



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

**Commission for Gender Equality: Public
Hearing Report on Gender Transformation in
South African Football – 28 June 2012**

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150908 pc sport

CONSTITUTIONAL MANDATE

Constitutional Mandate

S187 (1)

The Commission for gender equality must promote respect for gender equality and the protection, development and attainment of gender equality.

Additional Powers and Functions prescribed by National legislation

S11 (1) of the CGE Act 39 of 1996 (amended)

Monitor

Investigate

Research

Educate

Lobby

Advise Parliament and report on issues concerning

gender equality

CONSTITUTIONAL MANDATE

Monitor compliance to Regional & International Conventions

- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA)

Assist complainants in instituting proceedings in the Equality Court
conduct investigations and make recommendations regarding persistent contraventions of PEPUDA

Background

- Football as a sport enjoys the greatest support in South Africa in comparison to other sports activities. Women have proven themselves as excellent football players, evidenced by our female national squad, Banyana Banyana, which has put South Africa and women's football specifically on the map, both nationally and internationally.
- Nonetheless, issues of gender discrimination within South African football, and inadequate transformation and support measures for women's football, have come to the fore.

- During 2009, The Commission received a complaint by the South African Women's Football Association ("SAWFA") against the South African Football Association ("SAFA").

Continuation

SAWFA MADE THE FOLLOWING ALLEGATIONS OF GENDER DISCRIMINATION AGAINST SAFA

- a) SAFA does not take the interests of women's football into consideration, to the same extent as they do for men's football;
- b) SAFA has failed or denied to grant SAWFA legitimate membership;
- c) SAFA has failed to implement resolutions of the Soccer Indaba that was held in 1997, as well as the Football Commission of 2002.

Investigation of the complaint

THE FOLLOWING STEPS WERE TAKEN BY THE COMMISSION DURING THE

INVESTIGATION PROCESS:

(a) Correspondence and meetings with SAFA, but the Commission failed to receive adequate information from SAFA in response.

(b) A mediation process was initiated between SAFA and SAWFA, but the Commission was not satisfied with responses obtained from SAFA.

Continuation

Initial findings:

- The Commission's initial findings indicate inadequate commitment from and measures undertaken by SAFA to eliminate gender discrimination in football, with regard to remuneration, management and opportunities available for women footballers, as opposed to men.
- The Commission resolved then to convene a Public hearing to establish the truth behind allegations levelled against SAFA, to ensure SAFA's accountability for gender transformation in South African football.

Methodology

The following methodology was used during this investigation:

- Legal research
- SAFA had been requested to respond to a series of questions formulated by the Commission.

Consequently the following legislation were considered :

- The Constitution of the Republic of South Africa, 108 of 1996;
- Commission on Gender Equality Act 39 of 1996 (as amended);
- Promotion of Equality & Prevention of Unfair Discrimination Act 4 of 2000;
- Convention on the Elimination of All Forms of Discrimination Against Women; and
- Beijing Platform for Action.

The Hearing Process

- In terms of section 11(e) of the Commission on Gender Equality Act, a public hearing was initially convened on 4 April 2012. The hearing had to be remanded due to SAFA's president not honouring the Commission's request that he appear before to provide written and verbal responses to questions posed.
- The SAFA was advised that it would bear the cost of postponing the hearing, which was rescheduled for 28 June 2012. SAFA duly honoured this request, and appeared before the Commission on this date, at Constitution Hill.

Findings during the hearings

The Commission made the following initial findings in response to the complaint, its investigations and the responses received through the public hearing:

➤ The preamble of the SAFA constitution does not adequately address gender equality. This calls for the amendment of the constitution to effect gender equality and other policies related thereto in terms of the National Legislative Framework.

➤ Several commentators were critical of SAFA's lack of support for women's football and claimed to be unconvinced by SAFA's argument about social prejudice and disinterest from sponsors.

Continuation

- It was suggested that SAFA's constant references to prejudice and stereotypes reflected the attitudes of SAFA's leaders, and they needed to change.
- At leadership level, SAFA mentioned that although structures are encouraged, they are not forced to ensure that women are represented at their Annual General Meetings. Any entity which has interest in football matters will have to avail them.
- A great deal has been achieved at the lower levels but transformation at senior level nationally remains a challenge. There is no possibility of being appointed at a senior level unless processes such as quota systems are put in place. Even FIFA has to address these challenges.

Continuation

- Two women have been appointed to SAFA's board for the first time, and that is not an achievement, but change at a slow pace. Desktop research to their latest position indicated 3 women out of 33 members currently serve on the board.
- There are no support systems for structures that are struggling at provincial level to meet the targets in terms of the percentage of women, and the percentage of SAFA's budget allocation towards gender mainstreaming programmes.

➤ Budget allocation also shows a huge gap. It was revealed that there is no parity for the exact amount allocated to men's and women's football in 2012. From the budget of between R297 – 320 million, only about R36 million was for women's football, just over eight per cent of the total budget.

