



INTRODUCTION

Reasons for petitioning the Select Committee:

- Submission of 2 petitions to the President pertaining to GBVF over the past **2 years**, which collectively gained nearly **1 million signatures**.
- Neither petition resulted in a response from the Presidency despite undertakings to do so within between **7 days and 3 weeks**, and despite follow-ups. We have approached the Select Committee as a **last resort**.



INTRODUCTION

Two petitions to President:

- *Petition 1*: Laura-Lee Gillion and SA Women Fight Back handed over petition to Presidency on **6 March 2020** asking for fulfilment of **16 undertakings** made by President in September 2019.
- *Petition 2*: The Embrace Project handed over petition to Presidency on **30 August 2021** calling out the government's lack of **political will** to combat GBVF and asking the President to account for the **rising rate of GBVF**, poor implementation of **legislation**, and the Presidency's **Emergency Response Action Plan on GBVF ("ERAP")**. He was also asked to account for the **Commission for Gender Equality's report** on ERAP released in April 2021, as well as the **UN Committee on the Elimination of Discrimination against Women's report** on domestic violence in South Africa released in May 2021.

We will now take the Select Committee through each of the two petitions in more detail.



PETITION 1

Petition 1 was started by Laura-Lee Gillion during her Honours year at the University of Cape Town in 2019. See **annexure B** to the collective petition before the Select Committee.

Aim of the petition:

- **State-level address** of GBVF in South Africa,
- Addressing **toxic patriarchal values** embedded in society,
- And measures that ensure **gender justice**.
- Over **800 000 signatures** from those who share this sentiment.
- Femicide in South Africa is still **5x the global average** rate



PETITION 1

Petition 1 incorporated the **16 promises** that the President made with regards to changes that would be made to help fight and eradicate GBV in South Africa when he spoke in front of our nation. The President's address was distilled into these 16 promises by SA Women Fight Back as follows:

1. To ensure that **measurement and monitoring** is in place and executed and that collated monthly updates are **transparent** to the nation.
2. **Speed up** the intended **progress** on the delivery of the President's promises and the outcomes of the draft Gender Based Violence and Femicide Strategic Plan. This is over a year overdue.
3. **Review the laws** that impact on the criminal prosecution of domestic violence and sexual offences perpetrators.
4. Immediately and without fail set up the remaining **10 sexual offences courts** as promised before the end of the financial year.



PETITION 1

5. Prioritise the publication of the **sexual offences register** and the availability of this register to critical and interested bodies as a 3 month emergency project.
6. Give the justice department the mandate to urgently review current **sentencing conditions** for sex offenders specifically pertaining to no bail and life without parole as an absolute priority.
7. Revoke the **bail** of current awaiting trial, accused sex offenders and murderers, who are currently also out on bail for any previous charge.
8. Expedite and prioritise all current **murder and sexual offences cases** and review the cases (whether current or closed) lodged with **IPID** during the past 36 months.
9. Review the current **prisoners** in the correctional services system separating known gang members, sex offenders and murderers from other criminals.
10. introduce a system of “**Read and Report**” where the prisoners’ monthly stipend is dependent on the number of books the prisoner has read as a reform tactic.



PETITION 1

11. All SAPS station commanders that have not set up an acceptable **Victim Protection rooms** or sufficient counselling partnerships for victims of domestic violence and GBV, and who have not implemented the **Ministerial 6 Point Plan** from 2015 must be held accountable.
12. Reconfirm the mandate to all SAPS offices that they may and should call on NGO's for **victim counselling training** from station level.
13. Hold to account those SAPS stations that are **not dealing with domestic violence cases** in the **prescribed manner**.
14. Hold to account those officers of the court who are **not fully advising victims of their rights** when seeking a **protection order**.
15. Implementation of a programme such as **No Means No** in all schools and colleges in SA to be implemented in the 2020 school year.
16. Incentivise and call on all **sporting bodies** and mandate the Minister of Sports to implement **GBV awareness drives** and young peoples mentorship programmes and fund raisers throughout South Africa.





PETITION 2

- **Annexure C** of the collective petition.
- The petition calls out the President, and his government, for their **lack of political will** to combat GBVF, and asks that he account for the following:
 - The rise in the rate of GBVF despite legislative and policy reform at **110 reported cases of rape** daily and **140 reported cases of sexual offences** per day according to the latest crime statistics (up from even pre-COVID statistics).

