



Wathint' Abafazi Wathint' Impokodo



Strike a Woman, Strike a Rock

Let's Use Our Voice!

POST OFFICE TO PARLIAMENT

We, the people of South Africa, write to you, our government today.

We who are women, children and LGBTQIA+ persons know too well the effect of Gender-Based Violence upon our homes and our children. We who are not survivors know how our communities suffer. For us, Gender-Based Violence is violence against all in South Africa.

We know that:

- * That homes will be broken up when Gender-Based Violence is left unchecked.
- * That women, children and LGBTQIA+ people will be exposed to humiliation and degradation at the hands of violent perpetrators.
- * That women, children and LGBTQIA+ people will lose their right to move freely from one place to another while in fear of Gender-Based Violence.

We, the people of South Africa, call upon our government to take meaningful action by convening the National Council on Gender-Based Violence and femicide.

We shall not rest until we have won for our children their fundamental rights of freedom, justice and security.



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To The Honourable Minister Maite Nkoana-Mashabane and Team,

We the people of South Africa have written to you today once again to ask for change. We ask for you as our leaders take decisive action against Gender-Based Violence. You have not honoured the promises made to us two years ago and the cost has been the lives of our women, children and LGBTQIA+ people.

Since 2018 the executive has been tasked with establishing a National Council on Gender-Based Violence and Femicide. The Department of Women, Youth and Persons with Disabilities specifically was tasked with this in March of 2020. And to this day, more than a year later no Council has been established.

Instead, delays, bureaucracy and corner-cutting have left the people of this nation vulnerable and helpless.

We ask you, our leaders, to deliver on your promises.

We are tired and we are desperate. We have lost too many lives to this silent pandemic. The time for change is long overdue.

We demand that you urgently establish the National Council on Gender-Based Violence and Femicide in line with the National Strategic Plan. We demand that civil society is properly represented on this Council and that the appropriate legislation is put in place to ensure the transparency and accountability of this Council.

Finally we ask that you think of our nation and its future when you act.

***Yours Faithfully,
Concerned Citizens of South Africa***



*Wathint' Abafazi
Wathint' Impokodo*



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REPUBLIC OF SOUTH AFRICA

(Form of Petition to Parliament)

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF PARLIAMENT

OF THE REPUBLIC OF SOUTH AFRICA

IN PARLIAMENT ASSEMBLED

The Petition of the undersigned

Post Office to Parliament Campaign Task Team, Cape Town.

The contact details of the petitioners for purposes of this petition are that of:

Emily O’Ryan (P2P Project Manager)



Sarah Sydenham (Petition Drafter)



Uyinene Mrwetyana Foundation (Supporting Organisation)

Representatives: Samkelo Mngadi and Masimbulele Buso





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Petition: A National Council on Gender-Based Violence and Femicide has not been established to implement the National Strategic Plan on Gender-Based Violence and Femicide, as committed since at least 2019.

Respectfully sheweth that:

We, the Post Office to Parliament Task Team in collaboration with the Uyinene Mrwetyana Foundation are requesting that the Portfolio Committee on Women, Youth and Persons with Disabilities and the Portfolio Committee on Justice and Correctional Services urgently intervene. We request that these Portfolio Committees ensure that the National Council on Gender-Based Violence and Femicide (NCGBVF) is established as per the National Strategic Plan on Gender-Based Violence and Femicide (NSP-GBVF). Furthermore, we request that the Portfolio Committee on Justice and Correctional Services, the Portfolio Committee on Police, the Portfolio Committee on Public Service and Administration and the Portfolio Committee on Social Development ensure the involvement of their respective executive bodies¹ as per the NSP-GBVF in this process.

After the 2018 Presidential Summit on Gender-Based Violence and Femicide, an Interim Steering Committee (ISC) was established with the specific mandate to develop and implement responses to combat Gender-Based Violence and Femicide (GBVF) through the National Strategic Plan (NSP). The NSP envisions: “A South Africa free from Gender-Based Violence directed at Women, Children and LGBTQIA+ persons.”² To effect this vision, the ISC was charged with the task to establish a national coordinating body on GBVF, the National Council on Gender-Based Violence and Femicide (NCGBVF).³ The ISC was unable to do this before its mandate expired in March 2020.⁴

This duty was then transferred to the Department of Women, Youth, and Persons with Disabilities (DWYPD) in March 2020.⁵ Establishing the NCGBVF must be done in line with

¹ Department of Police, Department of Public Service and Administration and Department of Social Development.

