

**Address delivered by the Deputy President, Mrs Phumzile Mlambo-Ngcuka, at the Africa Regional Meeting on Gender Justice, "Advancing Gender Justice in Conflict Affected Countries," Cape Town International Convention Centre (CTICC), Cape Town**

22 March 2007

Programme Director and the Chairperson of the Independent Electoral Commission (IEC), Dr Brigalia Bam  
Minister of Justice and Constitutional Development, Ms Bridgette Mabandla  
Minister of Justice and Gender from Africa and Sweden  
Distinguished guests  
Ladies and gentlemen

I am honoured to be part of this meeting, which draws together Ministers of Justice and Gender from 11 countries that are conflict affected to discuss the crucial issue of gender justice with the main focus being to join gender and justice, strengthen regional co-operation and identify best practices in the continent.

History of human rights culture and South Africa

I am extremely excited that such a meeting coincides with the celebrations of Human Rights Day in our country.

Yesterday our country celebrated the 47th anniversary of the national Human Rights Day, a day that reminds us about the atrocities that were committed against our people on 21 March 1960, where 69 unarmed and defenceless people were killed by police, for protesting against a system of pass laws. It is a day of historic significance for our country, since to a large extent it changed the course of history and struggle.

The events of that day convinced our people that the fight for their freedom will have to change its methods if it were to succeed. It marked an end to peaceful resistance, thus beginning another epochal moment of successfully pursuing the struggle through armed means, international isolation of the apartheid regime as well as underground resistance.

These celebrations are important in our country and as government we were glad to witness that many people in various provinces of our country, participated in these events and commemorated those who lost their lives as victims of violent repression and celebrated progress that we have made in realising human rights and dignity and further reaffirmed our commitment to ensure that these rights are enjoyed by all.

But the importance of our Human Rights Day also lies in the fact that our country was firmly put on the map to develop a human rights tradition, our leaders and our people were convinced that in order to combat such human rights violations they had to fight against a system that promoted the abuse of human rights and never to allow such a system to prosper in future. Our human rights legacy, and our respect for human rights, is built on the blood that was shed in Sharpeville and many other areas of our country where violations of human rights took place.

I believe that this meeting will assist Ministers and high level government representatives to share experiences and thoughts on how best to identify gaps,

challenges and opportunities to further promote gender justice and the participation of women within our various legal systems.

Vital to promoting a programme for gender justice is co-operation on both regional and international levels and strengthening of solidarity within and among countries in Africa.

Women's rights are human rights

In South Africa, we are proud that we have a long history and tradition of integrating issues of gender justice and those of human rights. This year we celebrate over 50 years of such traditions.

We move from a premise that says "women's rights are human rights" since the mid 1950s when the women of our country adopted the Women's Charter of 1954, under the auspices of the African National Congress (ANC) Women's League and the Federation of South African Women (FEDSAW) and other women's organisations the issue of gender justice has been central in our country.

Through equally fighting side by side with men for the liberation of South Africa, women established their place in the history of the South African struggle. They gained respect for the sacrifices they made and the commitment they showed. The women's anti-pass campaign march of 1956 to the Union Buildings, protesting against the extension of passes to women firmly put women at the centre stage of struggle.

Last year, progressive South African women further rededicated themselves to the struggle for women's emancipation when they launched the Progressive Women's Movement in Bloemfontein.

Human rights advances: where are we today?

There are some remarkable advances that we see today, in South Africa, which are a direct result of the struggles that were waged by women over a long period. The advances that we see at a political, social and economic level of South Africa have been gained through struggle and will also be defended through struggle.

Since the attainment of democracy, the role of women of all ages and race groups in society continue to be central. There is progress in areas related to the social wage, housing, education, health and free basic electricity, etc and broader issues to realise gender equity in all spheres of life. South Africa has made great strides within a short time to advance towards the achievement of legislative equality between women and men.

Just less than a third of members of parliament are women; women comprise almost 40 percent of national government ministers and deputy ministers. This has contributed to ensuring access and substantive participation of women in decision making processes at the highest level.

The constitutional, legislative and institutional gains as well as access and participation contribute to an environment and conditions for transformation.

A number of Cabinet positions are led by women today as full ministers or deputy ministers:

- \* Minister of Communications, Dr Ivy Matsepe-Casaburri
- \* Minister of Agriculture and Land Affairs, Lulu Xingwana
- \* Minister of Education, Naledi Pandor
- \* Minister of Foreign Affairs, Dr Nkosazana Dlamini Zuma
- \* Minister of Health, Dr Manto Tshabalala-Msimang
- \* Minister of Home Affairs, Nosiviwe Mapisa-Nqakula
- \* Minister of Housing, Lindiwe Sisulu
- \* Minister of Justice and Constitutional Development, Bridgette Mabandla
- \* Minister of Minerals and Energy, Buyelwa Sonjica
- \* Minister of Public Service and Administration, Geraldine Fraser-Moleketi
- \* Minister of Public Works, Thoko Didiza.

