



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

Portfolio Committee on Women, Youth, Persons with Disabilities

1st Quarter Report – 1 April – 30 June 2020

16 October 2020



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Introduction

- ❑ For this reporting period, the focus was on drafting concepts note and guiding documents for the work that is to be rolled out by Provinces and departments for the financial year.
- ❑ The period under reporting coincides with the National Lockdown to flatten the curve of COVID-19.
- ❑ The National Lockdown meant changing the strategies of implementation of the APP which was reported to the Committee. Mechanism such as virtual meetings and the use of media became critical to ensure that the organisation implement its planned targets and it had had an impact on performance



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Link between APP, NDP and MTSF

SONA	NDP	MTSF	CGE Programmes
A capable, ethical and developmental state	Ch12: Building a capable and developmental state	Priority 1: Building a capable, ethical and developmental state	Compliance with international and regional agreements relating to gender equality (CEDAW, Maputo Protocol, SDGs)
Economic transformation and job creation	Ch 3: Economy and Employment	Priority 2: Economic Transformation & Job Creation	Gender Transformation hearings on TVET institutions, private and public institutions; Status report: enabling & sustaining women empowerment (GRBF and WEP); Gender Mainstreaming programme



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Link between APP, NDP and MTSF

SONA	NDP	MTSF	CGE Programmes
Education, skills and health	Ch 9: Improving Education, Innovation & Training Ch 10: Promoting Health	Priority 3: Education, Skills & Health	Outreach, advocacy and legal clinics; Systemic investigation: forced sterilisations; Community Radio programme Social media campaigns
Consolidating social wage through reliable & quality basic services	Ch 11: Social Protection	Priority 4: Consolidating social wage through reliable & quality basic services	Shelter investigation (tracking and follow up on the implementation of findings and recommendations)



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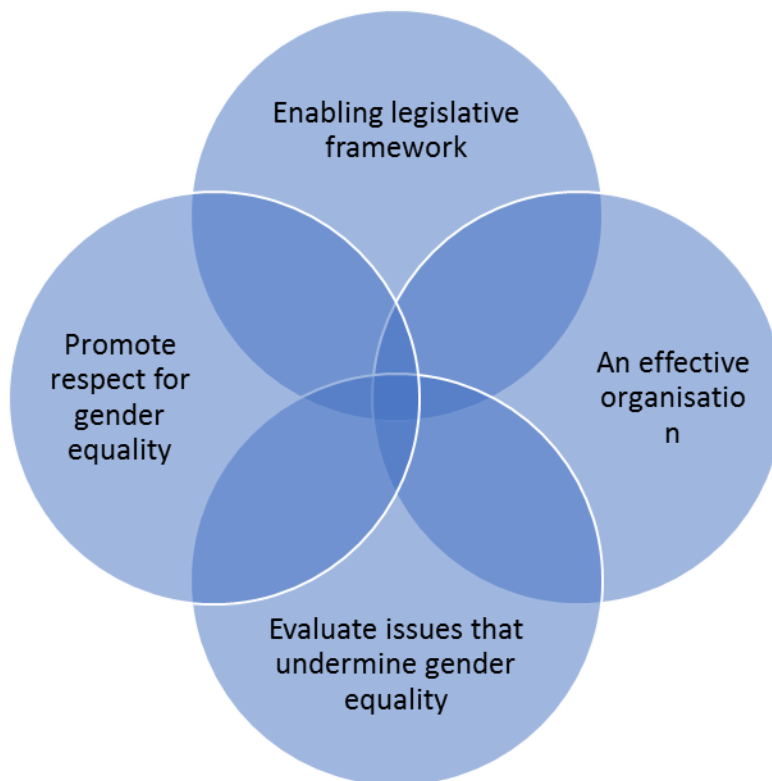
Link between APP, NDP and MTSF

SONA	NDP	MTSF	CGE Programmes
Social Cohesion & Safe Communities	Ch 12: Building Safer Communities	Priority 6: Social Cohesion & Safe Communities	Legislative submissions; Complaints handling; Investigations, Status of the country's response to GBV



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OUR STRATEGIC PLAN: 4 STRATEGIC OBJECTIVES





