



Commission for Gender Equality

**A glance at 25 years of the
Commission for Gender Equality**



25th anniversary

Table of Contents

Introduction	3
Mandate of the CGE.....	3
Historical Background of the CGE	3
Highlights from the past 25 years of CGE's existence.....	4
List of CGE's Legal Investigative Reports.....	9
List of CGE's Legal Hearings Reports.....	10
List of CGE's Research Reports	11
List of CGE's Policy Briefs	13
List of CGE's Parliamentary Submissions	14
Funding.....	15
Relationship with the state	15
Strategic focus.....	15
Use of powers	17
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Section 1: CGE's History

Introduction

The Commission for Gender Equality (CGE) is an independent statutory body established in terms of Section 181 of the Constitution with six other Chapter Nine Institutions. These institutions were established to protect, promote and support Constitutional democracy in South Africa. As the CGE celebrates its 25th anniversary, it found it imperative to reflect on its achievements and challenges over the years, to optimise on its Constitutional mandate. This is CGE's introspection on the historic evolution of its work, current approaches within the institution, and to visualise its future and vision of attaining gender equality in the country.

Mandate

The Commission derives its mandate from Section 187 of the Constitution, as well as the Commission for Gender Equality Act no 39 of 1996 as amended. The CGE's mandate is to promote respect for, protect, develop and attain gender equality, and make recommendations on the review of any legislations or policies that have a bearing on gender in South Africa. The Constitution mandates the CGE to monitor and evaluate practices of state organs, private businesses and other institutions, to ensure promotion of gender equality.

Historical Background

The struggle for gender equality in South Africa was formalised when the Women's Charter was adopted on the 17th of April 1954 at the founding conference of the Federation of South African Women (FEDSAW).¹ The Charter mapped out a gender transformative path for all spheres of life, including in the spheres of socio-economic, political, as well as the cultural positioning of women within the South African society.

Prior to the advent of democracy, South Africa was characterised by stark inequalities and discrimination. Under the apartheid regime, gender discrimination was entrenched in written laws, while human rights were neither guaranteed nor protected by any law in the country. Women were assigned the lowest position in the social hierarchy, with Black women confronted with the triple oppression of race, class, and gender.

Women faced compounded discrimination as there were no provisions in laws to address issues of women's health, economic challenges, employment, exploitation, violence against women, sexual harassment, access to education, participation in decision making and politics, and other critical areas.

¹ Parliament Research Unit. 2019. Overview of Legislation, Programmes and Challenges Related to the Articles in the Women's Charter for Effective Equality. Parliament of the Republic of South Africa

It was at the dawn of the democratic dispensation that provisions of the Women's Charter were incorporated into the Constitution of the Republic, which led to the establishment of the CGE as a Chapter Nine Institution to serve as a watchdog over gender practices in the country. These developments took place against the backdrop of radical advocacy initiatives and campaigns by the women of South Africa.

CGE is one of the institutional measures introduced to drive the gender transformation agenda in the country. Although the CGE was established in 1996, it only came into operation between the years 1997 and 1998. The institution, like many others, grappled with teething challenges, which were aggravated by the fact there had not been an institution of its kind prior to 1994. Another significant challenge was that the institution was being established during a time whereby issues of gender equality were being overshadowed by the prioritisation of overcoming institutionalised racism by the new democratic government. As a result, it was only in the 1998/99 financial year that the CGE was able to finalise and operationalise its institutional structure. The first Chairperson was Ms Thenjiwe Mtintso and the Chief Executive Officer, Ms Colleen Lowe Morna.

The Commission initially operated in terms of thematic areas to cover some of the pressing challenges for women at the time. The thematic were as follows:

- Gender and the Economy.
- Gender and Justice.
- Gender Policy and Institutional Development.
- Gender and Democracy.
- Complaints.
- Legislative input and Policy-Making processes.

These thematic areas have evolved over time as new issues emerged. The following themes were incorporated later:

- Gender-based violence.
- Democracy and citizenship which later included Good Governance component.
- Gender and HIV/AIDS.
- Gender and Poverty.
- Sexuality.
- Gender, Traditional Practices, Culture and Religion.
- National Gender Machinery.
- Employment Equity.