Republic of South Africa

Republic of South Africa

Republic of South Africa
April to June 2021_22

CRIME CATEGORY	April to June 2017_18	April to June 2018_19	April to June 2019_20	April to June 2020_21	April to June 2021_22	Count Diff	% Change
CONTACT CRIMES (CRIMES AGAINST THE PERSON)							
Murder	4 859	4 668	5 398	3 466	5 760	2 294	66,2%
Sexual Offences	11 526	11 387	12 094	7 296	12 702	5 406	74,1%
Attempted murder	4 492	4 429	4 575	3 487	5 145	1 658	47,5%
Assault with the intent to inflict grievous bodily harm	37 336	37 564	37 425	22 064	37 530	15 466	70,1%
Common assault	35 727	36 024	36 185	25 995	39 406	13 411	51,6%
Common robbery	12 336	12 711	12 885	6 469	10 701	4 232	65,4%
Robbery with aggravating circumstances	34 545	34 332	35 705	21 599	33 876	12 277	56,8%
Total Contact Crimes (Crimes Against The Person)	140 821	141 115	144 267	90 376	145 120	54 744	60,6%
TOTAL SEXUAL OFFENCES							
Rape	9 237	9 018	9 737	5 805	10 006	4 201	72,4%
Sexual Assault	1 499	1 625	1 668	1 070	1 900	830	77,6%
Attempted Sexual Offences	463	451	454	271	514	243	89,7%
Contact Sexual Offences	327	293	235	150	282	132	88,0%
Total Sexual Offences	11 526	11 387	12 094	7 296	12 702	5 406	74,1%

Crime statistics for 1st quarter 2021: released on 20 August 2021



PETITION 2 - Accountability

- Poor, or total lack, of implementation of the **Presidency's Emergency Response Action Plan on GBVF (ERAP)** based on a report by released by the Commission for Gender Equality in April 2021. Report is **annexure D** to this collective petition.
 - ❖ According to the report, departments such as the Presidency were completely uncooperative when the Commission for Gender Equality (a Chapter 9 institution) requested vital performance information for its report. Unresponsiveness of the Presidency is an institutional issue.
 - ❖ Out of **81** targets in ERAP, **51** were not achieved, with **12** targets only partially achieved.
- The South African government's **systematic and grave violation** of Article 8 to the Optional Protocol of the international Convention on the Elimination of All Forms of Discrimination Against Women (**CEDAW**) according to a report released by the UN Committee on the Elimination of Discrimination Against Women in May 2021. Report is **annexure E** to this collective petition.
 - ❖ Systematic violation of CEDAW means the government **knowingly omitted** to take measures to effectively respond to the obscene rates of domestic violence and femicide in South Africa (p20 of annexure E).



PETITION 2 – *Letter to the President*

- Prior to the petition hand over, The Embrace Project sent a letter to the Presidency on 9 August 2021. See **annexure F**.
- A response was received from the Presidency on 11 August 2021 stating that The Embrace Project should refer the letter (and consequently the petition) to the Department of Women, Youth and Persons with Disabilities. See **annexure G**.
- The Presidency's passing off of responsibility to another Department was challenged in two emails sent on 11 August 2021 (see **annexure H**) and a letter dated 30 August 2021 (see **annexure I**) which was handed over to the Presidency on the same day as the petition.



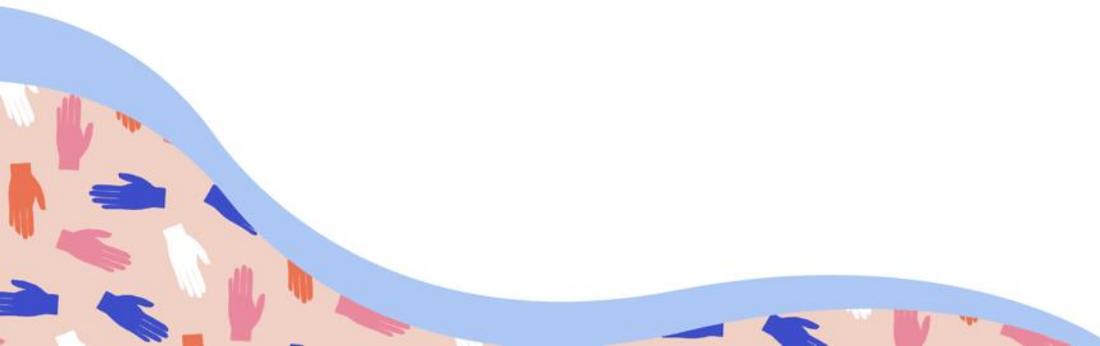
PETITION 2 – *President: the appropriate functionary*

- The Embrace Project considers the President to be the **appropriate functionary** to receive its petition for the following reasons:
 - ❖ **National policies** aimed at responding to GBVF (ERAP and the National Strategic Plan on GBVF), as well as the **GBVF Response Fund 1**, all emanated from the Office of the Presidency and therefore fall within its **mandate and core business**.
 - ❖ **Bills** impacting GBVF that were introduced to Parliament in 2020 currently sit with the President for **assent**.
 - ❖ The Department of Women, Youth and Persons with Disabilities to whom we were referred is but one of **twenty-two governmental stakeholders** referred to in the national policies (ERAP), and thus its Minister is not the appropriate functionary.
 - ❖ The President, as the **head of state**, is responsible for the **coordination and cohesive** governmental response to GBVF (which multifaceted), and thus is the appropriate functionary.
 - ❖ If the response to GBVF is to be truly **prioritised** as this country's "second pandemic", then it would follow that the President, who is currently the head of the National Coronavirus Command Council would also head up the GBVF response.