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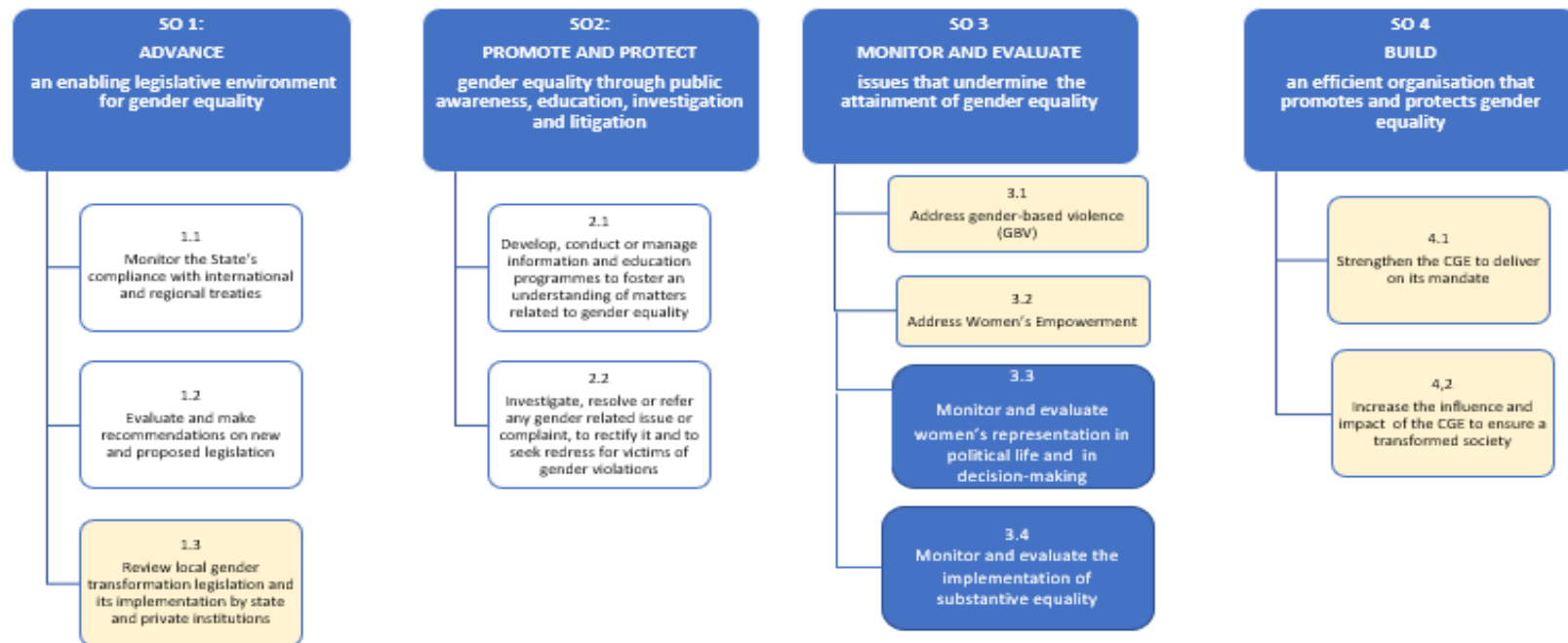
OUR STRATEGIC PLAN: 4 STRATEGIC OBJECTIVES and 11 SUB-STRATEGIES

Vision:

A society free from all forms of gender oppression and inequality

Mission:

To promote, protect, monitor and evaluate gender equality through research, public education, policy development, legislative initiatives and litigation.





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Overview

- ❑ For the current reporting period 71% of planned targets has been reached.
- ❑ The biggest contributor is the fact that lock down as per the Disaster Management Act was implemented in Quarter 1 which hampered activities. In some instances, alternative ways had to be found to implement targets.
- ❑ Since the commencement of the lock down due to the Covid19 pandemic, the Commission received numerous complaints and enquiries regarding gender-based violence, gender blindness of the Regulations pertaining access to sanitary pads and baby clothes and lack of healthcare services for women to exercise their reproductive health rights.
- ❑ Despite the Regulations stipulating that sanitary pads were essential goods under level 5, the CGE received complaints that supermarkets classified sanitary pads as nonessential goods. The CGE engaged the supermarkets and subsequent to the engagements women were able to purchase sanitary pads.



