

National Assembly (NA) Debate on Women in the Presidency- Budget Vote 13 by Honourable Thandi Memela

12 May 2015

Topic : Consolidating the gains of women in the first twenty years of our democracy, whilst continuing to champion women economic empowerment and gender equality.

Honourable Speaker/Deputy Speaker/Chairperson/Deputy Chairperson
Honourable Minister,
Honourable Deputy Minister,
Honourable Members of Parliament,
Distinguished guests in the Gallery,
Ladies and Gentlemen:

ANC Policy Orientation

The ANC in its 'Ready to Govern' document asserted its support of the principle of equal rights for women and men in all spheres, and the creation of special agencies to ensure that equal opportunity operates in practice. The ANC further committed to ensuring that mechanisms are built into the system to enable women to participate in decision making and administrative structures at all levels of government. Women must be brought into the decision-making process. Programmes must be designed to equip women with skills to enable them to participate.

In this regard, special attention will have to be paid to the rural areas where women are disproportionately located. The patriarchal system of law and land rights has deprived women of independent access to land and control over the product of their labour. This must be addressed by ensuring that women have the same rights as men in regard to all land-related issues and must be given special assistance to realise these rights. 1

At the Polokwane National Conference in 2007 the ANC noted that: 'The ANC has led South Africa in ensuring that the empowerment of women is brought to the centre of development. South Africa has addressed issues of women empowerment through all government departments by monitoring through the gender machinery set-up in the Presidency.' 2

In continuing to champion women economic empowerment and gender equality the ANC noted that: 'Polokwane we took a decision to establish a women ministry, focusing the development of women; many of our women are not yet part of the economic mainstream, including access to economic opportunities.

And resolved that: 'we must increase access to economic opportunities for women, this includes targeted procurement from women companies, SMME's and this includes transforming the economy to represent women demographics, we must also ensure that we work with the rest of society and in particular the private sector to ensure that women are part of the decision making structures in society and ensure that women are part of the mainstreaming economy, in this regard we welcome the proposal by the Ministry on Women, which we must engage to ensure that it achieves its goal and we must continue monitor the implementation of this important policy proposal.' 3

Consolidating the gains of women in the first twenty years of our democracy, whilst continuing to champion women economic empowerment and gender equality.

Linked to Programme 2: Social, Political and Economic Participation and Empowerment

Since 1994, remarkable progress has been made in raising the voice of women through the creation of participatory spaces and structures. Two decades on, there is an increase in numbers of women in Parliament and government. This development can be attributed to the introduction of important legislation that empowers women, including the establishment of statutory bodies and a women's ministry to advance equality.

Women have for decades, played a critical role in the struggle for liberation. They have also contributed immensely in the process of building a united, democratic, non-racial, non-sexist and prosperous South Africa. The gains in the fight against gender inequality have opened the way for women of today to progress in all aspects of society through progressive legislation that stipulates a woman's rightful place as an equal to a man in all aspects of life. Women have equal rights before the law which did not exist before 1994.

Initiatives to create gender equality post 1994 began to be realised with the building of institutional machinery to promote gender equality began with the establishment of the Office on the Status of Women (OSW) in 1997. In that year Parliament also passed legislation to establish the Commission on Gender Equality (CGE), with a mandate to monitor, evaluate research, investigate complaints and conduct public awareness and education on women's rights and gender equality. 4

Women are benefitting from increased access to basic services at the household level, which is also resulting in positive outcomes for children and families. Before 1994, women were not allowed to legally buy or own a home and land. Compared to the further oppression and discrimination they experienced during the apartheid era, women have equal rights before the law, including the right to make decisions regarding reproduction.

The amended Divorce Act protects women's property rights in cases of divorce and the amended Customary Marriage Act (2000) recognises customary marriages in favour of women, especially with regards to inheritance. Women are now also able to obtain a mortgage.

Through the implementation of ANC policy into legislation, an enabling environment has been created for women to access, own, control, use and manage land, as well as to access credit. This led to an increase in female-headed households benefiting from land reform, from 1.2 percent of beneficiaries in 1994 to 13.3 percent of beneficiaries by 2007. Progress has been made in ensuring that women are now actively involved in the decision making structures in society and in government. This includes progress towards achieving the 50/50 parity.

In addition to the progress made by government in the development of women, civil society structures are now involved in the campaigns that focus on establishment of centres that focuses on women abuse.

The passing of the Employment Equity Act, and now the promulgation of the Employment Equity Amendment Act on 1 August 2014, marked a turning point in our history in terms of opening up opportunities. The Employment Equity Act of 1998 has facilitated access to formal employment for women, where employers are legally required to work towards more equitable representation based on gender, race and disability. One of the key achievements for women through the Employment Equity Act amendment is the new provision calling for equal pay for work of equal value. Unequal pay based on gender and other listed grounds in the Constitution and the Act, is unfair discrimination, and is illegal. The share of women in wage employment in the non-agricultural sector is an important indicator of progress made both in gender equality and women's empowerment in the labour force.

