of gender equality is for women, men, boys and girls to enjoy equal rights and access, it is essential that it is recognised that women and girls constitute a group of people who have historically and continue to be denied equality in terms of rights and access which men and boys are afforded in various spheres.

For purposes of the WEGE Bill, it is important that the Bill explicitly makes such a recognition to avoid diluting the extent to which women and girls are denied equality to men and boys to better serve the objectives of the Bill.

Such a revision to the definition will also better align it with Section 9(2) of the Constitution¹ which provides for legislative measures to be taken to advance groups of people disadvantaged by unfair discrimination. Section 9(2) also indicates a preference for substantive equality over formal equality in that it calls for equality to be applied to attain restitution and not for equality to be applied equally without regard to outcomes.

These comments are also applicable to LGBTI's.

Recommendations

This definition should be amended to:

- Explicitly state that women and girls constitute a group of people disadvantaged by unfair discrimination and that gender equality is sought to provide women and girls with equality in terms of rights and access which they continue to be denied.
- Apply to gender non-conforming persons to afford equal rights and access to gender conforming persons.

3.1.4 The definition of 'gender mainstreaming'

The definition of 'gender mainstreaming' is gender neutral and omits to recognise women and girls and a group of people disadvantaged by unfair discrimination. A revision to this definition recognising women and girls as a disadvantaged group, will bring the Bill in line with Section 9(2) of the Constitution.

Recommendation

The definition should be amended to provide that women and girls' needs must be prioritised through gender mainstreaming.

3.1.5 The definition of 'substantive gender equality'

The definition is not in alignment with the definition of 'substantive equality' in that it does not speak of equality in terms of outcomes.

Recommendation

This definition should be amended to include reference to equality in terms of outcomes to accord it with the definition of 'substantive equality'.

3.1.6 The definition of 'women empowerment'

This definition needs to be qualified in the context of the Constitution and the Bill.

¹ Section 9(2) of the Constitution of 1996: 'Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.'

Recommendation

This definition should be amended by including a definition of 'substantive equality'. This will align the Bill with the Constitution.

3.2 Section 2 – Application of the Act' Section 8 – Gender mainstreaming & Section 9 of the Bill – Measures to women and to eliminate discrimination

The comments and recommendations in this part of the submission is applicable to all of the sections of the Bill listed in the heading above.

The EEA and PEPUDA jointly cover all public and private bodies which the Bill seeks to apply to in respect of the gender mainstreaming component of the Bill and some aspects of the equal representation and empowerment component of the Bill. In this respect, the Bill duplicates the EEA and PEPUDA. Accordingly, the Bill as it currently stands, also duplicates the powers of the Ministers of Labour and Justice and Constitutional Development. Designating specific public and private bodies will not prevent the duplication of laws and powers as all forms of public and private bodies are covered by EEA and PEPUDA.

In regard to quotas, Section 15(2)(c) of the EEA provides that designated groups, including women, must be equitably represented in the workplace. PEPUDA does not prescribe quotas of any kind but seeks to attain gender equality in other ways through which the use of quotas in equality plans could be implemented. The Bill is however unique from the EEA or PEPUDA in that it specifically provides for the 50% representation and meaningful participation of women in decision making structures.

The EEA, amongst others, in mandates employers to:

- Conduct an analysis of its policies, practices and working environment to identify barriers which adversely affect people from designated groups - Section 19 of the EEA.
- Develop employment equity plans - Section 20.
- Report on employment equity to the Director General - Section 21.
- Monitor and implement its employment equity plan - Section 24.

PEPUDA prohibits unfair discrimination on the ground of gender under Section 8 and includes an extensive list of prohibited acts of unfair discrimination on the ground of gender.

PEPUDA prevails over any other law on any matter governed by PEPUDA under Section 5 and applies to all people except those people who fall under the ambit of the EEA i.e. the labour sphere. The Minister of Justice and Constitutional Development is responsible for PEPUDA.