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Overview

- ❑ The CGE received an influx of complaints during the level relating to the purchase of baby clothes, as baby clothes were not deemed essential. The CGE intervened and the baby clothing has subsequently made essential goods
- ❑ The CGE entered as amicus curiae in an application of DA vs President of RSA relating to whether the Minister should use race, gender and disability as areas of prioritisation in the allocation of funds. The DA adopted a stance that the use of gender as a consideration in the allocation of relief is unlawful. The application was dismissed.
- ❑ Joint collaboration between CGE and SAHRC relating to the judgment by the Swiss Federal Supreme Court relating to Caster Semenya. Strategies are undertaken in support of Caster Semenya.
- ❑ The Commission developed an advocacy strategy for raising awareness on the essential services of the CGE during lockdown.



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FIRST QUARTER SUMMARY OF PREDETERMINED OBJECTIVES

Description	Number	Percentage
Total achieved targets in the first quarter	17	71%
Total unachieved targets in the first quarter	7	29%
Total planned targets for first quarter	24	100%



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Progress n Performance Information per strategic objective 1



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Quarter 1: Progress on Performance Information

Annual target	Quarterly target	Progress
16 submissions on new and proposed legislation	4 submissions on new and proposed legislation	<ul style="list-style-type: none">Guidelines on Gender Identity & sexual orientation in public schoolsDraft Public Procurement Bill Outstanding bills will be done in Q2.
Consolidated report on submissions made and the outcomes of engagements with parliament and other key stakeholders on new and proposed legislation	Report on engagements with parliament on a quarterly basis on submissions made, identify areas for policy change that advances gender equality	No engagements with Parliament as CGE was not called to engage on submissions in Q1.



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Quarter 1: Proaress on Performance Information

Annual target	Quarterly target	Progress
A report on investigations, findings and recommendations regarding compliance and implementation of the national gender transformation framework	Project plan which outlines the process with timeframes regarding the compliance and implementation of the national gender transformation framework.	Project plan was drafted for implementation of recommendations as well as plan for calling new entities.
A consolidated report on implementation of findings and recommendations of previous year Gender transformation report	Project plan which outlines the process with timeframes regarding the findings and recommendations of previous year gender transformation report	Project plan drafted for implementation of recommendations for previous financial year as well as plan for calling of new entities.



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Quarter 1: Progress on Performance Information

Annual target	Quarterly target	Progress
Stakeholder engagement on the findings and recommendations of the SDGs report of the previous financial year	Stakeholder engagement on the findings and recommendations of the SDGs report of the previous financial year	Stakeholder engagement could not take place due to Covid 19 and Lockdown. Activity to be caught up in Q2.
Stakeholder engagement on the findings and recommendations of the Maputo Protocol report of the previous financial year	Stakeholder engagement on the findings and recommendations of the Maputo Protocol report of the previous financial year	Stakeholder engagement could not take place due to Covid-19 & lockdown. Stakeholder engagement to take place in Q2.



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Progress n Performance Information per strategic objective 2



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Quarter 1: Progress on Performance Information

Annual target	Quarterly target	Progress
36 Gender Mainstreaming interventions to lobby and influence decision-makers within public and private institutions	Project plan to outline Gen mainstreaming interventions with time timelines and 9 GM interventions conducted	Provinces have made contact with at least two municipalities requesting their respective IDPs for an assessment. The assessment is guided by an audit tool developed in the department to see if these IDPs are gender responsive. The assessment undertaken will then be sent to the municipalities for further input and planning for GM interventions. Some of the key issues that surfaced through the auditing process this quarter include:
72 community radio slots implemented	Community radio slot project plan and 18 slots implemented	The script focused on the CGE Mandate, GBV during the COVID19 pandemic.. A total of 26 community radio slots took place this quarter.



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Annual target	Quarterly target	Progress
2 social media campaigns	Project plan on social media campaigns	A project plan was developed and a social media. Social media advocacy material was developed on CGE as an essential service during the Covid-19 pandemic. This material was widely shared on Twitter and Facebook



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Key issues raised at the GM interventions

- ☐ Municipalities have not included gender transformation principles, objective in most of its policies, plans, strategies.
- ☐ Plans and policies of the Municipalities were outdated, some were in draft form.
- ☐ The location of the Gender Focal Person in the political office of the Municipality is not assisting the Municipality because the advice and support of this person is needed in both the internal and external operations of the Municipality.
- ☐ There is a lack of gender transformation objectives and performance outcomes of Municipal Directors, Managers including the Municipal Manager.