Specific policies on maternity benefits and protection in the workplace have assisted women of child-

bearing age to retain their jobs while supporting reproductive roles.

South Africa's progress with regard to gender equality is evident both in international and regional indices. On the Social Institutions and Gender Index of the OECD, South Africa ranked fourth out of the 87 countries in the 2012 index and was the top ranked country in Africa. On the Social Institutions and Gender Index (SIGI) of the Organisation for Economic Cooperation and Development (OECD), South Africa ranked 4th out of 87 countries in the 2012 index and was the top-ranked country in Africa (OECD Development Centre, 2012). On the Southern African Development Community (SADC) Gender and Development Index, South Africa ranked second in 2012, with a score slightly lower than that of the top performer, Seychelles (Lowe-Morna and Nyakujarah, 2012). 5

The implementation of Women's empowerment in South Africa, has contributed to the achievement of MDG 1 on hunger and poverty reduction and to economic growth directly through women's increased labour force participation, productivity and earnings.

In this regard, progress has been noted in many areas in particular addressing the economic empowerment of women through the establishment and creation of women cooperatives, support of women in agriculture and farming, in energy particularly the green economy projects and solar energy, mining, Expanded Public Works Programmes and grants and funds. 6

A major progress in ensuring women's right to sustainable development has been the reform of South Africa's land policy. The land reform has had a particularly positive impact on rural women. The South African White Paper on Land Reform laid the policy framework for the abolition of all laws that discriminated against women in relation to property ownership, which has significantly advanced rural women's access to ownership of and control to land.

1. ANC, (1992), 'Ready to Govern'

2. ANC, (2007) '52nd National Conference: Resolutions'

3. ANC, (2012), '53rd National Conference Resolutions' p.15

4. The Presidency, 'The Twenty Year Review 1994- 2004'

5. Millennium Development Goals, 'Country Report 2013: The South I Know, the Home I Understand' p.53

5. Xingwana, L. (2014), 'Speech delivered by Hon Minister Ms. Lulu Xingwana, Minister of Women, Children and People with Disabilities, Republic of South Africa to the OECD High Level Global Forum on Women's Leadership in Public Life, 03 April 2014, Paris, France.' P.5

Speech by Honourable Matshoba ANC (MP) on the Budget Vote Debate, Women Vote No 19

12 May 2015, National Assembly

Honourable Speaker,
Honourable Ministers and Deputy Ministers,
Honourable Members of Parliament and
Honourable Guest in the gallery
I greet you all

Lengcingane ethi oMama badalelwa ukuba balawulwe ngo Tata kuba ingqondo yabo incinane ayikho.

Lo Ngumkhuba obeyenye yeziqhamo zengcinezelo nocalucalulo.

Umbutho wesizwe yenye yimikhuba owathi wazimisela ukuba uyakuyilwa, ze uwunchothule nengcambu.

Kwimigaqo nqubo yethu siyibeke yacaca gca okwe kati emhlophe ehlungwini, into yokuba inkululeko yethu iyakuba lilize ukuba isininzi sethu sisacinezelekile ngokwesini.

Inkululeko yethu esayizuza ngomnyaka ka 1994, izise inqubela emandla, ingakumbi ko Mama.

Yes as this committee we acknowledge the country report. The 1979 Convention on the Elimination of all forms of Discrimination against Women (CEDAW) which South Africa ratified provides the basis for realizing equality between women and men through ensuring, inter alia, women's equal access to, and equal opportunities in, political and public life, including to stand for election, as well as to hold public office at all levels of government. State parties agreed to take all appropriate measures to overcome historical discrimination against women and obstacles to women's participation in decision-making processes.

In line with the convention above, The African National Congress, mobilised women during the liberation struggle and employed quotas for women because of women's active involvement in the struggle and their persistent demands for more equitable representation in postliberation politics. Their active participation as a united women's movement in the liberation struggle against the Apartheid regime serve as the foundation for fighting for gender equality in the democratic Government.

In 1990, the ANC National Executive Committee (NEC) conceded that the emancipation of women is not a by-product of national liberation or socialism. It needs to be addressed in its own right within our organisation, the mass democratic movement and in society as a whole. At the time, these parties were not in government, yet already translating what was pertained by the convention into practice, compared to the contradictions manifested in the practice of the patriarchal party in government at the time.

South Africa signed other key international and regional instruments, such as the Beijing Platform for Action, the Millennium Declaration, the protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the Solemn Declaration on Gender Equality in Africa, and the SADC Protocol on Gender and Development. Legislation in place includes the Employment Equity Act, the Promotion of Equality and Prevention of Unfair Discrimination Act, the Domestic Violence Act, Sexual Offences and Related Matters Amendment Act, the Protection from Harassment Act, the Prevention and Combating of Trafficking in Persons Act.

