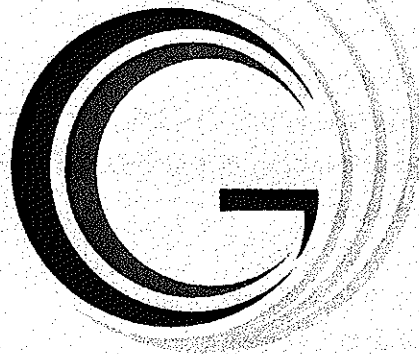


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Commission for Gender Equality

A society free from gender oppression and inequality

Gender Transformation in South African Football

Commission for Gender Equality
Public Hearing Report

28 June 2012
Constitution Hill
Johannesburg

Acronyms

ANC	African National Congress
ABSA	Amalgamated Banks of South Africa
AGM	Annual General Meeting
BEE	Black Economic Empowerment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CGE	Commission for Gender Equality
CAF	Confederation of African Football
COSAFA	Confederation of Southern African Football Associations
EE	Employment Equity
EEA	Employment Equity Act
FEW	Forum for Empowerment of Women
FIFA	Federation of International Football Association
FNB	First National Bank
HPC	High Performance Centre
JSE	Johannesburg Stock Exchange
M&E	Monitoring and Evaluation
NGM	National Gender Machinery
SAFA	South African Football Association
SAWFA	South African Women's Football Association
SASCOC	South African Sports Confederation and Olympic Committee
SASOL	South African Synthetic Oil Liquid
SRSA	Sports and Recreation of South Africa
SMS	Senior Management Service
UIF	Unemployment Insurance Fund
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination Act

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DISCLAIMER

The information in this report has been provided to the Commission for Gender Equality (CGE) under oath. In this regard every endeavour has been made by the CGE to preserve the authenticity, accuracy and intent of the information that was provided. Accordingly, all errors and omissions that may be patent or latent cannot be attributed to an oversight or negligence on the part of the CGE. Furthermore, in terms of Section 17 (3) of the Commission on Gender Equality Act 39 of 1996, no Commissioner, member of staff or any of the experts that has been engaged shall be liable in respect of anything reflected, any point of view, any recommendation made and anything expressed in this report.

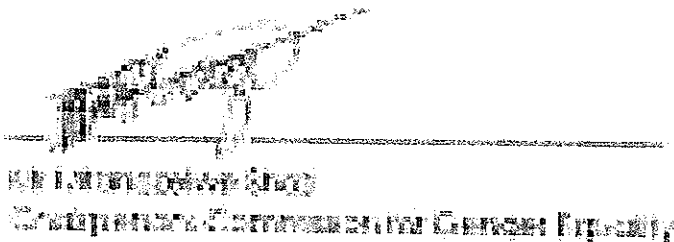
1. Foreword

The CGE is charged with a broad mandate to promote respect for gender equality and the protection, development and attainment of gender equality, and to make recommendations to Parliament on any legislation affecting the status of women in South Africa. The CGE is committed to creating a society free from gender discrimination and any other forms of oppression where people shall have the opportunities and means to realize their potential regardless of gender, race, class, religion, disability or geographic location.

Furthermore, the CGE has the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality. The CGE is mandated by the Constitution of the Republic of South Africa and the CGE Act to monitor compliance with conventions, covenants, protocols and charters relating to the object of the Commission. Article 13(c) of CEDAW obliges State Parties to take all appropriate measures to eliminate discrimination against women and to ensure their right to participate in recreational activities, sports and in all aspects of cultural life.

Following the public hearings which are held provincially by the CGE which involve the process of investigation with companies and departments, the CGE has obtained additional documentation mapping interventions towards addressing gender transformation in the sports industry.

The CGE is pleased to present the findings, analysis and recommendations emerging from these process, and is committed to taking these forward with key stakeholders in this sector.



2. Executive Summary

In this era of hope for gender transformation, there are still entities which are poorly performing in complying with the Employment Equity Act as well as attaining gender equality. As much as the SRSA and the sport fraternity adopted the Government's first National Sport and Recreation plan, this prompted a public debate on issues related to access, development, equity, equality, opportunity and transformation. These areas re-enforced the CGE's mission to promote, protect, monitor and evaluate gender equality.