Highlights from the past 25 years

These are highlights of some of the work, achievements and interventions led by the Commission over the years.

International obligations

- In 2007, the CGE participated in the 51st session of the United Nations Commission on the Status of Women (CSW). In addition, the CGE, in consultation with the Presidency, organised a parallel consultative seminar parallel to the 51st Session of CSW. This session was attended by NGOs, civil society representatives from South Africa, and many other countries, together with officials from multilateral organisations.
- The Commission, in preparation for the country periodic reporting in 2010, facilitated the mock trial for the country, whereby two members of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) committee were invited to assist the country in preparing for reporting at the CSW session in New York.
- The CGE has devoted much time to assessing the level of compliance of South Africa with international instruments related to gender issues. Some of the most important international tools given attention were CEDAW, the Millennium Development Goals (MDGs), the Beijing Platform for Action, the African Gender Development Index (AGDI), Demographic Dividend Index (DDI), and the Maputo Protocol.
- The CGE has obtained an Affiliate Status with the African Commission on Human and People's Rights (ACHPR), and it is so far the first and only Specialised National Human Rights Institution Affiliated with ACHPR in Africa. This is a milestone that enables the CGE to participate in the international platform in advancing gender equality in line with the international standards.

Legislation, customs and practices

The CGE has over the years played an important role in challenging existing legislation, customs and practices that stand in the way of gender equality. The following interventions in this regard stand out:

- The CGE formed an alliance with organisations supporting the Choice of Termination of Pregnancy Act 1 of 2008.
- The CGE made submissions to the SA Law Commission (now the South African Law Review Commission, SALRC) and Parliament; and producing a handbook on Women and Work.
- The CGE hosted the first national Conference on Witchcraft Violence and got involved in a follow up National Action Plan on the issue. The CGE also made a submission for the review of the Suppression of Witchcraft Act 3 of 1957.
- The CGE's Legal department formed part of the team that oversaw the training of judges, magistrates, clerks and registrars of courts in terms of the requirements of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (known as

PEPUDA or Equality Act). In addition, the CGE contributed to a Bench-book on Equality Courts, targeting judges and magistrates, and to a manual for clerks and registrars of the Equality Courts.

- The CGE advocated for parliamentary recognition of domestic partnerships. This culminated in a bill on domestic partnerships being gazetted in 2008. The aim was “to provide for the legal recognition of domestic partnerships; the enforcement of the legal consequences of domestic partnerships; and to provide for matters incidental thereto.”
- The CGE contributed to the formulation of the SADC Protocol on Gender and Development, which was subsequently signed by Heads of States in 2008.
- The CGE contributed to the finalisation of the Prevention and Combating of Trafficking in Persons Bill.

Legal Department

One of the Commission's noteworthy interventions is the convening of the Employment Equity Hearings which were geared towards holding the Public and the Private Sector organisations accountable in terms of the implementation of the Employment Equity Act. The Legal Unit is also responsible for monitoring gender related court cases, such as those related to gender-based violence. Examples of cases that have formed part of CGE's court monitoring activities include the case of Nosiselo Mtebeni, a Fourth Year Law Student from the University of Fort Hare who was murdered and dismembered by her intimate partner, and the case of Timothy Omotoso, who is a church pastor accused of sexually violating members of his church, and many more. The CGE also monitors matters related to child maintenance, sexual harassment cases, harassment, unfair discrimination in terms of section 9 (3) of the Constitution of South Africa in relation to gender, race, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion belief, culture and other factors. In addition to the abovementioned interventions, the CGE has also acted as a friend of the court, as well as a litigant in landmark cases before South African Courts, such as:

- *S v Baloyi and Others* [1999]

The CGE was admitted as *amicus curiae* in this matter in the *S v Baloyi* case whereby the Constitutional Court sought to balance the state's constitutional duty to provide remedies against domestic violence and its obligation to respect the constitutional rights to a fair trial of affected parties. The case arose out of the conviction of an army officer in a Magistrate's court for disrespecting an interdict issued by a magistrate ordering him not to assault his wife or prevent her or their child from entering or leaving their home. He had been found guilty and sentenced. The Court held that the overall purpose of an interdict was to protect the victim of domestic violence and uphold respect for the law. Fairness to the complainant necessitated a speedy enquiry with the normal process of charge and plea. However, fairness also dictated that presumption of innocence should apply for the accused. Because of the judgement, courts in SA henceforth recognised the need to balance the rights of victims and perpetrators while at the same time recognising that domestic violence was an elusive issue. The case

showed that domestic violence was not a mere private matter but a serious issue with far-reaching consequences.