PEPUDA mandates the following, amongst others, with regard to gender equality:

- Mandates persons contracting with the state or exercising power in the public domain to:
 - Adopt equality plans, codes, regulatory mechanisms and other measures – Section 26(a).
 - Enforce and monitor enforcement of equality plans, codes and regulatory mechanisms - Section 26(b).
 - Making regular reports to monitoring bodies - Section 26(c).
- Mandates the Minister of Justice and Constitutional Development to develop regulations obligating all organisations to develop equality plans or comply with codes of practice and report on measures to promote equality - Section 27(2).
- Mandates the South African Human Rights Commission to deliver a report on the extent to which unfair discrimination, including on the ground of gender, persists in South Africa and to make recommendations on how to address the problem - Section 28(2).
- Mandates state institutions to do the following to eliminate unfair discrimination, including on the ground of gender:
 - Audit laws, policies and practices - Section 28(3)(b)(i).
 - Enact laws, policies and codes of practice - Section 28(3)(b)(ii).
 - Adopt viable action plans for the promotion and achievement of equality - Section 28(3)(b)(iii).
 - Prioritise the elimination of unfair discrimination and the promotion of equality - Section 28(3)(b)(iv).

PEPUDA has however proven to be under-utilised and its implementation poor which could be linked to the fact that South African society's constitutional and human rights literacy is poor. Another reason could be related to the fact that PEPUDA does not contain any less restrictive measures to address non-compliance except for instituting proceedings out of the Equality Courts.

Recommendations

Should the Bill be passed into law:

- It would need to amend the definition of 'designated groups' under Section 1 of the EEA by removing 'women' from the definition as women fall under the definition of

‘designated groups’ who are beneficiaries of affirmative action. Alternatively, the Bill should be amended to exclude the employment context but this may very well render the Bill redundant considering the objectives of the Bill in relation to gender mainstreaming.

- If it does not extend to the labour sphere, we recommend that the Bill requires the Minister of Labour to consult the Minister of Women, Children and People with Disabilities on the implementation of the EEA as it applies to women in the workplace.
- It would need to be amended to amend PEPUDA insofar as it relates to women’s empowerment and gender mainstreaming. Alternatively, the Bill should not apply to unfair gender discrimination but this would mean that the Bill would not serve its purported purpose.
- If the Bill does not apply to women as provided for in PEPUDA, it should require the Minister of Justice and Constitutional Development to consult the Minister of Women, Children and People with Disabilities on the implementation of PEPUDA as it applies to women and LGBTI’s.
- The Bill’s current measures for non-compliance should extend to PEPUDA.

3.3 Section 2 of the Bill – Application of the Act

With regard to Section 2(2) of the Bill in particular, we raise issue with the ‘progressive realisation’ of the Bill on the basis that progressive realisation entails that the implementation of the Bill will be dependent on available resources which are limited in the case of the Department of Women, Children and People with Disabilities partly due to a lack of political will on the part of the state to recognise and address the gravity of gender equality in South Africa. The state has the necessary resources to ensure that the Bill is adequately resourced but the allocations of budgets has proved problematic in addition to fraud and fruitless and wasted expenditure by government officials and institutions. Similarly, due to a lack of political will, resources for the empowerment of women and gender mainstreaming are often limited in public bodies. The importance of the empowerment of women and gender equality in private bodies is often seen as secondary to profit making in the private sector.

Recommendation

This provision should be amended to mandate designated public and private bodies to prioritise and properly cost and budget women’s empowerment and gender mainstreaming.

3.4 Chapter 2 - Social Development

Section 4 of the Bill - Education and Training

Whilst we are in full agreement that women and girls require education and training as set out in Section 4, it is imperative that education and training programmes are created that target men and boys. There is now solid evidence showing that well designed interventions can bring about changes in men's gender related attitudes and practices, including decreasing their use of violence against women and increasing their support for gender equality.² These programmes should aim to shift men and boy's gender inequitable conduct and attitudes that are learnt and taught and becomes normalised through socialisation. Gender inequitable conduct and attitudes result in adverse manifestations of gender inequality including, inter alia, domestic and sexual violence; sexual relations with multiple partners; men's under-utilisation of healthcare services that negatively impact women; and the denial of women's rights to property and equal rights in marriages and relationships. These programmes can enable men and boys to understand the value and importance of women's human rights and gender equality for women, society generally, and for men and boys themselves³.

