



GENDER POLICY



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GENDER POLICY FOR DEPARTMENT OF WATER AFFAIRS AND FORESTRY

The 27 April 1994 ushered in a new era for South Africa, an era of democracy, justice and openness. The new order signalled the end of legislated discrimination on the basis of race and gender. The new Constitution guarantees that the State may not unfairly discriminate directly or indirectly against anyone on grounds of gender or sex. It also, however, states that legislative and other measures may be taken in order to achieve equality and to protect or advance people who were historically disadvantaged by discrimination.

Several mechanisms have been put in place in South Africa in order to ensure that the battle for gender equality is taken forward with due commitment. The establishment of a gender desk in the Deputy President's office and the establishment of a national Gender Commission are two of these mechanisms.

Within the Department of Water Affairs and Forestry we have made clear our commitment to the issue of gender equality and the empowerment of women. This comes in the wake of a patriarchal tradition of water management in the State: A tradition in which women were considered inferior in the workplace; a tradition in which the rank of Director was the highest level to which a woman was likely to rise.

It comes in the wake of a patriarchal tradition outside the State workplace; a tradition in which community decisions are often made by men although they might impact most directly on women; a tradition in which women spend their time in rural areas fetching water from far off springs and rivers while men make the decisions about water supply; a tradition in which women headed households are the poorest of the poor and suffer the worst impacts from poor water quality and availability.

The White Paper on National Water Policy states that: "The development of women in relation to water management is important for a number of reasons. Women are the traditional custodians of natural resources in the rural areas, and they are also the people who suffer most from degradation of water and other natural resources. It is important that women are represented at all levels and in all spheres of water management activities, in political, technical and managerial positions. The State must make sure that rural women have equal access to economic opportunities and enjoy adequate living conditions in relation to water supply and sanitation. In short, we support the feminisation of water management."

This gender policy is the next step in the commitment of the Ministry of the Department of Water Affairs and Forestry to the feminisation of water management. It outlines a policy for gender sensitive water management both inside and outside the Department. It commits us to the path of capacity building and development for women. It commits us, as men and women, to working out joint solutions to the problems of gender discrimination.

The next step will be to develop a programme of action based on this policy. The combination of this policy and a concrete programme of action will carry us into the new century with our heads held high in the battle against discrimination. These two documents will ensure that the Department of Water Affairs and Forestry contributes to the building of a non-sexist South Africa.

Prof Kader Asmal MP
Minister of Water Affairs and Forestry

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RATIONALE

The Minister and the Department of Water Affairs and Forestry, recognising that gender discrimination is an historical and present fact, have committed themselves to the promotion of gender equality in the supply and management of water, sanitation and forestry. Therefore, the provision of all services will conform to the principles of gender equality enshrined in the Constitution. Employment and conditions of service within the Department must conform to these same principles of gender equality.

It is also recognised that the various practices of gender discrimination have served to perpetuate the subordination and oppression of women relative to men. Therefore, this policy is directed at redressing the imbalances of the past, and promoting the process of women's advancement and empowerment. This will involve some basic changes in those customs and traditions which presently entail and reinforce discriminatory practices.

In addition to the human rights aspect of gender discrimination, there is also the economic need for better utilisation and development of human capital. Many people, especially women, spend hours every day carrying water or woodfuel. A public investment in improved water and fuel technology, and development of skills in this area, holds the prospect of liberating women from such inefficient and unrewarding labour. This will provide time for more productive and fulfilling activities.

The principle of gender equity has been stated in the various policy statements published by the Department over the past four years. This present document takes this gender equity principles, and identifies its policy implications for all aspects of the Department's operations. This entails identifying major gender issues affecting Water Affairs and Forestry, and setting out the goals and objectives for addressing these issues. It also entails establishing the institutional machinery within the Department to ensure a continuing management capacity to recognise and address gender issues. This is an essential contribution towards the larger process of national transformation.

INTERNAL AND EXTERNAL GENDER POLICY

It is necessary to distinguish between two distinct aspects of gender policy: *external* and *internal* gender policy. External gender policy refers to the Department's external responsibilities to the community at large in promoting gender equality in all of its activities. By contrast, internal gender policy refers to the Department's responsibility to increase the representation and affirm the value of women in the Department's employ.

These two components of gender policy are distinct, but closely related in practice because :

- ★ consistency demands that the same principle of equal treatment, irrespective of gender, must guide both internal and external policy; and
- ★ implementation of external gender policy depends upon gender sensitivity and responsiveness from within the Department.

LAYOUT OF THE DOCUMENT

The need for this Gender Policy is explained in more detail in Section 2 of this document, which draws attention to the national gender policy context and to the major gender issues which particularly affect the sector of Water Affairs and Forestry.

It is this overall national policy context which determines the gender principles set out in Section 3. In the light of these principles and the gender issues which need to be addressed, Section 4 sets out the policy goals and objectives to ensure future gender equality in the provision of all services.

Section 5 outlines the institutional arrangements in terms of organisational innovation, distribution of responsibilities and formulating a strategic plan for policy implementation.

The concluding Section 6 provides a definition of key terms used in the document.

¹ Definitions of key terms such as "gender equality" are provided in Section 6 of this document.

2.1 THE POLICY CONTEXT

This section draws attention to the wider context which guides DWAF gender policy, looking at law and policy at national and international levels. Further details of this context is provided in Annex 1.

Constitutional Rights and International Conventions

This policy has been guided by the fundamental principles of respect for human dignity and equal rights enshrined in the Bill of Rights of the Constitution. Adherence to principles of gender equality and non-sexism is essential if women and men are to exercise their human rights and freedoms.

Action on gender equality is an integral part of the process of national transformation. This process includes affirmative action to provide all citizens with the opportunity to reach their full potential and to redress the imbalances of the past.

Therefore the principles and goals of this policy focus on the gender element within the transformation process, for Water Affairs and Forestry. In so doing, it is assumed that all the actions proposed in this policy *will conform to the principles of racial equality* which are intrinsic to the transformation process.