Sports, especially football, is demonstrably one of the most significant cohesive factors in uniting our nation, whilst at the same time it demonstrate its own measurable social and economic values which South Africa should pursue through implementation of the National Sports and Recreation Plan. The CGE in its investigative mandate found out that even though sports indabas are held on annual basis, the women footballers are not 100% represented, which also make them less decision-makers with regard to their role and recognition in those gatherings.

Methodology

In order to realize its strategic objective 1 of the 2011/12 implementation plan, and to be able to measure progress in relation to gender transformation in football, the CGE had to rely on information given in a way of a complaint lodged, investigate, and research combined with telephonic conversations with the relevant soccer mother body, SAFA. A questionnaire was prepared to assist SAFA in preparing a presentation and responding to the panel questions relevant to the hearing.

The following were pieces of legislation referred to:

- The Constitution of the Republic, Act 108 of 1996
- Commission on Gender Equality Act 39 of 1996
- Promotion of Equality & Prevention of Unfair Discrimination Act 4 of 2000
- Convention on Elimination of All Forms of Discrimination Against Women
- Beijing Platform for Action

3. Introduction

The Commission for Gender Equality (CGE) is an independent state institution established in terms of Chapter 9 of the Constitution of the Republic of South Africa. The CGE is charged with a broader mandate to promote respect for gender equality and the protection, development and attainment of gender equality in South Africa. Part of its mandate is to monitor the implementation of the international and regional instruments signed, or acceded to, and or ratified by South Africa, that impact directly or indirectly on gender equality. It forms part of a broad effort to build a South African society that is free of any form of oppression owing to gender, race, class, religion, disability or geographic location.

4. Background

First, the RSA constitution clearly promotes equality in the workplace and from the early 1990s the republic has worked at international levels to eliminate discrimination the basis of race, gender, sex, sexual orientation, age, and disability. South Africa has also ratified many international agreements including:

- The International Labour Organisation (ILO) Convention No. 111, concerning equal remuneration for men and women workers for work of equal value (ratified by South Africa in 2000).
- Article 2 of the above, which requires member states to promote and apply to all workers the principle of equal remuneration to men and women for work of equal value, by means of national laws, recognised machinery for wage determination, and collective agreements.
- ILO Convention No.100 (ratified by South Africa in 1997), which requires member states to pursue policies that promote equal opportunity, treatment in employment and access to opportunities including vocational training (with a view to eliminating discrimination in employment).
- As part its mandate, the Commission engaged in a process of investigations based on a complaint received in relation to discriminatory practices by the South African Football Association (SAFA) in relation to women's football, which further resulted in a public hearing.

The Complainant, the South African Women's Football Association, hereinafter referred to as SAWFA, lodged a complaint with the CGE Legal Department, alleging gender discrimination in South African football. The Respondent is South African Football Association, hereinafter referred to as SAFA, an organization mandated to administer and promote football in South Africa. The Respondent based its allegation on the following grounds that:

- a) SAFA is not taking the interests of women's football into consideration 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, and the Football Commission of 2002.

As a result of the above, the Legal Department resolved that it would be necessary for the CGE to assist SAFA and SAWFA to find a long-lasting solution to ensure development in women's football in South Africa. It is on this basis that CGE found it necessary to hold a public hearing and call SAFA to account on gender transformation in football.

Legal Process

- The Commission, in terms of section 11 of the Commission for Gender Equality Act 39 of 1996, embarked on the process of investigating allegations leveled against SAFA on or about March 2009.
- The Commission wrote letters to SAFA and the Department of Sports and Recreation, followed by several telephonic correspondence with the purpose of arranging a meeting.
- The meeting held on 4 December 2009 was adjourned without resolution, followed by a roundtable meeting on 22 September 2010, in an attempt to mediate on the complaint.
- The Commission's further investigations revealed that some of the information presented during the mediation process could not be verified and could not be justified by the content of their information provided.
- It was on this basis that, in terms of section 11(e) of the CGE Act, a public hearing was convened on 4 April 2012, the hearing which had to be reminded due to SAFA president not honouring the Commission's invitation. A second leg of the hearing was convened for 28 June 2012, and SAFA was again reluctant to come. The
- Commission had to consider exercising its powers in terms of section 12 of the CGE Act, to compel SAFA into appearing before the Commission. Before this action proceeded, SAFA confirmed their presence to such hearing on the said date.