In addition to the education and training measures set out in the Bill, other forms of programming should be used in conjunction with it. A growing body of international public health and human rights literature shows that policies and programmes can reduce and prevent violence against women and girls.

Recommendations

We propose that Section 4 be amended to:

- Include education and training programmes targeting men and boys. These programmes should aim to shift men and boy's gender inequitable conduct and attitudes and should include curricula on the importance of women's human rights and the history and current context of unfair discrimination against women.
- Commit to implementing multi-faceted inter-departmental efforts to prevent violence against women and girls, including by implementing best practice, evidence based initiatives such as the provision of psycho-social support in schools and communities for

² Engaging men and boys in changing gender-based inequity in health: evidence from programme interventions. Geneva, World Health Organisation, 2007; For more examples, see P. Welsh, Men aren't from Mars: Unlearning Machismo in Nicaragua, Catholic Institute for International Relations, (2001), pp.38-48;

³ "... Measures designed to eradicate gender inequality must engage men and boys. Not engaging men and boys is a disservice not only to the men and boys themselves, but to women too." Stern O, et al *Working with Men and Boys: Emerging Strategies from Across Africa to Address Gender Based Violence and HIV/AIDS*, available at http://www.menengage.org/index.php?option=com_content&view=article&id=29&Itemid=22.

all children exposed to violence and group education and mass media initiatives to challenge harmful gender norms—including especially with men and boys.

3.5 Section 5 of the Bill – Access to Healthcare, Including Reproductive Health

A comprehensive women’s health policy does not exist to ensure women’s access to quality healthcare including sexual and reproductive healthcare. A national women’s health policy with accompanying directives for service providers and including models and implementation plans could assist in better delivering on women’s health needs.

Men generally under-utilise healthcare services that result in direct poor health outcomes for women and places a burden of care on women. Poor health seeking behaviour is linked to masculine gender norms which dictate that the use of healthcare services makes men weak and immasculine⁴. Healthcare systems are also often not geared towards men’s utilisation as they are feminised and set up to serve women only. It follows that it is crucial that the Bill acknowledges the links between men’s under-utilisation and lack of access to healthcare services and its adverse impact on women, society broadly and men themselves.

Recommendations

Section 5 should be amended to:

- Mandate the Minister to publish a fully costed and budgeted women’s health policy in the Government Gazette within 1 year from the passing of the Bill into law which includes directives for healthcare service providers on service delivery and provides guidance for the development of healthcare models and accompanying implementation plans.
- Mandate the Minister to conduct a thorough consultative process with healthcare professionals, public health specialists and non-governmental organisations providing services to and advocating for women’s rights to healthcare to inform the women’s health policy.
- Mandate public and private bodies to develop models and implementation plans to increase men’s utilisation of and access to healthcare services.
- The Minister, should include directives for increasing men’s utilisation of and access to healthcare services in the recommended health plan.

⁴ Peacock, D and Redpath, J et al, (2008) *Literature Review on Men, Gender and Health, HIV and AIDS in South Africa* (2008) p.3.

3.6 Section 6 – Public Education of Prohibited Practices, Including Gender Based Violence

Recommendation

As stated under Section 4 above, public education should include programming targeting men and boys with a view to shifting gender inequitable conduct and attitudes that drive gender based violence. Such programmes must aim to sensitise men in terms of gender, train men to understand the adverse impacts of social constructions and the importance of respecting and upholding women’s human rights against violence and other harmful and prohibited practices.

3.7 Chapter 3 – Equal Representation and Empowerment

Section 7 – Equal Representation and Participation

In regard to Section 7(1) of the Bill, our comments and recommendations under Section 2(2) apply equally in relation to the progressive realisation the attainment of 50% representation and meaningful participation of women in decision-making structures.

Additional Recommendations

In addition, we recommend that the measures set out to attain 50% representation and participation should be amended to provide more detail as follows:

- Women’s capacity to participate must be built through the provision of long-term management and governance training - Section 7(1)(a).
- Communities understanding and attitudes to acceptance of women’s capabilities and participation must be enhanced through capacity building and training on women’s human rights, historical and contextual training on unfair gender discrimination and training on gender sensitivity - Section 7(1)(b).
- Support mechanisms for women must be provided through women’s caucus’s, support groups and training sessions with gender specialists and women with experience in decision making positions in the workplace.