In addition to basic constitutional principles, this Gender Policy is also guided by principles set out in:

- ★ *The Reconstruction and Development Programme*, White Paper, Government of the Republic of South Africa, 1994.
- ★ *Women's Charter for Effective Equality*, adopted by the Women's National Coalition in February 1995.
- ★ *White Paper on the Transformation of the Public Service*, November 1995.

The following international conventions and declarations also provide guiding principles for this Gender Policy:

- ★ Protecting the rights of women, as set out in the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) ratified on 15 December 1995.
- ★ Protecting children from gender discrimination, as provided for in Article 2 of the *Convention on the Rights of the Child* (CRC) ratified on 16 June 1995.
- ★ Promoting women's advancement and empowerment, as set out in the *Beijing Declaration and Platform of Action*, the Conference Report of the Fourth World Conference on Women held in Beijing in September 1995.
- ★ Gender orientation of environmental policy, in the *Report of the United Nations*

Conference on Environment and Development the "Earth Summit", 1992. The resulting international agreement for action, known as "Agenda 21", includes a chapter on "Action for Women".

2.2 SECTORIAL POLICIES WITH GENDER REFERENCE

This Gender Policy is consistent with and builds upon, the following policy statements of the Department of Water Affairs and Forestry:

- ★ The White Paper on a *National Water Policy for South Africa* of 1997 states the principle that "the right to equality requires equitable access by all South Africans to and benefit from the nation's water resources and an end to discrimination with regard to access to water on the basis of race, class or gender". (Page 7)
- ★ The White Paper on *Water Supply and Sanitation Policy of 1994*, Section E: Supplementary Policy, Women - the focus of development. (The National RDP Reporting System developed to monitor this policy provides a tool for a general monitoring of the gender division in numbers of people employed in development projects).
- ★ The *White Paper on Sanitation* of 1996 requires an approach aimed at increasing women's participation on sanitation projects.
- ★ The White Paper on *Sustainable Forest Development in South Africa* of 1996, paragraph 3.4: Women in Forestry.
- ★ *DWAF Employment Equity Policy* of 1995 requires gender equity in all aspects of employment.

2.3 GENDER ISSUES

Gender issues are many and vary between cultures and from one part of the country to another. In addition, many gender issues are not yet sufficiently identified. Despite these variations and some lack of data on gender disparities, this Section 2.3 is able to identify the overall pattern of major gender issues which need to be addressed in Water Affairs and Forestry.

Gender issues are a pervasive and integral part of the problem situations which need to be addressed in development programmes. Therefore the main purpose of this Gender Policy is to establish the principles and administrative machinery which will enable the Department to continually recognise and address gender issues.

Because gender issues arise from gender discrimination against women, most of the problems identified here are concerned with aspects of women's subordination and restricted access to resources. Overcoming these imbalances will entail women and men both working together to end gender discrimination.

2.2.1 Gender Issues Affecting External Policy

There is a general pattern of gender discrimination in society which creates a range of problems in the area of water supply, sanitation and forestry as outlined below.

Gender inequality in the burden of labour and its consequences

The burden of labour and responsibilities in carrying water and firewood is borne predominantly by women and girl children. A normal bucket of water weighs 25 kg. In some arid rural areas, it is not uncommon for water to be fetched from more than 5 km away. For a large proportion of people, especially in remote rural areas, fetching water is both back breaking and time consuming.

The work of fetching wood and fuel bring the following consequent social and economic problems which particularly affect women:

- (i) The time available for pressing responsibilities, such as growing crops and preparing food for the family, or for income generating activities is severely limited. This is in a situation where women are overburdened and often under-nourished and typically busy working from dawn to dusk and beyond.
- (ii) Shortage of water and lack of safe water lead to nutritional, sanitation and other health problems. Such problems impact particularly upon women, because of the traditional division of domestic labour which gives women special responsibilities for the health and care of children.
- (iii) As the veld is stripped of wood in the immediate vicinity of settlements, women have to travel further afield for their firewood, sanitation facilities and water. This process results in an ever-increasing burden of labour upon women.

Special problems of rural women

Gender inequality in the burden of labour weighs particularly heavily on rural women because:

- (i) Sources of water and fuel tend to be much further away than in urban and peri-urban areas.
- (ii) Urban migration in search of wage employment leaves rural areas short of male labour. In the age group 20 - 59, 58% of the rural population is female.
- (iii) It is estimated that about 16% of rural households are female headed. Such households are particularly short of labour. They are generally amongst the poorest of the poor, with inadequate shelter and less support. For this group in particular, the labour of fetching water

becomes an intolerable burden.

- (iv) Problems of female heads of household are particularly acute for single mothers, especially those with several small children to care for.

Gender imbalance in decision making

The pervasive pattern of gender imbalance in decision making, both within the home and in public affairs, typically has the following consequences in the area of Water Affairs and Forestry:

- (i) It is more often men rather than women who make the decisions on the allocation of funds regarding provision of water, firewood and sanitation.
- (ii) It tends to be women, rather than men, who have the knowledge and direct experience of the problems arising from shortage of water and fuel.
- (iii) It is women, more than men, who suffer the consequences arising from a shortage of water and firewood.
- (iv) Men have more time for participation in community affairs than women.

These issues point to the great practical importance of involving a greater proportion of women in decision - making at every level, both within the Department and within the wider community.

2.2.2 Gender Issues Affecting Internal Policy

The current overall pattern of gender discrimination is most notably revealed within the Department by the gender gaps in the numbers of people employed by the Department. This gender imbalance is larger at the higher managerial levels, as shown in Table 1.

Gender gaps within Departmental employment may be largely attributed to discrimination against girls and women in the wider society. Particularly important has been a bias against girls' education, both within the home and the school, especially in scientific and technical education.

However, not all of the gender gaps in Departmental employment can be attributed to discrimination in the wider society. The Department is beginning to address internal aspects of discrimination such as:

- (i) Gender discrimination in recruitment, placement and promotions.
- (ii) Conditions of service which take insufficient account of the special needs of women arising from their biological and gender roles.

(iii) Sexual harassment of female employees.

The charts of Division of Departmental Staff by Gender show how the proportion of females has increased in most personnel categories between 1994 and 1997. In the "management" category, the proportion of females has increased from 1,5% to 8%. However, the proportion of females amongst engineers and technicians remains static at about 8%.