Equality in other Sports Activities

Within its annual report of 2011/12, the Minister of Sports and Recreation raised the importance of a public debate which ensued on issues related to access, development, equity, equality, opportunity and transformation, and called for these areas to be re-enforced in their mission to strive for social cohesion and nation building. One can hope for these areas to be successfully implemented where there is access to information and education programmes. It is clear that there is still lack of development especially in the rural areas despite the fact that most sports talent is discovered from those remote areas. Therefore the element of development, equality and transformation is far from being achieved.

The Department of Basic Education should ensure making compulsory physical education for all learners and provide supportive programmes in order to accelerate school sport vision with the assistance of corporates like SASCO. It is evident that football is the biggest followed sport in South Africa in comparison to other sports activities. More women are coming out to be best players as there is a female national squad which has put South Africa on the map nationally and internationally. However, issues of gender discrimination are still dominant as transformation is still on a slow pace.

The Department of Sports and Recreation's mission is clear that "every South African should have an equal opportunity to participate in sport and recreation with the emphasis on the disadvantaged and marginalized groups, including women, children youth, the elderly, persons living with disability and people living in the rural areas".

There is still a need for transformation in other sports which are largely male and racial dominant.

5 Rationale behind the Hearing and related Legislation

The CGE is conversant with the international bodies governing different Sports Codes around the world. These bodies seek to ensure that politics do not influence sports in any way. As a result, sports governing bodies should be independent from government, and there should be no interference to the administration of sports by political authorities of any country. However, International instruments such as CEDAW, which condemn discrimination against women, are also binding on international organizations, including FIFA, the governing body for international football. This further underscores the CGE's mandate and authority to investigate the Complainants allegations, as part of its Constitutional obligation to monitor the implementation of international conventions on gender equality.

Constitution of the Republic

In terms of the Constitution of South Africa, promotion for equality is enshrined in Section 9, specifically Section 9(3) which clearly stipulates that the State may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

PEPUDA

The Promotion of Equality and Prevention of Unfair Discrimination Act, was specifically intended to provide an easier method for ordinary people to challenge unfair discrimination by the state or private institutions or individuals, through the creation of a system of equality courts, and to carry out provisions of the Constitution by making sure that inequalities invariably leading to unfair discrimination on the basis of sex and gender and which frustrate the achievement of equality in the society are addressed..

Commission for Gender Equality Act

In order to achieve its object in terms of the Constitution, CGE has the power to monitor and evaluate policies and practices of organs of state at any level, statutory bodies, public bodies, authorities, private businesses, enterprises and institutions in order to promote gender equality and make recommendations to Parliament. Besides CGE deriving its mandate to promote the attainment and protection of gender equality, the Commission also has the duty to monitor SA's compliance with international agreements adopted by and acceded to by the state.

CEDAW

This Convention has it on Articles 3 and 5, that State parties are obliged to take in all fields, in particular, political, social, economic and cultural fields, all appropriate measures, including legislation to ensure full development and advancement of women, for the purpose of

Guaranteeing them exercise and enjoyment of human rights and fundamental freedoms on the basis of equality with men. The Convention further also calls upon State parties to take all appropriate measures to modify social and cultural patterns of conduct of men and women, with a view to achieve elimination of prejudices and all other practices based on the idea of inferiority or superiority of either sexes or stereotyped roles for men and women.

This Convention was ratified and acceded to by our country in 1995, therefore it is binding upon the state and civil society to report to the Committee on the status of our country regarding issues of gender transformation, women empowerment, achievements, gaps and challenges.

Beijing Platform of Action

In relation to the situation of a girl-child, the Platform calls upon governments and international and non-governmental organisations to promote the full participation of girls in extracurricular activities, such as sports, drama and cultural activities.

In light of these international obligations and CGE's mandate, the Commission sought to convene a public hearing.

³ The Constitution of the Republic of South Africa, 1996

⁴ Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000.

⁵ Commission for Gender Equality Act 39 of 1996

⁶ Convention on the Elimination of All forms of Discrimination Against Women.