3.8 Section 8 of the Bill – Gender Mainstreaming

The Department of Women, Children and People with Disabilities does not have the authority to prescribe assessment procedures to the legislature and the executive.

In terms of Section 8(6), the language ‘may’ does not obligate the Minister to develop guidelines for gender mainstreaming. It is preferable that language is used to create clear obligations to ensure that steps are taken to implement the provisions of the Bill. The provision is also problematic in that it does not specify any timeframes in which the Minister need to develop the guidelines.

Recommendations

- The concept of gender mainstreaming should be written into the Joint Rules of Parliament and be absorbed by the executive.
- Section 8(6) should be amended by replacing the word ‘may’ with the word ‘must’ to obligate the Minister to develop guidelines for public and private bodies to develop and implement plans and measures for gender mainstreaming. The Minister should be obligated to do so within 1 year of the passing of the Bill becoming law.

3.9 Section 9 of the Bill – Measures to Empower Women to Eliminate Discrimination

Recommendation

The suggestion under Section 8(6) is also made in terms of Section 9(9) of the Bill in respect of 50% targets for women in all laws and policies applicable to empowerment.

3.10 Section 10 of the Bill – Economic Empowerment

Recommendation

In respect of Section 10(6), the suggestion under Section 8(6) above is also made in terms of Section 9(9) of the Bill in respect of 50% targets for women in all laws and policies applicable to economic empowerment.

3.11 Section 11 of the Bill – Socio-economic Empowerment of Women in Rural Areas

The consultation process followed in developing the Bill appears to have been insufficient and accordingly may not reflect the needs of socio-economically disadvantaged and rural women. These women should inform the contents of the Bill as it applies to them as they are best placed to advise on their needs. This provision also omits to speak to the issues of poor access to government services for rural women which persist as a problem.

Recommendations

- The Portfolio Committee direct the Department of Women, Children and People with Disabilities to conduct a thorough consultative process with socio-economically disadvantaged and rural women to ensure that these groups of women's needs are best served by the Bill. These consultations are also crucial in terms of Section 11(1)(d) in that consultations should include obtaining information from rural women on their stance on the Traditional Court's Bill and women's representation and participation in these structures.
- With regard to Section 11(1), we suggest that an item be added to the list of measures to ensure that access to services including healthcare and services provided by the police and justice are available in rural areas.

3.12 Section 12 of the Bill – Socio-Economic Empowerment of Women with Disabilities

Recommendation

Our comments and recommendations under Section 11 of the Bill apply equally to this section of the Bill in respect of women with disabilities.

3.13 Section 13 – Powers of Minister

Sonke recognises that the powers vested in the Minister in terms of monitoring, research and education specifically links to the plans and measures that it prescribes in the Bill but notes that these powers may still amount to a duplication of the powers of the CGE in some respects taking into account that the CGE, has 'the power to monitor, investigate, research, educate, lobby, advise and report on issues of gender equality' in terms of Section 187 of Chapter 9 of the Constitution. The concern around duplication is further raised in respect of the independence of the CGE as an oversight body under Section 181(2) of Chapter 9 of the Constitution. This duplication of powers may cause jurisdictional conflict.

Recommendation

This section should be amended to:

- Obligate the Minister and the CGE to collaborate on matters concerning women's empowerment and gender mainstreaming as the Bill seeks to address them.
- Set out areas of cooperation between the Minister and the CGE and exclusive jurisdiction of both the Minister and the CGE.

3.14 Chapter 6 – Code of Good Conduct, Norms and Standards and Regulations

Section 17 – Code of Good Conduct

Recommendation

As provided under Section 8(6), it is recommended that the word ‘may’ be replaced with the word ‘must’ to compel the Minister to publish a code of good practice on gender mainstreaming and women empowerment. This section should further be amended to state that the Minister must do so within 1 years of the Bill being passed into law.

3.15 Section 18 – Framework

Recommendation

As provided under Section 8(6), we suggest that the word ‘may’ be replaced with the word ‘must’ to obligate the Minister to publish one national policy framework on gender mainstreaming and women empowerment opposed to publishing separate frameworks. The Minister must be required to do so within 1 year of the Bill becoming law. This national policy framework should serve as an implementation tool for public and private bodies.