² National Strategic Plan on Gender-Based Violence and Femicide, 2020, p3.

³ Declaration of the Presidential Summit on Gender-Based Violence and Femicide, 2018, Article 3.

⁴ Commission for Gender Equality, One Step Forward Three Steps Back, Assessing Current Government's Responses And Interventions to Combat Gender-Based Violence and Femicide In South Africa, 2021 p.12.

⁵ Commission for Gender Equality, One Step Forward Three Steps Back, Assessing Current Government's Responses And Interventions to Combat Gender-Based Violence and Femicide In South Africa, 2021 p.12.



Wathint' Abafazi Wathint' Impokodo



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the parameters of the NSP-GBVF. These parameters have indicated that Civil Society Organisations (CSOs) would make up 51% of the Council and that there would be a legislative framework for the Council to ensure accountability and transparency.⁶ The DWYPD has instead moved to establish a Board of Trustees which they have described as a temporary executive body who will then be tasked with establishing the NCGBVF.⁷ The Commission for Gender Equality has noted that the conduct of the DWYPD and the proposed structure and functions of the Board are concerning for many reasons.⁸

The DWYPD has proposed that the board of trustees will be a temporary body meant to establish the NCGBVF however the “Terms of Reference”⁹ put out by the DWYPD indicate otherwise. This document does not state that the trust is an interim body with a finite mandate or that it will disband once the NCGBVF has been established. Rather its functions seem to indicate that it is a permanent body which the Council will be structured around. The board seems to be an alternative to the council rather than the body tasked with establishing the council. The functions of the board as per the terms of reference place no obligation on the board to establish the NCGBVF, instead the functions are exactly those that the NCGBVF would be fulfilling. The functions and permanence of the Board indicate that it will likely become a replacement for the NCGBVF.

This is incredibly concerning as the Board, unlike the NCGBVF, would not be established by enabling legislation. This means that the board has far less accountability and transparency than the NCGBVF is intended to have. The structure of the board also relegates CSOs to a subordinate position to government officials contrary to the intended structure for the NCGBVF set out in the NSP-GBVF.¹⁰

The establishment of this board is an attempt to circumvent transparency, accountability and the valuable input of civil society, as such we implore the legislature to urgently intervene on this matter. Section 55(2) read with Section 92(2) of the Constitution and Rule 227(1)(b) of

⁶ National Strategic Plan on Gender-Based Violence and Femicide, 2020, p.58.

⁷ Commission for Gender Equality, One Step Forward Three Steps Back, Assessing Current Government's Responses And Interventions to Combat Gender-Based Violence and Femicide In South Africa, 2021 p.13.

⁸ Commission for Gender Equality, One Step Forward Three Steps Back, Assessing Current Government's Responses And Interventions to Combat Gender-Based Violence and Femicide In South Africa, 2021 p.24-26.

⁹ Terms of Reference for the Appointment of Civil Society Representatives to serve on the National Council on Gender-Based Violence and Femicide (NCGBVF) Board of Trustees. Available at: <http://www.women.gov.za/images/GBVF/NCGBVF-Board-of-Trustees---Terms-of-Reference.pdf>.

¹⁰ Commission for Gender Equality, One Step Forward Three Steps Back, Assessing Current Government's Responses And Interventions to Combat Gender-Based Violence and Femicide In South Africa, 2021 p.16-18.



Wathint' Abafazi Wathint' Impokodo



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the National Assembly Rules place an obligation on the National Assembly to maintain oversight over the exercise of executive powers and hold the executive accountable.

We urge the National Assembly to fulfil its constitutional obligation to hold the executive accountable for its actions. The Department of Women, Youth and Persons with Disabilities has not only shirked its responsibility to establish the NCGBVF and attempted to circumvent the directives of the NSP-GBVF. The DWYPD was mandated to establish the NCGBVF on 1 March 2020 and almost a year and a half later little to no progress has been made, all while thousands of lives have been lost to GBV.