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Key issues raised at the GM interventions

- ☐ Municipalities lacks commitment to giving feedback on the assessment tool.
- ☐ Some municipalities are a coalition municipality therefore there are potential internal challenges that have hampered progress.
- ☐ Generally, there had been insufficient resources, both human and financial capital to kick start gender mainstreaming in the municipalities identified.
- ☐ There had not been adequate implementation on gender mainstreaming programmes internally.



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Radio station	Listenership
Alfred Nzo community radio	55 000
Ngqushwa	50 000
Motheo FM	37 000
Pheli FM	37 000
Intokozo FM	6000
Inanda FM	41 000
Mdantsane	55 000
Moletsi FM	28 000
Mughana Lonene	1 208 000
Phalaphala FM	804 000
Mokopane FM	12 000
Capricorn	173 000
Mala 101FM	16 000
Modiri FM	34 000
Aganang FM	86 000
Radio KC FM	44 000
Valley FM	58 000
Vuma FM	210 000
Rise FM	42 000
Emalahleni FM	56 000
Ikwekwezi FM	1090 000



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Quarter 1: Progress on Performance Information

Annual target	Quarterly target	Progress
72 outreach, advocacy and legal clinics implemented guided by a project plan	Project plan on outreach, advocacy and legal clinics and 18 outreach, advocacy and legal clinics implemented	The department conducted 13 Advocacy, legal and outreach clinics this quarter in collaboration with PEI. The table below provides a visual display on the split of the Advocacy, legal and outreach clinics per province. Due to COVID 19, outreach legal clinics were conducted through radio slots and webinars



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Outreach, advocacy and legal clinics

Ranking	Province	No of legal clinics
1	KZN	2
2	LP	0
3	MP	5
4	EC	2
5	WC	1
6	NW	0
7	GP	1
8	NC	1
9	FS	1



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Quarter 1: Progress on Performance Information

Annual target	Quarterly target	Progress
36 strategic engagements with likeminded organisations to promote gender equality	9 strategic engagements with likeminded organisations to promote gender equality	A guiding document was drafted and shared with provinces. Each province was expected to implement at least 1 stakeholder engagement. All provinces conducted virtual meetings on GBV. WC held a stakeholder meeting on the PGM



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Key issues raised at the stakeholder engagements

- ☐ The lockdown hampered service delivery, especially where courts were not rendering services and no plans were put in place to render essential services.
- ☐ There are major gaps in the efficiency of law enforcement, especially the SAPS. In areas such as the informal settlements, there is no visible policing.
- ☐ Where SAPS are conducting monitoring of compliance to Covid-19 regulations cases of domestic violence have not received priority attention.
- ☐ Community members are not aware of remote means to report violence without the perpetrator being aware or without leaving the home.
- ☐ The lack of public transportation has been a challenge whereby victims in far-flung areas cannot access various departments and services.
- ☐ There is a need for the increased capacity and resourcing of community health workers who conduct home testing for Covid-19, to be able to assess safety levels in homes and identify any persons who may be at risk or are victims of GBV.
- ☐ NGOs are at times aware of incidents of abuse in certain homes but their ability to act would only be limited to reporting to the relevant institutions.



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Key issues raised at the stakeholder engagements

- ☐ At the Department of Justice, services were limited because matters relating to civil and family matters were not being properly handled.
- ☐ With maintenance cases the communities were frustrated because they could not access their funds and the explanations provided to them were not clear.
- ☐ Members of the LGBTQIA community continue to face discrimination when they report cases of domestic violence.
- ☐ High unemployment rate or lack of income on women was identified as one of the main causes of GBV.
- ☐ All VEPs depend on SAPS for transportation of victims, however SAPS vehicles are not always available to assist.
- ☐ Other organizations indicated that they have support from SAPS and DSD, but others indicated that they receive a minimal support from DSD (Social workers) especially now during lock down.