The charts of Division of Departmental Staff by Gender and Race look at the same comparison of female representation between 1994 and 1997, but desegregates the figures by "black" and "white" in addition to "female" and "male".

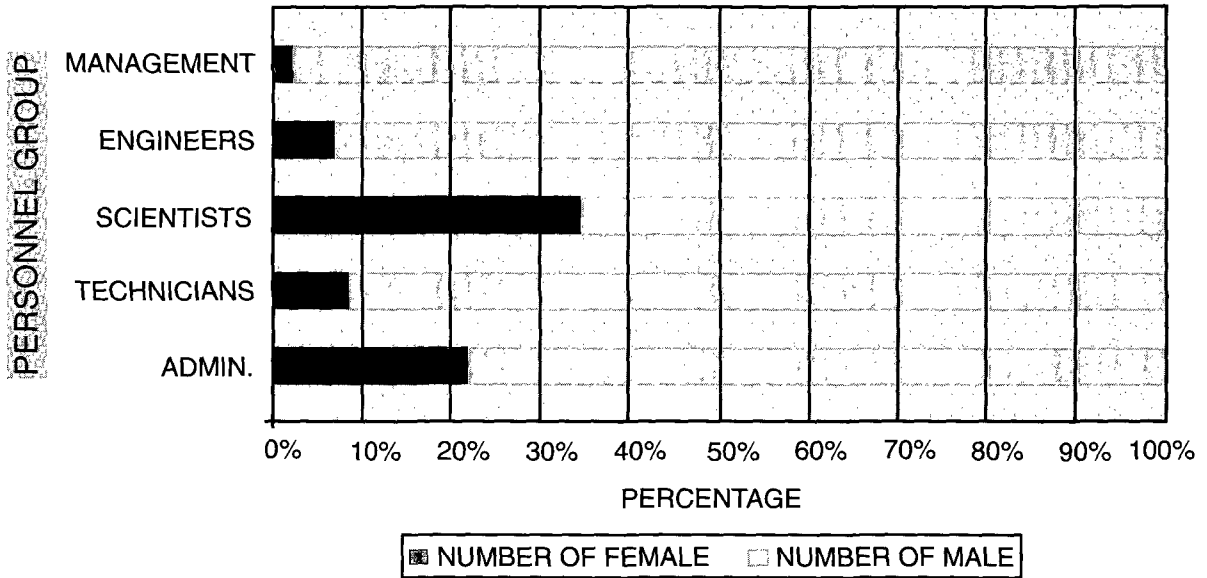
The figures show an overall trend that the increase in black representation is predominantly an increase in the proportion of black males, rather than black females. Similarly the increase in female representation at the higher levels has been predominantly an increase in the proportion of white females, rather than black females.

The figures therefore clearly indicate the need for better progress towards increasing the representivity of black females at the levels of top management, engineers and technicians.

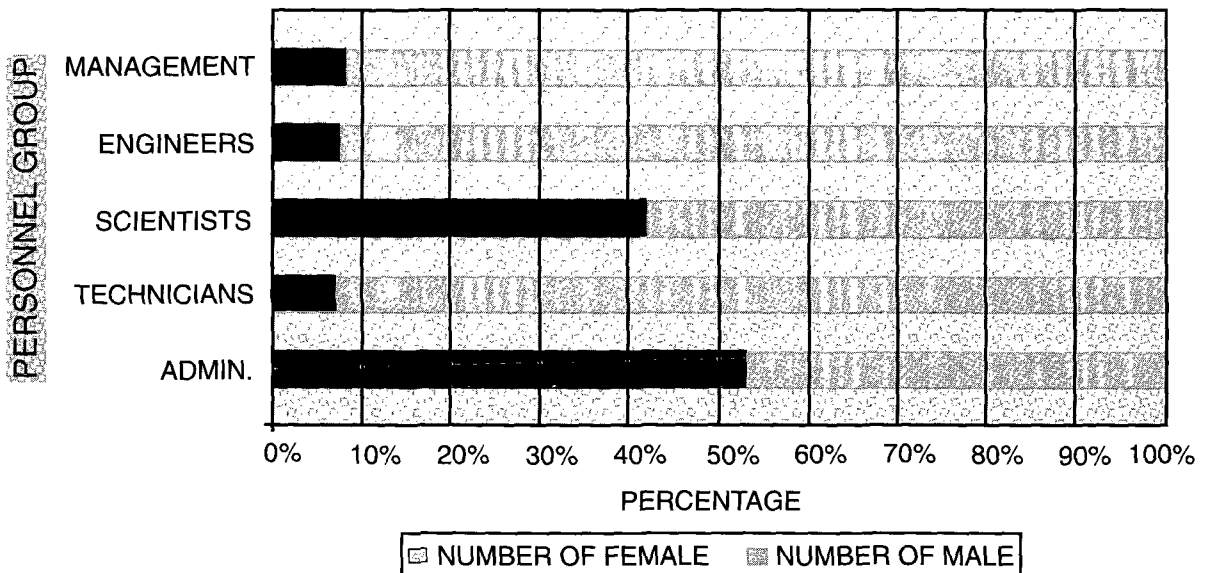
² The detailed figures on which these charts are based may be found at Annex 2.

