

***PWMSA SUBMISSION ON THE CALL FOR
COMMENTS ON THE***



***Women Empowerment & Gender Equality
(WEGE BILL B50 – 2013)***

Background

The Progressive Women's Movement of South Africa (PWMSA) takes this opportunity to respond to the call by the Portfolio Committee on Women Children and People with Disabilities on the Women Empowerment and Gender Equality Bill (WEGE Bill) through this submission.

This movement, the PWMSA, was founded on the principle of unity in diversity and therefore founded on the basis of participation by variety of sectors namely: labour, CBOs, NGOs, traditional leaders, business, faith based organisations, performing arts organisations, including rural women and women with disabilities across the political spectrum of South Africa. The PWMSA is a non-sectarian movement of women and is inclusive of all South African women.

PWMSA believes that the WEGE Bill provides an important and belated opportunity to strengthen the Gender Machinery through alignment to the existing enabling and protective legislative measures and policies put in place by the SA Government since 1994. This is to ensure that all the SA women benefit from the constitutional provisions and that the legislative protection measures are translated into concrete benefits for women. This include the middle class, working class with a biasness towards the poor and most vulnerable. It is a well researched and documented fact that patriarchy has resulted in the hindrance of women's progress in a number of fields and thus a Bill that seeks to address these challenges directly is welcome.

It is hoped that this Bill will derive an inclusive approach to the empowerment agenda which can meet the requirements of a bottom up approach in realizing the development agenda covering all spheres and all institutions. These approaches must work towards improving the position of women irrespective of their economic status, addressing both their practical gender needs and strategic gender needs. This Includes ensuring positioning of women in strategic position through minimum measures of affirmative measures such 50 % women representation in positioning of women in strategic

positions, opportunities of development, promotion of women, equal treatment, equal access to opportunities for development by ordinary women who aspire to change their lives and their status .

This Bill must give the Minister the authority to monitor the effective implementation of all the existing enabling and protective legislation that can in one way or the other benefit women, children, youth, people with disability, including addressing issues of non racialism. These pieces of legislation include but are not limited to: PEPUDA, Employment Equity, BBBEE. This is a critical aspect for us and we would therefore submit that the Ministry be given adequate support to conduct this task through human resources, administrative resources and financial resources.

The Bill, in order to be meaningful, must be improved to ensure that it benefits all women, women from all walks of life and not only those women who are already economically active to the exclusion of those who are not organized into collectives for their own development.

We regard the WEGE Bill as a critical piece of legislation that has the potential to transform South Africa from a patriarchal society thriving on gender imbalances to a country where women are able to experience substantive equality. We hope that this Bill will serve as a framework to push the realization of substantive equality and the eradication of patriarchy in our country, however we hope for the Bill to be strengthened in terms of the following areas:

- Sex – desegregated data, i.e. quantitative statistical information indicating differentiations and inequalities between men and women;***
- Recognition of the intersectionality of gender with race, class, age, and disability;***
- The Minister on receipt of non compliance should investigate, issue notice or provide guidance to the designated public and private bodies who fails***

to comply with the provisions of the law and should be empowered to enforce adherence to this legislation once it is promulgated into an Act;

- Systems of monitoring, evaluation and data collection and analysis must be developed, including facilitated processing of complaints by the public in general;**
- Bodies that are covered by the scope of this Bill must develop implementation plans and measures for women empowerment, achieving equality and eradicating patriarchy.**

In conclusion

We propose that the budget for implementation of this Act should be enough to allow for the establishment of enforcement mechanisms and therefore provide the Minister with sufficient financial resources based on a realistic budget that will facilitate effective implementation of the Bill in terms of the human resource, technical resource, including the development of an economic hub for women such as the Women's Development Fund and/ or a Women's Development Bank to address women's poverty head-on;

We also propose the creation of a Council at the level of the Women's Ministry that will serve as an ongoing monitoring, advisory and consultative platform for the Ministry

- This Council should include all civil society organizations, NGO's , academics , legal specialties on gender , (in line with the principle of Unity in Diversity).**
- This Council to monitor all pieces of legislation that are intended to promote gender equality and transform South Africa from a patriarchal society to an equal society,**
- We propose that this Council should not be structured like the National Council Against Gender Based Violence (NCAGBV) , which is dominated by the Government department officials , the role of departmental officials is**

to implement not to monitor themselves- this role should be given to the South African public.

- ***The role of the proposed Council will be to assist the Minister to monitor all government departments on the implementation of, compliance with this Bill and to advise the Minister on enforcement.***