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Annual target	Quarterly target	Progress
2 monitoring reports on the implementation of findings and recommendations of systemic investigations conducted in 2019/2020	Project plan drafted on monitoring of the findings and recommendations of systemic investigations conducted in 2019/2020	<p><u>Systemic gender violations in Shelters:</u> Project plan was drafted and a concept note, and operational plan were developed. Similarly, the findings and recommendations were shared with all the parties during this quarter.</p> <p><u>Forced Sterilisation:</u> A total of 30 new complaints were lodged with the Commission since the launch of the report. Consultations have taken place with the new complainants. The CGE is in the process of obtaining medical records and doing the groundwork to look into the matters.</p>



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Annual target	Quarterly target	Progress
80% of complaints opened timeously attended to in terms of the complaints manual from registration to assessment	80% of complaints opened timeously attended to in terms of the complaints manual from registration to assessment of the complaint	The legal department opened 118 complaints during this quarter.



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Nature of Complaints

Nature of Complaint	GP	LP	WC	MP	HO	NW	FS	KZN	EC	NC	TOTAL
Gender Based Violence	9	5	10	8	0	3	5	1	7	3	51
Labour	0	1	0	2	0	1	0	0	0	0	4
Culture and Tradition	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0
Patriarchy	0	0	0	0	0	0	0	0	0	0	0
Economic	0	0	0	0	0	0	0	0	0	0	0
Education	0	0	0	0	0	0	0	0	0	0	0
Health Care	0	0	0	2	0	0	1	0	0	0	3
Succession	0	0	0	0	0	0	0	0	0	0	0
Political Representation and Participation	0	0	0	0	0	0	0	0	0	0	0
General Discriminatory Practice)	1	1	0	4	0	0	2	1	1	0	10
General Gender Discriminatory Practice (gender related)	3	0	7	1	1	0	1	2	4	1	20
Divorce	0	0	0	0	0	0	0	1	0	0	1
Sexual Offences	3	0	5	4	0	0	0	6	2	4	24
Maintenance	1	0	0	2	0	1	0	0	2	0	6
Defamation.	0	0	0	0	0	0	0	0	0	0	0
Total	17	7	22	23	0	5	9	11	16	8	118



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Complaints received



- Gender Based Violence
- Maintenance
- General gender discriminatory practices
- General discriminatory practice
- Sexual Offences
- Labour
- Health Care

The above provides visual display on the split of the complaints received,
For the first quarter



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Complaints Handling

- ❑ CGE resolved complaints through engagements with the Minister of COGTA, Minister of Social Development and the Minister of Health.
- ❑ Commission resolved general discriminatory matters through engagements with respondents such as Spar and Shoprite.
- ❑ Gender based violence matters were mostly pending at the courts and same is monitored by the department.
- ❑ Most of the complaints relate to gender-based violence, sexual offences and general discriminatory practices.
- ❑ GBV has been in the spotlight since the onset of the lockdown.
- ❑ During the lockdown period, the country observed an alarming increase of reported cases where women, children and elderly persons were raped, murdered, and assaulted with intent to do grievous bodily harm.
- ❑ The Commission has assisted victims of Gender based Violence to access shelters for safety and obtain protection orders where necessary.
- ❑ Access to health care services proved to be a challenge during this period.
- ❑ Women were unable to terminate their pregnancies due to lack of resources.



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Overview of the Organisation

Analysis of access to justice in the cases monitored

- ☐ Access to justice was primarily affected by COVID 19 which resulted in most matters being postponed *sine die*.
- ☐ The closure of courts due to COVID 19 infections resulted in the delays of GBV matters.
- ☐ The rotation of court officials such as clerk of the courts further added delays in the opening of protection order matters.
- ☐ Survivors of gender-based violence further experienced challenges of accessing shelters during the lockdown period.
- ☐ CGE observed that there were Shelters that did not admit survivors that did not test negative for COVID 19 and intervened to ensure that victims of violence could be admitted.