6. The Hearing Process

In preparation for the public hearing, SAFA was requested to respond in writing to a series of questions formulated by the CGE in relation to the Commission's investigation in terms of Section 11 of the Commission on Gender Equality Act 39 of 1996. The presentation made by SAFA at the hearing, in response to those questions, outlines aims and objectives as they appear in article 2 of SAFA's constitution, which include the following:

- to carry on the public benefit activity of administering, developing, co-ordinating and promoting the game of football in which the participants take part in accordance with the principles as laid down in the statutes of FIFA.
- to improve the game of football constantly and promote, regulate and control it throughout the territory of South Africa in accordance with the principles of fair play and its unifying, educational, cultural and humanitarian values, particularly through youth and development programmes;
- to protect the interests of its Members;
- to respect and prevent any infringement of the statutes, regulations, directives and decisions of SAFA, COSAFA, CAF and FIFA;
- to control and supervise all football matches of all forms played throughout the territory of South Africa;
- to manage international sporting relations connected with Association Football in all its forms
- to settle disputes arising between members or bodies or persons connected directly or indirectly with football within the jurisdiction of SAFA;
- to affiliate to FIFA, CAF, COSAFA and SASCOC;
- to engage staff on the basis of a policy of fair employment and equal opportunities;
- to grant practical and financial assistance to individuals and organisations in order to enable them to promote ideas and concepts consistent with the objects of SAFA;
- to select teams for International and Representative matches at all levels and to arrange tours and to sanction matches in and regulate the transfer of players to and from the Republic of South Africa in terms of the FIFA Regulations;
- to appoint such sub-committees or commissions upon such terms as it may consider necessary to give effect to its powers.

⁷ An international instrument looking at promoting gender equality.

⁸ South African Football Association

⁹ South African Football Association Constitution of 1998

The following table illustrates the questions and responses, which assisted the Commission in determining progress in relation to gender transformation and equality in sport, as well as to be able to make findings and recommendation.

QUESTIONS

RESPONSE

In terms of 1997 Soccer Indaba resolution, SAFA was supposed to formulate and implement programmes to support and uplift women's football. Kindly submit detailed information

An overview of women's football on South Africa, marked "B", document of 19 April 1997. ¹⁰

Provide information or evidence regarding funding, sponsorships and/or any attempts to solicit funding or sponsors to support women's football.

- Women's senior national team sponsored by SASOL for **R10,656 000.00**
 - Women's under 17 national team sponsored by FNB for **R3,000 000.00**
 - Women's regional league sponsored by ABSA for **R7,000 000.00**
 - Women's provincial league sponsored by SASOL for **R6, 000 000.00**
 - High Performance Centre sponsored by National Lotteries Board for **R10,000 000.00**
- TOTAL = R 36, 656,000.00**

In the documents submitted to the CGE, SAFA made reference to Mr. Mbebe's statement, "whatever equitable structure you evolve, it must guarantee equity for women footballers at all levels". Please provide the CGE with information regarding the implementation of this measure, and a report on the measures taken to transform your structures to ensure that there is equitable representation of women footballers since 1997.

Immediately after the 1997 indaba, SAFA set about incorporating women's football into its constitution and establishing the Women's Football Committee. Thereafter, SAFA set about establishing women's football in the country in competition with a strong tradition of women in netball, hockey and other sporting traditions for women. More detail was given in response to questions 1 and 2. SAFA's efforts had not brought about parity in participation and resources. Nevertheless the Association believes its efforts to address historical neglect have been genuine. The 1.5 million Rand received from government is not enough to make a difference. All structures are run by volunteers who are elected to positions and whilst SAFA might try to enforce the inclusion of more women, this continues to be a challenge. The fact that the sport has always been male dominated has to be addressed by society broadly, not by the Association alone. It will not change overnight.

¹⁰ Document from Indaba called "Walls to Bridges" of 1997.

QUESTIONS

Provide the CGE with information on SAFA membership requirements.

SAWFA has alleged that its membership to SAFA has been terminated. Kindly clarify the membership status of this organization. Give reasons for the termination of its membership.

Kindly provide the CGE with information on any SAFA policy/ies that promote gender equality in the South African football, and advise how often such policies are audited to verify their relevance in line with their objectives?

Submit a list of achievements in the attainment of gender transformation within SAFA itself, and in South African football in general. Please outline measures that have been put in place to develop and sustain women's participation in football as well as the mentorship of women footballers?

RESPONSE

Article 13 of the SAFA Constitution, as approved by the Members of the Association on 1 October 2011, outlines the requirements Members have to fulfill.

The suggestion to incorporate SAWFA into SAFA as a committee was made by SAWFA itself and this was duly accepted at the 1997 soccer indaba and implemented when SAFA amended its constitution to establish the Women's Football Committee. This represented a significant elevation of women's football in the country, and has in turn led to the resources of the Association being channelled into the development of women's football and the women's' national teams.