The Commission on Gender Equality as an independent statutory body, was established in terms of Chapter 9 of the Constitution of South Africa, Act 108 of 1996 and was mandated to, among other things, Monitor all organs of society to ensure that gender equality is respected, protected, developed and attained. As we have to investigate complaints on gender related issues. Inasmuch as significant progress has been made in the democratisation phase of South Africa, the triple challenge of unemployment, poverty and inequality persists, women mostly, continue to suffer from this challenge. Since the end of formal discriminatory policies and practices this challenge fits the reality of South Africa's fledging developmental state.

Recommendations by Portfolio Committee:

The Department to ensure that its targets are refined and ensure that these are SMART (e.g one

intervention plan developed- what such a plan would entail, key persons responsible for the implementation of such, cost implications, time frames)

The Department to provide the Committee with more information that specifies which programmes and policies within other departments/entities it would monitor and evaluate for 2015/16 at the national and provincial level.

The Department should ensure that its monitoring and evaluation focus is inclusive of pregnant women, women with disabilities as well as women with no formal education when assessing the programmes/initiatives/services of various departments.

The Department should ensure that it monitors and advocates for increases and gender parity in STEM educators. To end this, the Department must ensure that this is promoted from basic education up to tertiary level and beyond.

Reports

The Department should ensure that all country reports be tabled in Parliament and sent to the Committee in order for them to be discussed before these reports are tabled with relevant Human Rights Committee.

The Department should submit all outstanding reports to the Committee as requested including but not limited to the following; The report submitted at the 59th session of the United Nations Commissions on the Status of Women, The Convention on the Elimination of all Forms of Discrimination Against Women(CEDAW) country report, The Beijing+20 country report, SADC Gender Protocol.

The Department should forward the assessment of the 16 Days of Activism report held in 2014 to the Committee.

Increase allocation

The travelling and subsistence and bursary allocation should be increased for the programmes focusing on Research, Monitoring and Evaluation as well as bursaries for skills development. Memorandum of Understanding (MOUs)

The Minister of Women should have a Memorandum of Understanding with other Governments Departments in order to achieve its targets.

Human Resources

The Department to submit its organogram to the Committee clearly detailing the current staff allocation including rank per programme and vacancies.

The Department to submit the outcome of skills audit and job evaluation to the Committee.

The 2007 ANC's National conference resolved that there should be an establishment of a ministry for women. This was followed by the establishment of a Ministry for Women, Children and People with Disabilities in 2009 to provide focus for campaigns, interventions and programmes aimed at addressing gender equality and women's empowerment. In May 2014, President Jacob Zuma evolved the structure to a dedicated Ministry for Women in the Presidency as a way of elevating women's issues and interests to lead, coordinate and oversee the transformation agenda on women's socio - economic empowerment, rights and equality through mainstreaming, monitoring and evaluation.

Two decades on, there is an increase in numbers of women in Parliament and government. This development can be attributed to the introduction of important legislation that empowers women, including the establishment of statutory bodies and a women's ministry to advance equality. The achievements by the Women's League of the ANC policy decision in 2010 on 50/50 representation of women in its structures and at all levels in society has been yet a major step forward.

Women in government

After South Africa's first democratic election in 1994, women formed 27.75% of members of the National Assembly. This number increased to 44% in 2009. By mid-2014, out of 400 seats in the National Assembly, women's representation stood at 40.8% in the Lower House and 35.2% in the Upper House, ranking South Africa third in the world in terms of women representation in Parliament. This achievement is attributable to the ANC's gender policies.

Currently, women are heading portfolios such as the Commissioner of Police, the Public Protector, CEO of the Johannesburg Stock Exchange, the Independent Electoral Commission, the predecessor of the current Governor of the Reserve Bank, the South African Law reform Commission, and the first female Deputy Auditor - General, among others.

Women and the Judiciary

During the reign of the National Party Prior to 1994, South Africa had only one woman Judge. Significant strides have been made in the quest to transform the judiciary. By 2013, 61% of judges (generic) were black compared to only one in 1994. Similar progress has been made in addressing race and gender imbalances in the magistracy. Of the 1661 magistrates, 974 are black and 687 are white, 647 are women and 1014 are men. There are still challenges regarding the appointment of female judges. Out of 239 judges only 76 are women. Out of a total of 311 judges appointed since 1994, 113 are white males compared to 76 female judges. Of the 5708 enrolled advocates only 1841 are women, while there are 7477 female attorneys.

Violence against women and children:

There is a general acknowledgement of the magnitude and complexity of the factors driving the scourge of violence directed to women. The ANC raised concerns on the levels of violence against women and children to say there is a serious concern about the levels of gender based violence, especially sexual violence in the country and hence government had sought to reform its laws and policies regarding gender violence.

In its 2014 Election Manifesto, the ANC committed that: "We will continue to prioritise incidents of domestic violence and crimes against women and children by further strengthening the Sexual Offences in ongoing awareness's of educational programmes such as 365 Days of Violence Against Women and Children.