3.16 Section 19 – Regulations

Recommendation

As provided under Section 8(6), It is suggested that the word ‘may’ be replaced with the word ‘must’ to obligate the Minister to make regulations to establish institutional mechanisms (preferably a women’s empowerment and gender equality committee) to advise the Minister on matters concerning the Bill.

4 General Comments and Recommendations on the Bill

In addition to the gaps and concerns with the specific provisions raised above, Sonke questions whether the Bill is seeking to address other pressing and current issues that persistently hamper the attainment of gender equality in South Africa. Some of these several gaps in laws and relevant issues that are hindering gender equality in South Africa. These gaps and issues, amongst others, include:

- The illegal status of sex work and its disproportionate impact on women resulting in unfair gender discrimination.

- The non-recognition of religious marriages and the lack of legal protection afforded to women who choose to marry in terms of religious rites.
- The non-recognition of domestic partnerships and the lack of legal protection and recourse for women who choose not to marry legally.
- The lack of implementation of the Domestic Violence Act 116 of 1998 ('the DVA') and the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 and policies promulgated in terms of these statutes by government departments who form part of the criminal justice system and applicable legal procedures.
- The lack of the criminalisation of hate crimes perpetrated against LGBTI's;
- The lack of legal entitlement to paternity leave for fathers which translates into a disproportionate burden on women for care giving and child rearing.

The Bill also omits to address intersectional discrimination. It is important that the Bill seeks to address intersectional discrimination because discrimination on the grounds of gender may be exacerbated because of, amongst others, unfair discrimination on the basis of race, sexual orientation and/or gender identity, HIV status, culture, religion, socio-economic status or class or a combination of these or because of a combination of these characteristics.

Finally, South Africa has passed some of the most progressive laws and policies in the world including the Constitution, SOA and DVA but implementation of these laws have proven highly problematic and have accordingly failed to serve their intended purposes and to achieve their objectives. In this vein, Sonke questions whether the passing of this Bill will serve its intended purpose and be implemented as intended. As discussed earlier on in this submission, and in addition to a lack of political will on the part of the state to prioritise working towards the elimination of gender inequality, government departments have reported that a lack of resources have had an impact on implementation of laws.

Recommendations

- The Department of Women, Children and People with Disabilities should reassess and expand on the matters covered by the Bill and ensure that the Bill is used optimally to address current and pressing issues that hamper the attainment of gender equality.
- Strategies, policies, and programmes formulated to mainstream gender should be flexible in their approach and subject to reformulation taking into account the compounded effect of intersectional discrimination.

- The Committee should launch an investigation or commission research on the uneven implementation of existing legal frameworks on gender equality to assess challenges and lessons learnt to ensure the proper implementation of the Bill.
- The implementation of the Bill should be thoroughly costed and budgeted to ensure that it can be implemented optimally.

5 Conclusion

In conclusion, Sonke fully supports the spirit of the Bill on the basis that it seeks to address key issues concerning gender inequality and the empowerment of women in South Africa but notes several problems with the duplication of laws and powers of the CGE which could render the Bill useless. The Bill does however provide good content on gender mainstreaming and the Department for Women, Children and People with Disabilities may be better placed to administer gender mainstreaming based on its focus on women as a group of people disadvantaged by unfair discrimination. Having said this, the Bill in itself and the powers vested in the Minister duplicates the powers and functions of the CGE and could arguably undermine the powers of the CGE as an oversight and constitutional body. In order for the Bill to truly improve the realities of the most marginalised groups of women, it is necessary for thorough consultations to be had with these women themselves. In the same vein, it is imperative that the Bill recognises and seeks to address the compounded effect of intersectional discrimination that affects women not only because of their gender but also because of other characteristics. The Bill also needs to extend its application to LGBTI's who experience unfair discrimination because of not complying with socially constructed gender norms. Finally, in order to ensure that the Bill, if passed into law, does not become paperbound, the Committee is urged to investigate the uneven implementation of existing frameworks and to ensure that the Bill is appropriately costed and budget.