It is therefore no fault of the Association that another structure named SAWFA was established a few years later, with that leadership claiming that its membership was terminated. This is factually incorrect and in effect, self-serving. Since from 1997 to date, there had been no indication of any activities on the part of SAWFA apart from a website. There is a standard item on the agenda of AGM called "Application and Recognition of New Membership" but, at no stage since he had chaired the AGM in 2009, has SAWFA indicated that it applied for membership but was denied. One would expect that such an application would have been taken up at the subsequent AGM but SAFA has not received the same.

SAFA has established the Women's Football Committee to provide oversight of the SAFA women's football portfolio. The committee meets quarterly to assess the state of progress by receiving reports from all members who represent their respective provinces. Most committees are populated using a provincial representation system to ensure that all provinces are represented on these governance structures. See Annexure V.

Initiatives of the Association include talent development, coaching development, referees development and administrator development. The team has now graduated to another level. The South African team's success against Nigeria was a demonstration of this. The achievements of Fran Hilton-Smith, Natasha Tschlas, Nomsa Mahlangu and other "icons of women's football" are highlighted.

QUESTIONS

Please give details of the gaps and challenges that you have encountered with regard to the support for women and men's football, and the measures you have put in place to address these.

RESPONSE

The issue of funding is the greatest challenge. Women's football in South Africa faces the same challenges as it does in other parts of the world. In what is commonly referred to as a "traditionally male" environment, culture, history and resources are the most common barriers to women's participation in football structures. SAFA said this is not only in the area of football, it is a societal challenge. [see Annexure W for a description of FIFA's Women's Football Philosophy and Programme. In 2008, all age group categories were introduced to football in Johannesburg as a case study. SAFA Johannesburg has mandated that all events and tournaments should cater for Under 8, Under 10, Under 12, Under 13, Under 15, Under 17, and Under 19. SAFA Johannesburg also mandated that all local football associations should have participation from all these age categories, failing which they would face a sanction. It is hoped that the SAFA Johannesburg case study will be adopted in all regions.

Please provide a report on the number of sexual harassment cases that were reported to SAFA within the past five years, and how these were resolved.

Only one sexual harassment case has been referred to SAFA in the past 5 years. On the basis of evidence presented, the Association prosecuted an individual, found him guilty, and banned him from football for life. He later appealed and lost the appeal. SAFA has a policy on sexual harassment.

Does SAFA have an Employment Equity Plan? if yes, kindly provide us with a copy of same, together with a break-down of the composition of your Members of the Board including management structures in terms of male, female and disability, at both national and provincial levels.

Response.

SAFA does not have an Employment Equity Plan. The SAFA president admitted that SAFA falls short here.

EMPLOYMENT CONTRACT	MALE	FEMALE
PERMANENT	44	32
FIXED TERM	24	3
CONSULTANT	1	0
TEMPORARY	1	1
SECONDMENT	1	0
TOTAL = 113	78	36

No information on disability was provided.

Kindly inform the CGE of any support programmes that you provide to professional women footballers during their soccer careers, for example: maternity leave and benefits, and other forms of support to enable them to balance the professional and domestic responsibilities

There is currently no professional women's football league in South Africa therefore there is no programme of maternity leave benefit. To assist women to improve their daily living conditions, the Association has approached the SANDF to offer expert training for women, and to recruit them for national service. The Association does not employ football players.

In terms of the overall budget of SAFA, what percentage is allocated or spent towards the advancement of the interests of women's football? Kindly provide us with evidence of the actual figures.

The figures given were as follows:

2008: 15 447
2009: 21 991
2010: 32 675
2011: 32 861
2012: 34 271
TOTAL: 137 249

SAFA noted that the figures can be supported by audited financial statements

7. Analysis of questions from the panel and public

As the public were invited to the hearing, they were afforded an opportunity to interrogate SAFA following their presentation and also to clarify other issues which were reported from the media. Reference was made to an article in 'The Times' indicating that disparities in salaries between male and female footballers is a global trend and that this is especially pertinent since women's football is amateur, whether gender equality would be achieved if the perception within SAFA was that women's football has no sponsors and no followers and therefore cannot be compared to men's football.

It was confirmed that there is a disparity between salaries for men and women footballers. This is because women footballers do not form a professional soccer league. Reflection was also made to the lack of sponsorship which would have made it possible to set up a structure to look after women's football professional, as exists for male footballers.