Continuation

- There is no development and growth in women's football. Male children have been catered for but girls have not.
- The Forum for Empowerment of Women raised a concern of its lesbian members who are discriminated against in local soccer teams. There do not appear to be adequate measures in place to address discrimination experienced by these women.
- Inadequate measures have been put in place to monitor whether grants are being used to develop women's teams in different communities, since support is not visible in many communities.
- The Commission resolved to probe SAFA's advertising expenditure figures in relation to promoting Banyana Banyana compared to Bafana Bafana prior to the 2010 World Cup.

Continuation

- SAFA should address the issue of salary parity between Banyana Banyana and Bafana Bafana.
- In terms of 1997 Soccer Indaba resolution SAFA was supposed to formulate and implement programmes to support and uplift women's football. There is however a clear disparity in funding between Banyana Banyana and Bafana Bafana.
- It was noted from the hearing that SAFA claims that SAWFA was disbanded. The fact that it has resurrected indicates that there is a problem and SAFA need to intervene.

General recommendations

The Commission made the following recommendations to SAFA:

- SAFA should take the necessary steps to ensure compliance with Employment Equity legislation (Section 20 EEA) and move towards a 50/50 quota before the new Women's Empowerment and Gender Equality legislation comes into effect.
- There is an obligation on SAFA's leadership to put quotas, funding and support interventions, necessary policy measures and awareness measures in place to ensure transformation towards women's equal representation in its staffing, management and leadership structures.

Continuation

- SAFA needs to take its obligations to promote women's football seriously, and pursue sponsorship to promote and advance women's football. It should not be necessary to take from the men's football team to provide for the Women's football team. The Commission called on SAFA to find ways of providing adequately for women's football so that the media will follow, and ensure necessary profiling and securing of sponsorship.
- SAFA's sexual harassment policy appears to be deficient. One reported case in five years in the South African context is not credible. It was proposed that an investigation and audit be carried out by the SAFA CEO and that an appropriate mechanism be put in place and publicized

Continuation

- There should be adoption of sexual harassment policies and procedures that are in line with international human rights statutes and South African legislation.
- The Women's Football Committee should comprise of men and women. It is pointless to have a committee that consists only of women who do not have the authority and opportunity to take decisions and influence processes.
- Profiling Banyana Banyana should become a priority.
- The Commission was asked to follow up and ensure that the R20 million SAFA claims to have pledged to Banyana Banyana for the Olympics, is indeed spent on Banyana Banyana.

Continuation

- ▶ The Commission was also asked whether it could find a way to track SAFA's attempts to raise sponsorship for women's football.
- ▶ Programmes are necessary to change stereotypes and attitudes. SAFA will need to source funding for programmes to this end, or seek partnerships with the Department of Basic Education.
- ▶ It is evident that SAWFA does exist. SAFA was urged to meet with the structure within three months to take the process of registering SAWFA forward. SAWFA was asked to cooperate with this process. It was noted that feedback to the Commission should come out of this process.

Continuation

- There are expectations from society that gender is mainstreamed into SAFA's work and to this end the Association needs a clear strategic direction, plans and targets in its policy and programmes.

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Recommendations to Department of Sports and Recreation

- The Department must introduce educational awareness activities to promote sport for the girl-child and to address gender equality in sports.
- The Department must in its National Plan indicate the need to promote and support women in sport, and put measures in place to address gender disparity in sporting codes and structures.
- The Department must put quotas systems in place to ensure all sports are accessible to women and girl-children.
- The Department must work together with SAFA to uplift and support women's football from the grassroots level, up to national and international structures and processes.

Continuation

- As much as South Africa has a women's football national team, it lacks similar popularity and exposure from the Department as compared to the male football team. The Department must ensure equality to this effect.
- SAFA has indicated lack of funding in promoting women's football and gender transformation in football, therefore the Department must assist with funds to achieve this goal.

Conclusion

- Sports should be seen as a vehicle for gender equality and empowerment of women and girls. The relationship between gender equality and sport is not solely about achieving equality in women's participation and treatment within sports, but also about promoting sports for gender equality or harnessing the potential of sport for social empowerment of women and girls.
- Sports offer a valuable channel to strengthen women and girls' capabilities and provide information on important social issues such as health, HIV/AIDS, and women's rights.

Continuation

- Women's participation in sports can also play a role in challenging the stereotypes and breakdown entrenched discriminatory attitudes and behaviours.
- Sports can serve as a vehicle to improve women and girls' leadership skills, roles and participation in decision making. The acquisition of valuable skills in management, negotiation and decision making empowers them to become leaders in all areas of community life as well as in the household.

Follow up

- Investigative report was finalised and tabled in Parliament.
- Various correspondence was send and telephone conversations was held with SAFA to set up meetings to engage on the findings, with no response from SAFA.
- Correspondence was sent to the Minister of Sport and Recreation.

Thank you for your time

HAVE A GENDER RELATED COMPLAINT ????
REPORT IT TO

0800 007 709
Twitter Handle @CGEinfo