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Analysis of access to justice in the cases monitored

- ☐ Unemployment increased during COVID 19 as a result of job losses and impacts on parents' ability to provide for their children. It is therefore anticipated that in Q2 most complaints will be child maintenance matters.
- ☐ Survivors of GBV experienced challenges of accessing shelters during the lockdown period.
- ☐ It is trite that access to justice is central element of Sustainable Development Goal (SDG) 16 and further crucial to implementing the other SDGs goals including but not limited to Goal 5 which states that women, who often face multiple forms of discrimination, violence and sexual harassment, are particularly affected by legal exclusion.



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Progress n Performance Information per strategic objective 3



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Annual target	Quarterly target	Progress
Updated status report on the country's response to addressing and combatting GBV taking into account new commitments made	Project plan on identifying the issues and institutions to be monitored	In 2018/9, the then Department of Women in the Presidency introduced a draft Gender Responsive Budget Framework (GRBF) to be adopted and implemented by all government national government departments as of 2020. This project will examine and analyse the framework, and assess progress in the framework's implementation across government departments at national level. The project has commenced and field work activities are underway.



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Annual target	Quarterly target	Progress
An assessment report on 6 months GBV Emergency response plan (ERAP)	An assessment report on 6 months GBV Emergency response plan (ERAP)	<p>Government departments tasked with implementing aspects of the ERAP were formally approached to provide accurate data on their performance information, target met or missed or work ERAP activities currently underway.</p> <p>Many departments failed to respond (possibly due to Covid 19 restrictions). The Office of the CEO has issued formal correspondence, indicating that a notice to appear will be issued should the department fail to respond to CGE's request for ERAP information. Other departments responded but provided incomplete information.</p>



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Annual target	Quarterly target	Progress
An assessment report on 6 months GBV Emergency response plan (ERAP)	An assessment report on 6 months GBV Emergency response plan (ERAP)	<p>Government departments tasked with implementing aspects of the ERAP were formally approached to provide accurate data on their performance information, work ERAP activities currently underway. Many departments failed to respond (possibly due to Covid 19 restrictions).</p> <p>The CGE has issued formal correspondence, indicating that a notice to appear will be issued should the department fail to respond to CGE's request for ERAP information. Other departments responded but provided incomplete information.</p> <p>Due to the delays caused by slow or even lack of responses from government departments in submitting information requested from them, the activity could not be achieved/completed in the first quarter as planned. This activity will be continued and completed in the second quarter. Where government departments fail to supply the requested information, formal CGE processes will be invoked and notices to appear will be issued.</p>



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Annual target	Quarterly target	Progress
A status report on the country's response to addressing, to enable and sustain women empowerment	A project plan on assessing the GRP Framework	In 2019, the CGE carried out a research programme activity to assess government's responses to the scourge of gender based violence in the country. As part of its response, government set up the Interim Steering Committee on GBVF to steer the process of implementing some of the key outcomes/resolutions of the Presidential Summit Declaration, particularly the establishment of the permanent structure to coordinate GBVF in the country. In the new Financial Year (2020/21), the project continues to assess the government's plans, programmes and related activities to combat gender based violence in the country.



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Annual target	Quarterly target	Progress
Male circumcision	A project plan on male circumcision	<p>The project will study the factors that lead to the emergence and sustenance of the initiation schools, their accompanying practices and the role/purpose they serve in the communities where they exist.</p> <p>During this quarter a project concept document was drafted and completed, identifying some of the key focus areas and institutions to be assessed. A project Work Plan was drafted and completed, project research instruments were drafted and completed and project field work activities are currently underway.</p>



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Annual target	Quarterly target	Progress
A report on fatherhood and the rights of fathers	A project plan on fatherhood and the rights of fathers	<p>.</p> <p>The study seeks to examine/assess, among others, whether or not economic/financial disadvantage affects the ability of fathers to exercise their fatherhood rights. During this quarter, A project concept document was drafted and completed, identifying some of the key focus areas and institutions to be assessed. Work Plan was drafted and completed field work activities are currently underway.</p>



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Conclusion

The above represents a summary of work done relating to service delivery by the institution for the period April to June 2020. The Commission continues to occupy strategic spaces on strategic gender equality issues. The Institution has put measures in place to ensure that regulations and protocols are followed to comply with the disaster management Act and ensure any risk that may ensue is averted.



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Thank you for your time

HAVE A GENDER RELATED COMPLAINT ?????

REPORT IT TO

0800 007 709
Twitter Handle @CGE_ZA