On the issue of women having no followers and therefore lacking sponsorship. Perceptions and stereotyping are an ongoing challenge. Big Corporates and other investors need to be helped to overcome their prejudices. This contributes to a structure like SAFA to be unable to command money, it can only ask. Sponsorship for men's football is also not easy to come by.

Women's football does have followers, and this could be as a result of poor marketing other than stereotype thinking. For example the stadium was packed during the African Women's Championships. Yet, corporate South Africa (and society generally) continues to be biased towards men's football.

The Commission had to interrogate on whether adequate measures have been put in place to address the fact that football is traditionally a male dominated sport, specifically to the fact that the significant programmatic measures outlined by the SAFA have apparently not yielded equity. The Commission made reference to 2008 audit and process at the Sunnyside Park Hotel which was supposed to have identified strategies and programme interventions to address challenges in women's football and whether these had been implemented. Related to this, the Commission was concerned with the fact that there is no professional women's national football league since this was supposed to be in place by 2004.

On the issue of sponsorship, the Commission noted with concern as to what percentage of the overall figure of R 36 million mentioned went towards upgrading and sustaining women's football.. this will specifically address the point of measures that SAFA is putting in place to attract more sponsorship.

It is really a concern that gender equality still dominates in the structure merely because about 30% of employees overall are women. In the SAFA National Executive Committee (the Board) only two(2) out of 40 members are women..

Accountability, noting that even volunteers are accountable for implementing the constitution, is a concern because responsibility for transformation rests with the leadership. This prompted a question whether measures are being implemented at leadership level to drive transformation and bring about equality.

Although the issue of strategies arising from the 2008 summit on women's football was highlighted, it needed to build strong grassroots women's football structures at a local football association level; a strong competition structure; strong national teams to ensure success at international level and to participate in international competitions; and a strong talent identification system. Instructions went out to all grassroots structures throughout the Association to put measures in place. Monitoring at a lower level was sometimes difficult. However, at an international level there are several successes to celebrate. For example the under 17 national team has qualified for the FIFA Women's World Cup. The team is the first women's national team to qualify for a World Cup; and the senior national team, Banyana Banyana, has qualified for the Olympics for the first time. On the African continent there has also been success for women's football.

In terms of the percentage of the budget that goes to women's football, SAFA conceded that it was small.

The issue which was the core of this hearing, which is whether an organization called SAWFA existed, remained unanswered. SAFA in its defense indicated that in terms of its constitution, both parties agreed that SAWFA had closed. No formal complaint had been made against SAFA since 2009 when the president took office. Members have to go through the processes and become part of the structures. In this was not the case with SAWFA.

In terms of support to the provinces, the SAFA president said money was not given directly to provinces but to SAFA regions. Each of the 52 regions receives a grant of R 300,000 per annum, approximately R 15.9 million in total. The funds are allocated according to local contexts and priorities. The president said support from local government structures was minimal despite the fact that sport plays an integral role in shaping the lives of people at local level.

Besides the fact that there is poor marketing when coming to promoting women football, there has been poor visibility of women footballers in any provincial or local clubs in the media as compared to their male counterparts. This prompted for the following questions to be asked:

- Are Bafana Bafana and Banyana Banyana playing the game at the same level of professionalism?
- Is SAFA giving adequate attention to publicizing women's football? Why, for example, wasn't there the kind of hype around Banyana Banyana given its international achievements?
- What is SAFA doing to develop and promote football for people with disabilities?
- What is the Association doing to ensure that sponsors see women's football in the same category as men's football?
- Why did SAFA ask the SANDF to recruit women?
- Why are women not allowed to coach? If women are certificated to coach, who will they be coaching?

It is apparent from SAFA's responses that inadequate and unequal effort, commitment and resources are being applied to women's football. On the issue of creating media hype around Banyana Banyana, SAFA once more defended itself, indicating that an initiative with the Ministry of Education involving a bus tour into Soweto. This was part of a strategy to create hype. But again, the issue of perceptions and stereotypes comes into the equation. With regard to disability being one of the issues around discrimination, the South African Intellectually Impaired Football Association was supported annually in putting together its national championship. There are leagues playing in some provinces. The SA Deaf Football Association is also actively supported. Deaf referees are being trained. The media has not picked it up, which is why the general public does not know.

Women holding positions in football:

- 5 qualified women referees at international level
- 8 female referees at national level
- 3 referees in the mentorship programmes
- Only 2 women are board members as compared to 38 males.
- 3 women officials were sent to be part of Olympics
- 20 Coach Educators have been trained
- More than 660 women are licensed coaches (650 at level 1, 10 at level 2 and 4 at level 3).