DIVISION OF DEPARTMENTAL STAFF BY GENDER, 1994 AND 1997

FEMALES AMONG DEPARTMENTAL STAFF DECEMBER 1994

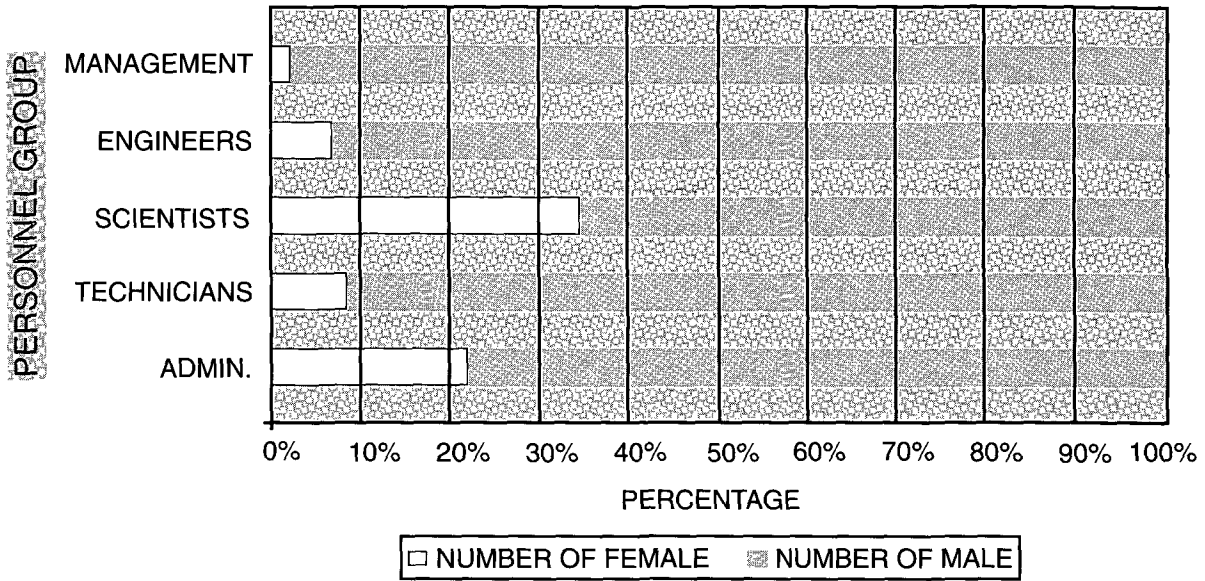


FEMALES AMONG DEPARTMENTAL STAFF SEPTEMBER 1997

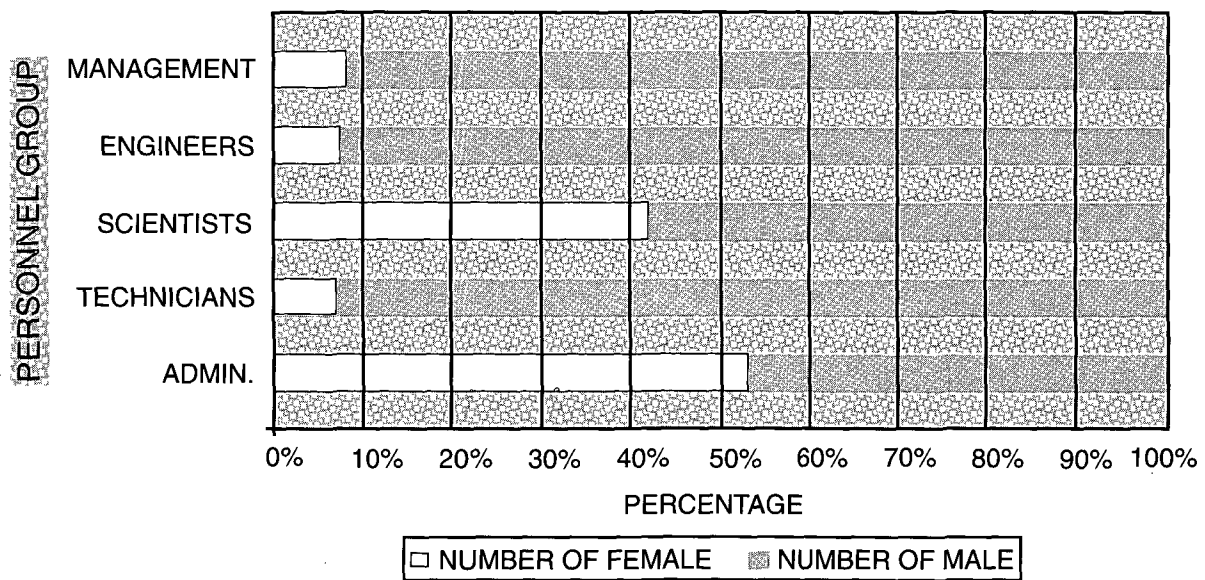


DIVISION OF DEPARTMENTAL STAFF BY GENDER, 1994 AND 1997

FEMALES AMONG DEPARTMENTAL STAFF DECEMBER 1994



FEMALES AMONG DEPARTMENTAL STAFF SEPTEMBER 1997



Accepting the basic assumption that both genders are entitled to equal opportunities and treatment, this Section identifies the main principles which should guide external and internal Gender Policy for Water Affairs and Forestry.

3.1 OVERALL PRINCIPLES OF EXTERNAL AND INTERNAL GENDER POLICY

In order to follow the Constitutional principle of gender equality, the Department commits itself to recognising and addressing the current conditions that mitigate against women taking their full part in society.

Therefore the Department is committed to a programme of action which recognises present gender roles and works to counteract the gender inequities of the past.

This entails ending discriminatory practices and according special recognition and special treatment to women as a means towards redressing the imbalances of the past.

3.2 ADDITIONAL PRINCIPLES GOVERNING INTERNAL GENDER POLICY

In addition to the above general principles, Internal Gender Policy will be governed by the following principles:

- (i) There should be no discrimination in recruitment, placement, promotion or conditions of service on the basis of gender or sexual orientation.
- (ii) There should be affirmative action to promote gender equality in numbers employed in the Department, across all areas of specialisation and at all levels of management.
- (iii) There should be affirmative action to ensure that women in the Department are given the support, training and capacity building needed to fulfil their work requirements; affirmative action should also ensure that Departmental structures and requirements of time and travelling are sensitive to the needs of women who are still the primary care - givers.
- (iv) There should be an affirmative component in all expenditure on further education, training and development.
- (v) Employees should be protected from all forms of sexual violence and harassment.

³ Here social differences arising from sexual orientation are treated as gender differences and subject to the same protection against discrimination.

4.1 GENDER GOALS

4.1.1 Goals for External Gender Policy

In the provision of all services and programmes in Water Affairs and Forestry, the main goals are to -

- (i) identify all relevant gender issues, so that all projects and programmes recognise and address issues of gender difference and inequality;
- (ii) identify and take into account the different gender roles of women and men in a community affected by services and programmes;
- (iii) ensure equal participation and involvement of women and men in decision - making on all projects undertaken by the Department; and
- (iv) put a priority focus on improving the material position and status of women who have borne and still continue to bear, the brunt of past inequities.