PETITION 2 – Handover

- Petition gained over **28000** at the time of handover and now has almost **35000** signatures.
- Handed over to the Presidency at the Union Buildings on **30 August 2021**. Undertook to respond to both the petition and letter dated 30 August 2021 (annexure I) within **7 to 14 days**.
- No response to date, despite follow-ups. Refer to **annexure A**. Followed up on **20 September 2021** with an email, phone calls and text messages; **22 September 2021**; and again on **3 November 2021**. No response to phone calls, text messages or emails, let alone the petition.

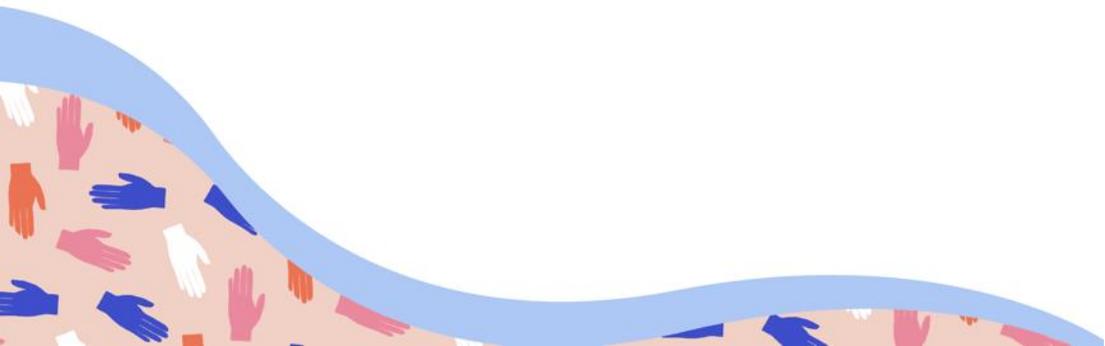




REQUEST

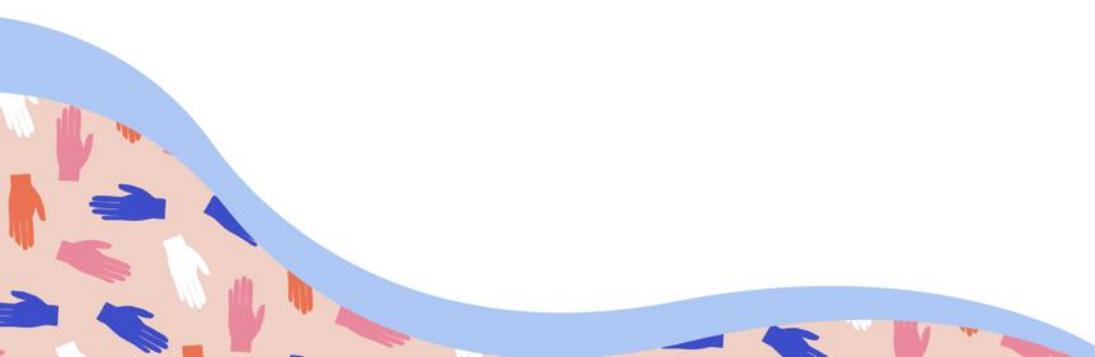
The Petitioners make the following requests of the Select Committee:

1. That the Select Committee questions the Presidency on the **dereliction of its duty** to acknowledge and respond to the South African public that it serves by:
 - ✓ disregarding petitions handed over to it,
 - ✓ ignoring any attempts to contact it, and
 - ✓ disregarding the requests of a Chapter 9 institution (which has an oversight function), such as the Commission for Gender Equality.
2. That the Select Committee requests that the President account for the South African government's **lack of political will** to combat GBVF based on the content and detail contained in each of the two petitions handed over to it, as outlined in this presentation.



CONCLUSION

South Africa has been named the **number one most dangerous country in the world for women in 2021** by the World Population Review, yet the government, and head of state, do not seem to be dealing with GBVF with the requisite urgency and priority that it requires so we ask that this Committee exercises its oversight function, and ensures that they do.





@theembraceprojectza
www.theembraceproject.com



@sawomenfb
www.sawomenfightback.com