In terms the above information SAFA asserted that it has done better than anybody on the continent, even FIFA, in this regard. Domestically SAFA has placed women as assistants and sometimes as first referee

8. General findings

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.
- It was suggested that SAFA's constant references to prejudice and stereotypes reflected the attitudes of SAFA's leaders, and they needed to change.
- On the issue of what is being done 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 themselves.
- 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.
- 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.

¹³ Statistics as reflected in the SAFA presentation on 28 July 2012, in response questions from the Commission.

- 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 R 297 320 million, only about R36 million was for women's football, just over eight per cent (8%) of the total budget.
- 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 (FEW) raised a concern of its lesbian members who are discriminated against in local soccer teams. What is the sports organizations doing to support these women. What measures are 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 to probe the ad spend figures and compare SAFA's advertising expenditure in relation to promoting Banyana Banyana compared to Bafana Bafana prior to the 2010 World Cup. SAFA should address the issue of salary parity 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. SAFA need to intervene.
- On the issue of an Employment Equity Plan, the SAFA is committed to ensuring that an Employment Equity Plan is introduced in ensuring transformation.
- Although SAFA works with volunteers, it has approximately 110 employees. SAFA is obliged to comply with the Employment Equity Act and seek women's full representation in the workplace.
- SAFA should take responsibility for engaging SAWFA whether it has been dissolved or not. SAFA was asked to consider why it would be willing to accept money from a sponsor that discriminated against women's football at all, and challenged to treat Banyana Banyana equally. The speaker pointed out that the media follows those who are treated as though they are important.

9. Recommendations

(i) General Recommendations

- There is an obligation on SAFA's leadership to put quotas in place to develop the role of women in football, and ensure transformation towards women's equal representation.
- SAFA needs to take seriously its obligations to pursue sponsorships to promote and advance women's football.
- SAFA's sexual harassment policy appears to be deficient because 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.
- 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.
- In terms of Section 20 of the Employment Equity Act, an organization employing 50 or more people is required to comply. Therefore SAFA should take the necessary steps to ensure compliance with Employment Equity legislation and move towards a 50/50 quota before the new Women's Empowerment and Gender Equality legislation comes into effect.
- It should not be necessary to "take from Peter to provide for Jane," the Commission called SAFA to find ways of providing adequately for "Jane" so that the media will follow, and ensure necessary profiling and securing of sponsorship.
- The CGE was asked to follow up and ensure that the R 20 million SAFA claims to have pledged to Banyana Banyana for the Olympics, is indeed spent on Banyana Banyana.
- The CGE 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 the next three months to take the process forward. SAWFA was asked to cooperate with this process. It was noted that feedback to the CGE should come out of this process.
- 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.
- There should be adoption of sexual harassment free policies and procedures that are in line with international ethical and human rights statutes.

- Sports governing bodies must encourage open debate on inequalities and embedding of an equitable balance of males and females in all roles and democratic leadership styles to mitigate against abuses of power to aim at attaining gender equality in sports as a whole.

(ii). Recommendations to Department of Sports and Recreations

- The Department must introduce educational awareness activities to promote the girl-child and to address the gender equality in sports.
- The Department must in its National Plan indicate the need to deal with women in sports and put Measures in place to address gender disparity in developing women sport.
- The Department must put quotas systems in place and make them accessible to women and girl-children in sports.
- The Department must work together with SAFA, the football mother body to uplift the standard of women football from a grassroots level up to national and international standard.
- As much as South Africa has a women 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 football in general, therefore the department must assist with funds to achieve this goal.

10. Request for further information

SAFA was requested to make the following documentation available to the Commission within seven working days of the hearing, i.e. on 9 July 2012.

- A report of the 2008 Sunnyside Park summit.
- SAFA budget, spend and sponsorship figures for women's football and for men's football for the past three years.
- A copy of the SAFA presentation.
- A copy of SAFA's Employment Equity Plan.
- A copy of a signed sexual harassment policy.

By this date, SAFA failed to provide information as requested. The Commission had to make further requests in writing with no response until it was made known to the Commission that the person who was responsible for the complaint has since left SAFA, therefore SAFA was still in a process of allocating another personnel to the matter. The Commission, reacting on one of its recommendations, had to facilitate a meeting between this two parties, the meeting which was postponed sine die.