4.1.2 Goals for Internal Gender Policy

Within the internal affairs of the Department, the main gender goals are to -

- (i) work towards gender parity in numbers at all levels of management and specialisation;
- (ii) introduce administrative procedures to ensure that there is no discrimination against women in recruitment, placement, promotions and conditions of service; and
- (iii) introduce all necessary measures and facilities to provide for the different biological and gender roles of both men and women.

4.2 GENDER OBJECTIVES

4.2.1 Objectives for External Gender Policy

In the sectors of water resource management, water supply, sanitation and forestry, the specific objectives are to :

- (i) provide various forms of in-house training on methods for recognising and addressing gender issues within problem identification, planning, design, development, construction, maintenance and operations;
- (ii) base all planning on gender desegregated data;
- (iii) establish a system to ensure that all consultants and contractors

observe the Departmental principles and regulations concerning gender equality in the implementation of all work;

- (iv) pay special attention to the needs of poor rural households, where the average distance to sources of water, sanitation and firewood are further than in urban areas;
- (v) pay special attention, in all programmes, to the needs of women who are amongst the poorest segment of the population, or who are heads of household, or single parents;
- (vi) ensure adequate participation by women in the planning, operation and maintenance of service delivery systems at the local level;
- (vii) provide technical training to both women and men of the community in order to enable their participation in project planning and implementation;
- (viii) co-ordinate with other national and regional Departments to contribute to the collective national effort for women's advancement and empowerment;
- (ix) collaborate with the Office of the Status of Women and the Gender Commission, to maximise the Department's contribution towards the national effort for women's advancement; and
- (x) network with key stakeholders in civil society, trade unions and the private sector, in order to contribute towards the co-ordinated implementation of national gender policy.

4.2.2 Objectives for Internal Gender Policy

For the internal management and administration of the Department, the specific gender objectives are to:

- (i) promote gender equality in recruitment, placement, promotion and conditions of service;
- (ii) eliminate all forms of gender discrimination from Departmental regulations and administrative practices;
- (iii) ensure the elimination of all forms of sexual harassment within the workplace;
- (iv) develop administrative rules and procedures to enable affirmative action to achieve gender parity in numbers employed in all occupational categories and personnel levels;
- (v) positively encourage and enable recruitment of women into technical

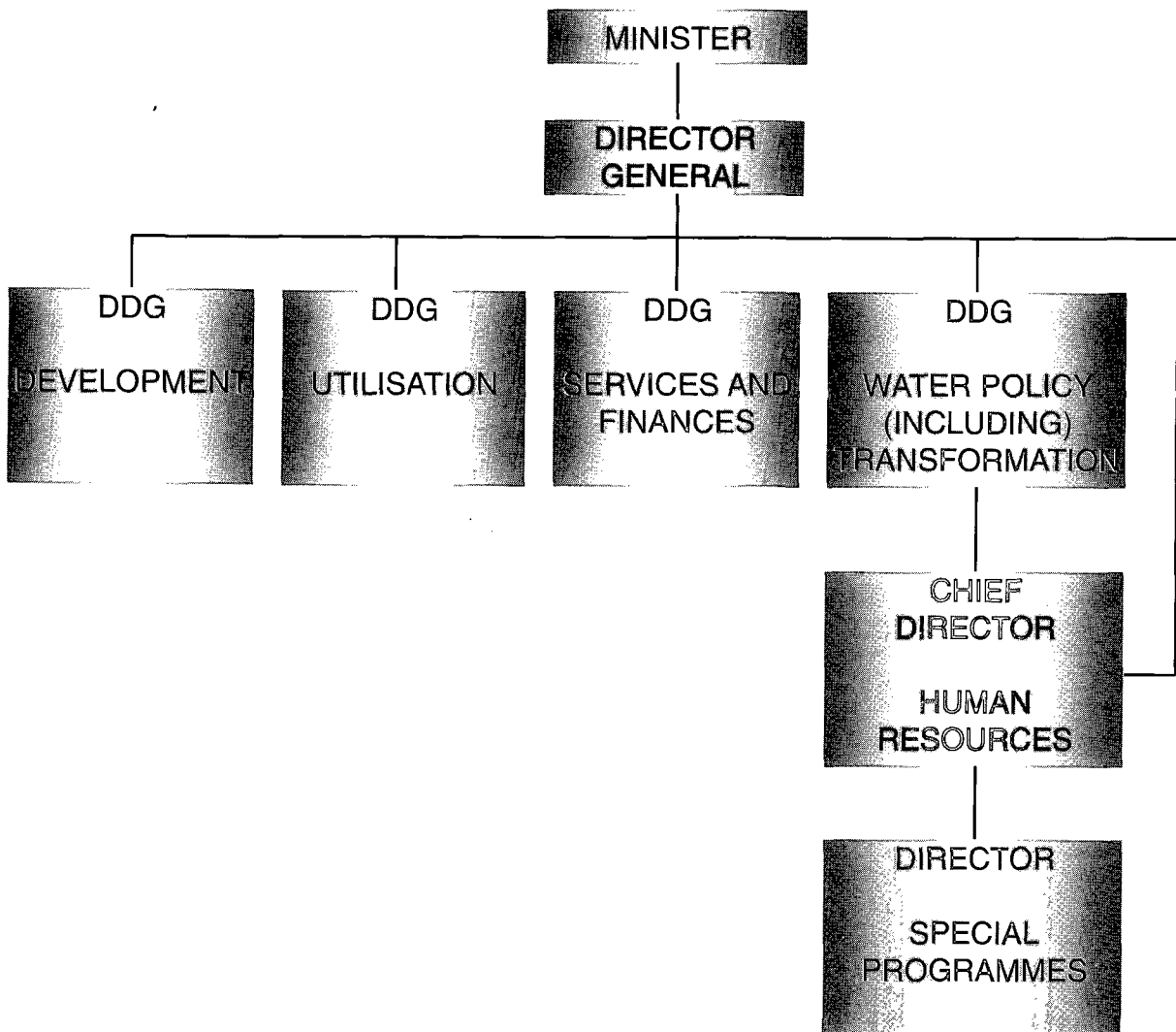
and engineering fields of the Department;

- (vi) organise in-house training for fast track development to enable the promotion of women who show aptitude and potential;
- (vii) provide flexible working hours to accommodate family gender role commitments;
- (viii) provide a gender sensitive working environment and provide work place forums and various forms of in-house education, to promote increased gender awareness and sensitivity; and
- (ix) facilitate and support day - care centres for the infants and young children of Departmental employees.