We request that the Portfolio Committee on Women, Youth and Persons with Disabilities take the appropriate measures to oversee the DWYPD's establishment of the NCGBVF. We request that the PCWYPD act swiftly and use all measures available within their powers to hold the executive accountable. We request that the PCWYPD ensure that the NCGBVF is constructed in line with the NSP-GBVF. Specifically, we request that the model structure reflects that envisioned in the NSP-GBVF¹¹ and that the membership of the secretariat is 51% CSOs. The necessary funds for the establishment and operation of the NCGBVF must be made available to ensure the Council is able to implement the NSP-GBVF. Furthermore, we ask that the progress of the NCGBVF and the implementation of NSP-GBVF are made publicly available through the publication of reports.

We request the Portfolio Committee on Justice and Correctional Services to oversee the Department of Justice and Constitutional Development's development of enabling legislation for the NCGBVF. We also request this Portfolio Committee place pressure on the courts to hear the trials of Jesse Hess, Tazne van Wyk and Meghan Cremer.

We request that the Portfolio Committee on Police immediately capacitate DNA and forensic services, particularly in sourcing the chemical solution for analysing DNA. We request the Portfolio Committee on Public Service and Development to conduct a feasibility study on converting the Clareinch Post Office into a Wellness Centre similar to a Thuthuzela Care Centre, given that it is also next to the Clareinch Post Office. We request the and the Portfolio Committee on Social Development exercise the necessary legislative oversight over their respective executive departments while aiding the implantation of the NSP-GBVF and the establishment of the NCGBVF.

¹¹ See organogram at: Commission for Gender Equality, One Step Forward Three Steps Back, Assessing Current Government's Responses And Interventions to Combat Gender-Based Violence and Femicide In South Africa, 2021 p.17.



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We request that the National Assembly hold the presidency and the rest of the executive accountable for the delayed action in establishing the NCGBVF and implementing the GBVF. We urge all sectors involved in these processes to act decisively in ensuring that the fight against GBVF remains a priority for the State. Furthermore, we request that a government body be designated to hold, process and store the letters we have delivered until they can be archived.

Finally, we request that the PCWYPD and the DWYPD conduct a feasibility report on the conversion of the Clareinch Post Office into a wellness centre for survivors of GBV.

Wherefore your petitioners pray that the Honourable Parliament will be pleased to take their case into favourable consideration, and grant such relief as it may deem fit.

And your petitioners, as in duty bound, will ever pray.

(Signatures to follow)



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Sarah Sydenham

Drafter, Post Office to Parliament

Emily O’Ryan

Project Manager, Post Office to
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Samkelo Mngadi

Representative, Uyinene Mrwetyana
Foundation

Masimbulele Buso

Managing Director, Uyinene
Mrwetyana Foundation



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Addendum A

This petition has been endorsed by the following organisations:



**UYINENE
MRWETYANA
FOUNDATION**
TOGETHER IN RESTORING HUMANITY

Uyinene Mrwetyana Foundation



Good Men Foundation



UNIVERSITY OF CAPE TOWN
IYUNIVESITHI YASEKAPA • UNIVERSITEIT VAN KAAPSTAD

University of Cape Town



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UNIVERSITY of the
WESTERN CAPE



University of the Western Cape



FAMSA

MOSAIC

TRAINING SERVICE & HEALING CENTRE

Mosaic



MASIMANYANE WOMEN'S RIGHTS INTERNATIONAL
Celebrating 25 YEARS of FEMINIST ACTION FOR WOMEN'S RIGHTS

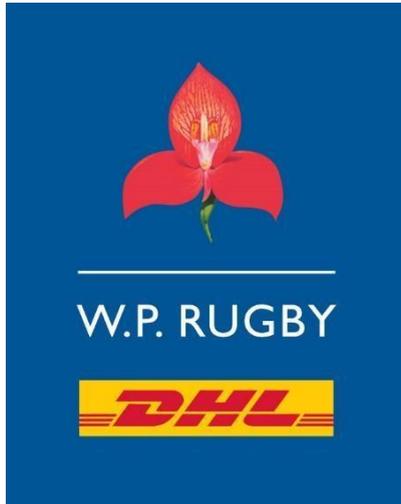
Masimanyane Women's Rights International



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Western Province Rugby



Ahmed Kathrada
F o u n d a t i o n
Deepening Non-Racialism

Ahmed Kathrada Foundation



Woman Zone



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Uy  thandwa

FOUNDATION

- EST 2021 -

Uyathandwa Foundation



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Springboks



Liv Curious