11. 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 offers 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. Their participation in sports can also play a role in challenging the stereotypes and breakdown entrenched discriminatory attitudes and behaviors.

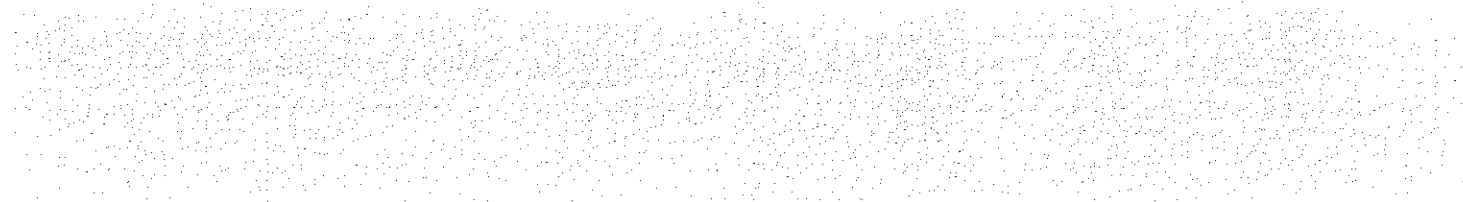
Sports can serve as a vehicle to improve women and girls' leadership skills, roles and participation in decision making. The acquisition of valuable skills in management, negotiation and decision making empowers them to become leaders in all areas of community life as well as in the household. Studies conducted in a number of countries reveal that there is a prevalence of violence and harassment against women in sport. Women are still posed at the risk of violence and harassment from men's resistance to the challenging of gender-specific boundaries and assertion of women's independence or may occur because women are participating in sport viewed as male domains.

Our governments must strive at addressing prevention of violence, harassment and exploitation in sports and for attainment and promotion of gender equality at both policy and operational level.

- CGE will continue to monitor SAFA's compliance and implementation of Employment Equity Act requirements as well international treaties to ensure gender transformation in football and sports as a whole.

12. Annexures A, B, V, W

¹⁴ Women 2000 and beyond, report to promote the Beijing Declaration and Platform of Action, by UN Division for the Advancement of Women, 2007



CGE offices contacts and addresses

**Come to talk to us
CGE OFFICES**

GAUTENG

JOHANNESBURG (HEAD OFFICE)
2 Kotze Street, Women's Jail, East Wing
Constitution Hill, Braamfontein 2017, South Africa Tel: +27 11 403 7182 - Fax: +27 11 403 7188

EASTERN CAPE (EAST LONDON)

42 44 Oxford Street, Cnr. Terminus & Oxford Streets, 2nd Floor, Permanent Building
East London, 5200, Tel: +27 43 722 3489 - Fax: +27 43 722 3474

FREE STATE (BLOEMFONTEIN)

49 Charlotte Maxeke Street, 2nd Floor, Fedsure Building, Bloemfontein 9300
Tel: +27 51 430 9348 - Fax: +27 51 430 7372

GAUTENG (PRETORIA)

523 Provisus Building, 3rd Floor, Cnr Stanza Bopape & Steve Biko Street, Acardia, Pretoria
Tel: +27 12 341 6090 - Fax: +27 12 341 4689

KWAZULU-NATAL (DURBAN)

40 Dr. A.B Xuma Road, Suite 1219, Commercial City Durban 4001
Tel: +27 31 305 2105 - Fax: +27 31 307 7435

LIMPOPO (POLOKWANE)

Cnr. Grobler & Schoeman Streets, 1st Floor, 106 Library Gardens Squire, Polokwane 0700
Tel: +27 15 291 3070 - Fax: +27 15 291 5797

MPUMALANGA (NELSPRUIT)

32 Belle Street Office 212-230, Nelspruit 1200, Tel: +27 13 755 2428 - Fax: +27 13 755 2991

NORTHERN CAPE (KIMBERLEY)

Cnr. Stead & Knight Streets, Court Building, Kimberley 8301
Tel: +27 53 832 0477 - Fax: +27 53 832 1278

NORTH WEST (MAFIKENG)

38 Molopo Road, Mafikeng 2745, Tel: +27 18 381 1505 - Fax: +27 18 381 1377

WESTERN CAPE (CAPE TOWN)

132 Adderly Street 5th Floor, ABSA Building, Cape Town 8001
Tel: +27 21 426 4080 - Fax: +27 21 424 0549



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