5.1 ORGANISATIONAL STRUCTURE

Implementation of Gender Policy for Water Affairs and Forestry will be the responsibility of a new Directorate for Special Programmes, within the Chief Directorate for Human Resources, according to the organisational arrangement shown below.

ORGANISATIONAL LOCATION OF DIRECTORATE FOR SPECIAL PROGRAMMES

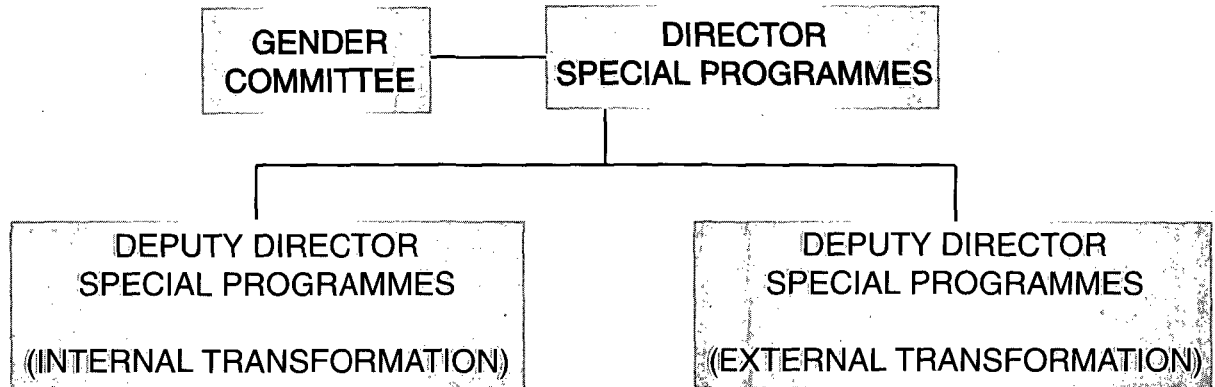


The Directorate for Special Programmes would therefore work directly with the Chief Director for Human Resources, who would have the overall managerial responsibility to ensure that transformation policy is being implemented. Gender Policy is an important component within the larger transformation policy.

Bearing in mind the political importance of the transformation process, the Minister will take a special interest in the work of the Directorate for Special Programmes, with the Director working directly with the Minister in some areas of priority and political interest.

The internal organisation of the Directorate for Special Programmes would provide for two Deputy Directors and a Gender Committee, as shown below.

INTERNAL ORGANISATION OF THE DIRECTORATE FOR SPECIAL PROGRAMMES



Since gender policy is seen as an integral part of transformation policy and because of the need for gender mainstreaming, it is considered that there should not be a separate Deputy Director for Gender Equality. Instead, gender policy should be integrated within the other elements of national transformation, concerned with race equality.

The above division would ensure that there is equal attention to implementing gender policy in both external and internal aspects of gender policy.

Employment equity is also an important area of interest in gender policy which has both internal and external components. Internal gender policy would be concerned with all aspects of gender equity for internal DWAF employment. The external aspect of gender policy within employment equity would be concerned with gender equity in the employment of people in all contractual work and community maintenance.

In the other aspects of transformation, concerned with racial equality, useful distinctions can similarly be made between internal and external policy. The suggested division of two Deputy Directors is intended to ensure a proper balance between the implementation of internal and external aspects of the transformation policy.

The Gender Committee would continue, but reconstituted as an advisory committee for the Directorate for Special Programmes. The Gender Committee would have the responsibility of providing advice on the implementation of gender policy, both internal and external.

As with the present Gender Committee, the membership would be drawn from within DWAF. However, given the need for progress in implementing a comprehensive new policy and the need for gender mainstreaming of attention to

gender issues within all DWAF activities, there is a need for a more representative and high level membership in the new Gender Committee.

5.2 ORGANISATIONAL RESPONSIBILITIES FOR IMPLEMENTING GENDER POLICY

5.2.1 Gender Functions of the Directorate for Special Programmes

The main *gender functions* of the Directorate for Special Programmes will be to:

- ★ in co-operation with other Directorates, draw up a long-term strategic plan to provide the framework for implementation of the Gender Policy;
- ★ assist other Directorates in drawing up their short-term action plans for operationalising the strategic plan;
- ★ ensure that all planning is based on the identification of priority gender issues which affect the sectors water and forestry;
- ★ ensure that attention to gender issues is mainstreamed within all DWAF activities and services, both internally within DWAF and in the external provision of public services;
- ★ ensure that action on gender equality is an integral component of all aspects of the transformation process;
- ★ co-ordinate the work of all Directorates of DWAF, for the comprehensive implementation of the Gender Policy;
- ★ monitor and evaluate progress in Gender Policy implementation;
- ★ collaborate with the Office of the Status of Women, to ensure that DWAF gender policy implementation contributes towards co-ordinated national efforts for women's improved welfare and increased empowerment;
- ★ co-ordinate and facilitate internal DWAF gender training, for increased understanding and improved implementation of the gender policy; and
- ★ produce periodic reports on Departmental progress in implementing all aspects the of Gender Policy.

5.2.2 Terms of Reference for the DWAF Gender Committee

The Gender Committee is an internal DWAF staff committee concerned with providing advice on policy implementation.

The main functions of the Gender Committee will be to advise the Directorate for Special Programmes on:

- ★ current priority gender issues both internally within DWAF and in the external provision of public services;
- ★ methods and procedures for mainstreaming attention to gender issues within all DWAF activities;
- ★ enable a co-ordinated DWAF effort towards recognising and addressing gender issues;
- ★ ensuring a strong gender equity component within the larger process of transformation; and
- ★ report to the Minister on the progress of gender policy implementation.