Deputy Ministers:

- \* Deputy Minister of Arts and Culture, Ntombazana Botha
- \* Deputy Minister of Correctional Services, Loretta Jacobus
- \* Deputy Minister of Environmental Affairs and Tourism, Rejoice Mabudafhasi
- \* Deputy Minister of Foreign Affairs, Sue van der Merwe
- \* Deputy Minister of Health, Nozizwe Madlala-Routledge
- \* Deputy Minister of Provincial and Local Government, Nomatyala Hangana
- \* Deputy Minister of Safety and Security, Susan Shabangu
- \* Deputy Minister of Social Development, Dr Jean Benjamin
- \* Deputy Minister of Trade and Industry, Elizabeth Thabethe.

However, despite all the laws that have been passed in the past 13 years and the elevation of women to powerful positions in government of which we are eternally grateful for the vision, dedication and the role of President Thabo Mbeki, "the state and the place of women in our country has not changed fundamentally." The bulk of ordinary women still face abuse from men. Women and children are generally not safe in South Africa.

I believe that women who are in powerful positions have also not done enough to ensure that the conditions of women are drastically improved. We have not done much to empower women who are on the margins of society. All of us can and must aim to make a difference. We were nurtured and tolerated by many other people, our peers and older women.

We must create room for younger women and in all walks of life to allow them to lead and contribute. Let us mentor those who are younger, above all, let's forget about fighting for positions and focus on much needed service. A clear and good example has been set by the women of 1956 who declared that "we must lift as we climb!"

We have outlawed patriarchy and racism but they still rear their ugly heads in our country. The classical definition of patriarchy is "a social system in which men have all the power." In South African men do not quite have all the power yet patriarchy still exists and it bites! It is particularly so as we battle against an economic system with a racial and sexist foundation. Patriarchy is very vicious on the poorest woman with limited capacity to defend herself, at home and in her community.

The levels of women and child abuse in our country has also reached unacceptable levels and many women who have borne the brunt of abuse have reached a crunch point where they are no longer prepared to take further abuse.

We are beginning to see scenes of this discontent when women retaliate and some kill the spouses who abuse them. The situation has almost reached a boiling point. This evidently cannot be the society that the women marchers of 1956 fought for. It clearly is not the kind of South Africa that the Freedom Charter envisaged.

The situation of women and child abuse is deteriorating by the day. We understand that South Africa is not a country at war yet the treatment of women and children seems to conflict that thought. For women and children in South Africa and in other parts of the world, this absence of war does not amount to peace.

It is for this reason that in our country we launched the 16 Days of Activism for No Violence Against Women and Children Campaign, which we have now transformed to 365 Days For No Violence Against Women and Children.

This campaign has raised awareness about the plight of women and children, but it still needs to be strengthened further so that it is a campaign that runs for the whole year with tangible and practical daily actions that show that we do not tolerate violence against women and children.

We are also mobilising good men who do not abuse women and children to take their good behaviour a step further by ensuring that they understand that it is not enough not to be involved in acts of abuse, but that they also have a responsibility to play an active role in working against those who abuse women.

By being silent when they see acts of abuse being committed these, men are also contributing and perpetuating abuse in our society. We need good men to come out openly and act against abuse when they see it happening.

#### South Africa and the globe

Consistent with its constitutional goal, South Africa acceded to a number of sub-regional, regional and international instruments promoting gender equality; among them is the South African Development Community (SADC) Declaration on Gender and Development and its Addendum, The Dakar Plan of Action (DPA); the Beijing Platform for Action (BPA); the Convention on the Elimination of Discrimination Against Women (CEDAW), which provide a framework for monitoring progress across the critical areas identified as vital to the eradication of entrenched gender inequality.

#### Eradicating violence against women and children

A specialised unit was set up by our criminal justice system to ensure that apparent impunities against violent crimes against women and children are eradicated, that government and non-government organisations (NGOs) collaborate in prevention and support programmes and also to ensure age appropriate management of young offenders within the criminal justice system. This is the sexual offences and community affairs unit.

Through enhancing innovation in our people, an inter-departmental management team tasked by Cabinet to develop the anti-rape strategy, led by the sexual offences and community affairs unit of the National Prosecution Authority (NPA), have come up with an excellent model for addressing offender accountability and that is the Thuthuzela Care Centre and Dedicated Court Model.

To deal with the issue of the rights of girls to education we have in our country the Schools Act which makes it compulsory for every child below 15 years to be at school. This helps us to transcend the Millennium Development Goals (MDGs) targets with respect to access to education by girls. We also try to protect children from exploitation by educators, hence our parliament passed the Employment of Educators Act which allows us to hold offending educators accountable.

#### Meeting of the MDGs

Africa has been identified as one of the regions that may not meet most of the MDGs. As we know, three of the eight MDGs deal directly with the wellbeing of women and children. If indeed the prediction is true, there has to be a 'plan b' that will ensure that the lot of women and children changes. We cannot just throw our collective hands into the air in desperation. Africa cannot allow the majority of its citizens to constantly live in fear and for their safety especially when this abuse gets perpetuated by those they love, care about and trust.

The Justice, Crime Prevention and Security Cluster of departments and agencies has developed a Victims Charter to ensure standardised access for the length and breath of the South African criminal justice system. The Charter is in the last stages of finalisation.

In conclusion, I hope that this critical meeting on gender justice will take the issue of women's rights as human rights a step forward and will help all the participants will learn and share their experiences with a view of learning from each other so that gender issues are taken seriously especially in our continent.

I thank you!

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