Members of the Gender Committee shall be appointed by Minister, on the basis of their interest and involvement in addressing gender issues. Membership would include representation from DWAF Provincial Gender Units.

The Gender Committee would be chaired by the Director for Special Programmes, with one of the Deputy Directors for Special Programmes serving as Executive Secretary.

5.2.3 Gender functions of the two Deputy Directorates

In implementing *External Gender Policy*, the Deputy Director for Special Programmes (External Transformation) would have special responsibilities in:

- ★ implementing external gender policies, concerned with ensuring gender equality and promoting women's empowerment in all DWAF projects and provision of public service;
- ★ ensuring gender equality of opportunity and equal participation, in provision of public service;
- ★ providing DWAF staff and community training on recognising and addressing gender issues in all DWAF projects and plans for public provision of services;
- ★ developing methods and procedures for identifying and addressing gender issues within planning and implementation of public service provision;
- ★ make proposals for improving methods and procedures of gender mainstreaming within the process of planning and implementation of public services; and
- ★ make recommendations for policy development in the area of difficult gender issues affecting the effective provision of public services.

In the area of *Internal Gender Policy*, the Deputy Director for Special Programmes (Internal Transformation) would have special responsibilities in:

- ★ ensuring gender equality of opportunity in all recruitment and promotions;
- ★ pursuing policies of affirmative action, in recruitment, training and promotions, to work towards gender equality in staffing;
- ★ ensuring that conditions of service provide gender equality and are adapted to the special biological and social needs of women;
- ★ providing a system for hearing and acting upon any complaints of gender discrimination or sexual harassment;
- ★ providing staff training and gender equality in the workplace;
- ★ developing methods and procedures for identifying and addressing gender issues within the internal administration;
- ★ making proposals for improving methods and procedures for implementation of internal gender policy; and
- ★ making proposals for policy development in the area of gender issues affecting internal DWAF management and administration.

5.3 STRATEGIC PLAN FOR IMPLEMENTING GENDER POLICY IN WATER AFFAIRS AND FORESTRY

A Strategic Plan for Addressing Gender Issues in the water supply, sanitation and forestry sectors must be formulated to ensure the systematic realisation of this policy.

The Plan will:

- ★ be derived after consideration of alternative intervention strategies to make the policy a reality;
- ★ be drawn in collaboration with all the Directorates directly involved in policy implementation;
- ★ set out the sequence and schedule of activities to effect all policy decisions;
- ★ set out the principal long-term quotas, targets and dates for achieving the policy goals and objectives; and
- ★ delineate the role of all Directorates in a collaborative effort towards implementation.

DETAILS OF THE POLICY CONTEXT

This Annex provides more details of the gender relevance of the various documents listed at Section 2.1 of the Gender Policy for Water Affairs and Forestry.

1. NATIONAL GENDER PRINCIPLES

Constitution of the Republic of South Africa, 1996

Article 9(3) of the Constitution states that “the state may not unfairly discriminate 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”.

Article 9(5) declares that discrimination on any one of these grounds is unfair unless it is established that it is fair.

Article 30 states that “everyone has the right to use the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with the Bill of Rights”. (Article 9 is part of the Bill of Rights.)

Women’s Charter for effective equality, 1995

This Charter was adopted by the National Women’s Coalition, which represents women from a broad spectrum of political parties and NGO’s. It sets out the principles and goals to guide a national effort towards gender equality and women’s advancement.

The Preamble to the Charter demands that “women should have full opportunity and access to leadership positions and decision-making at all levels and in all sectors of society”.

Article 4 on the Economy states the principles that “effective affirmative action programmes must be introduced for women”, and that “there shall be no categorisation of jobs on the basis of gender, nor shall gender stereotypes determine the work that women do”.

White Paper on the Transformation of the Public Service, 1995

Here the government sets out its policy for reshaping the public service so that it is internally representative of the various racial and ethnic groups, responsive to the needs of all and capable of redressing the imbalances of the past.

In this transformation process, affirmative action is identified as a main implementation strategy. It is defined as the “laws, programmes or activities designed to redress past imbalances and to ameliorate the conditions of individuals and groups who have been disadvantaged on the grounds of race, colour, gender or disability”.

For internal transformation of the public service, the White Paper sets the targets

that “within four years all departmental establishments must endeavour to be at least fifty percent black at the management level. During the same period at least thirty percent of new recruits to the middle and senior management echelons should be women”.

The White Paper on The Reconstruction and Development Programme, 1994

The RDP states that “ensuring gender equity is another central component in the overall democratisation of our society. The RDP envisages special attention being paid to the empowerment of women in general and of black, rural women in particular” (p 121).

2. GENDER PRINCIPLES IN UN CONVENTIONS AND DECLARATIONS

Convention on the elimination of all forms of discrimination against women (CEDAW), 1979 (Ratified by South Africa in 1995)

Signatories to this UN Convention undertake to eliminate all forms of gender discrimination and to promote the advancement of women. The various rights to gender equality are defined for all sectors of the economy and public life and signatories undertake to pursue a series of measures to ensure that these rights are realised in practice.

Article 5 makes clear that existing customs and traditions do not excuse the continuation of gender discrimination: The signatories undertake to “modify the social and cultural patterns of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on any stereotyped roles for men and women”.

Article 14 of the Convention requires attention to the particular problems faced by rural women, especially by ensuring that women participate in the planning and implementation of development programmes, have equal access to economic opportunities and enjoy adequate living conditions in relation to water supply and sanitation.

Convention on the Rights of the Child (Ratified by South Africa in 1995)

This UN Convention protects children from all forms of oppression, exploitation and abuse. Its gender orientation is to be found in Article 2, which establishes that all of the rights set forth in the Convention shall be respected without discrimination on any ground, including the grounds of the sex of the child, or the sex of the parent or guardian of the child.

Beijing Declaration and Platform for Action (Assented to by South Africa in 1995)

This is the Report of the fourth UN World Conference on Women held in Beijing in

September 1995. The Declaration sets out the main principle and priorities for women's global advancement over the next decade. The Platform sets out the national and international commitments for a programme of action to address these priorities.

The main theme of the Platform is women's empowerment and its main priorities are towards women's increased participation in decision-making at all levels, including government institutions at the political and administrative levels. Governments are also committed to establish institutional machinery at all levels to ensure that gender issues are recognised and addressed in all provision of services and development programmes.

The implications of the Beijing Conference for South Africa, from an NGO perspective, may be found in the report of the National Conference entitled Bringing Beijing Home, December 1995.

Report of the UNCED Earth Summit - Agenda 21 of 1992

The Report of the United Nations Conference on Environment and Development (UNCED), the "Earth Summit", includes an international agreement on action, entitled "Agenda 21".

Chapter 24 of "Agenda 21" is on "Action for Women". It calls for the development of national policies to increase the proportion of women in the planning and management of programmes for sustainable development. Women should participate in ecosystem management and control of environmental degradation. Research and data collection should focus on women's traditional knowledge and experience in managing natural resources. Gender impact analysis should be a component in all programmes.

3.GENDER ELEMENTS WITHIN EARLIER POLICY STATEMENTS OF THE DEPARTMENT OF WATER AFFAIRS AND FORESTRY

White Paper on a National Water Policy for South Africa, 1997

In addition to stating the principle of gender equality in benefit from water resources (p 7), this policy also states that "as a result of apartheid deprivation and poverty have strong racial characteristics....[Poverty] affects mostly women and children, particularly those living in female headed households....The scale of deprivation is clearly visible in the lack of water services, with between 12 and 14 million people without access to save water and over 20 million without adequate sanitation. This impacts heavily on women and children in rural and peri-urban areas. African women in these areas have no choice but to walk long distances to collect water, a heavy burden which impacts directly on their health. The time spent doing this could be better spent working, studying, growing food or taking part in other activities"(p9).

The Policy also states that "empowering women through.... making it possible for them to work through water committees and ultimately in Catchment Management

Agencies, will make sure that women's voices are heard in the quest for safe, available water.... In short, we support the feminisation of water management (p 31).

(Draft) National Water Bill, 1998

The purpose of the proposed Water Act include "promoting equitable access to water [and] redressing the results of past racial and gender discrimination" (p 8 of the Draft Bill).

White Paper on Water Supply and Sanitation Policy, 1994

Here the main policy principles and goals (at Section C of the document) do not reveal any explicit gender orientation. However, the document includes a "supplementary policy" (in Section E) with a subsection on "Women - The Focus of Development". This includes the statement that "all statutory bodies in the water sector, including Local Water Committees, shall be recommended to comprise a minimum of thirty percent women. This should apply at all levels, particularly within management and should be instituted within five years".

White Paper on Sanitation, 1996

Although there is no explicit gender orientation in the 1996 sanitation policy principles and goals, Section C does include a strategy of targeting health and hygiene education and promotion "at high risks groups such as the mother and carers of infants and small children". Section C also identifies the community issue that "women are to be involved in the decision - making processes at all levels". In addition, the 1994 policy on thirty percent representation of women on all forums is restated.

White Paper on Sustainable Forest Development in South Africa, 1996

"Gender equity" is listed as one of the nine principles which guide this "New Forestry Policy". The document states (at Section 3.4) that "the Department will incorporate measures into all its policy instruments to ensure the empowerment of women. This will include a programme of corrective action and redress in its own employment equity policy". It also states that "at least one third of the members of the National Forestry Advisory Council and all other advisory and statutory structures, should be women within the next three years".

Employment Equity Policy, 1995

Following constitutional principles on equal rights and the principles for the transformation of the public service, this Departmental policy provides for a series of goals concerned with "corrective action" for equality and opportunity and redressing past imbalances, in all aspects of Departmental employment. In this policy, gender is specifically mentioned (at Section 4.1) as one of the various illegitimate distinctions which are the cause of present imbalances and therefore where corrective action needs to be taken.

**NUMBERS OF DEPARTMENTAL STAFF, DIVIDED BY PERSONNEL GROUP,
RACE AND GENDER, FOR 1974 AND 1977**

**TABLE 1: PERCENTAGE FEMALES AMONGST DEPARTMENTAL STAFF DIVIDED
BY PERSONNEL GROUP, FOR 1994 AND 1997³**

PERSONNEL GROUP	1994 (December)			1997 (September)		
	Number Female	Number Male	Percent Female	Number Female	Number Male	Percent Female
MANAGEMENT ⁴	2	135	1.5%	11	120	8%
ENGINEERS	12	160	7%	17	201	8%
SCIENTISTS	68	129	35%	61	87	41%
TECHNICIANS	34	335	9%	47	643	7%
ADMIN.	143	503	22%	1307	1174	53%

**TABLE 2: REPRESENTIVITY IN DEPARTMENTAL EMPLOYMENT: NUMBERS
EMPLOYED DIVIDED BY RACE, GENDER, YEAR AND PERSONNEL GROUP**

PERSONNEL GROUP	Year	REPRESENTIVITY			
		Percent Black Females ⁵	Percent Black Males	Percent White Females	Percent White Males
MANAGEMENT	1994	0%	0%	1.5%	98.5%
	1997	2.3%	19.1%	6.1%	72.5%
ENGINEERS	1994	0.6%	0.6%	0%	98.8%
	1997	0.5%	7.3%	7.3%	84.9%
SCIENTISTS	1994	1.5%	4.1%	33.0%	61.4%
	1997	14.2%	16.9%	27.0%	41.9%
TECHNICIANS	1994	0.8%	3.0%	8.4%	87.8%
	1997	3.2%	62.1%	3.6%	31.1%
ADMIN.	1994	6.8%	2.3%	15.3%	75.6%
	1997	33.5%	43.0%	19.1%	4.4%

³ Representivity figures for 1994 and 1997 are not entirely comparable, due to the large increase in numbers of Departmental staff arising from incorporation of staff from former 'homelands'. However, this distortion is less important at the higher personnel levels.

⁴ Here 'Management' is defined as Deputy Director and above.

⁵ Here 'Black' includes the categories of Coloured and Indian.



THIS POLICY
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OF THE COMMONWEALTH
SECRETARIAT