- *Shilubana and Others v Nwamitwa* [2008]

The case dealt with an appeal to the Constitutional Court by Ms Shilubana against a judgment and order of the Supreme Court of Appeal regarding a dispute between her and Mr Nwamitwa over the right to succeed Mr Nwamitwa's father as Hosi (Chief) of the Valoyi traditional community in Limpopo. The CGE was admitted as *amicus curiae* in this matter. The Constitutional Court unanimously held that both the Pretoria High Court and the Supreme Court of Appeal did not acknowledge the right of traditional authorities to develop customary law. When considering this the Constitutional Court found that previously leadership succession in the Valoyi traditional community was based on the "principle of male primogeniture". However, the court ruled that, in accordance with the constitutional right to equality, traditional authorities had the right to develop their customary law under the Constitution and that Mr Nwamitwa did not have the right to be declared Hosi. The judgement contributed to the development of Tsonga living customary law by showing that gender did not prevent one from becoming a traditional leader.

- *Z. Mpanza v. Sibusiso Cele* [2008]

The CGE was a litigant in this matter. The applicant was stripped of her pants and had her family house burnt down for allegedly defying a ban on women wearing pants at Umlazi's T-Section. The ban undermined equality between men and women and, as a result, offended the applicant's right to human dignity. The magistrate overseeing the case ruled in favour of Mpanza and ordered the removal and prohibition of the ban on women wearing pants because it unfairly discriminated against women under PEPUDA. The Umlazi police were ordered to convene a community meeting to notify T-Section residents of the court order, and to notify the CGE on pending or reported cases involving the ban. Two of the respondents, Thulani and Sibusiso Cele, were ordered to unconditionally apologise for implementing the ban. The four men who attacked Mpanza faced criminal charges in the criminal courts for assault, malicious damage to property, intimidation, and indecent assault.

- *Modjadji Florah Mayelane v Mphophu Maria Ngwenyama* [2013]

The CGE was admitted as *amicus curiae* in this matter. This case determined the extent to which the consent of an existing wife (first wife) in a Tsonga customary marriage played in validating her husband's subsequent polygynous customary marriages. In addition, it looked into "the manner in which the content of an applicable rule or norm of customary law should be ascertained and, if necessary, developed in a manner that [gave] effect to the Bill of Rights." The Court held that the consent of an existing first wife of a customary marriage was a requirement for the validity of the second or further customary marriage; that is, in the absence of such consent, the subsequent customary marriage did not lead to the invalidity of a subsequent or further customary marriage, but the said marriage had to be regarded as being out of community of property. This case contributed to the development of living customary law of the Tsonga ethnic group with regard to marriage.

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- *Laubscher N.O. v Duplan and Another* [2016]

The CGE was admitted as *amicus curiae* in this matter. The issue in this matter was whether a person who was in a permanent same-sex life partnership (not solemnised and registered under the Civil Union Act) could inherit from the deceased's estate in terms of the Intestate Succession Act. The Court concluded that Duplan was to be the sole intestate heir. This ruling meant that same-sex partners could inherit their deceased partner's intestate estates even if they were not legally married in terms of the Civil Unions Act.

- *S v Jezile* [2015]

The CGE was admitted as *amicus curiae* in this matter. The convict in this matter abducted a 14-year-old victim from her home in the Eastern Cape after negotiating and paying R8,000.00 in *lobola* to her family. He forced her to travel with him to his home. During the time that she was held against her will, he repeatedly raped and physically attacked her. The Court unequivocally pronounced that violent and coercive practices committed in accordance with "aberrant" forms of *Ukuthwala* should have no protection under the law. The perpetrator was sentenced to 22 years in prison.

- *Sebelebele v Bokgola* [2016]

The CGE was a litigant in this case. The CGE legal department represented the complainant in this matter. This was a maintenance and custody matter wherein the complainant sought maintenance and custody from the father of the child. The CGE intervened and represented the complainant at the Maintenance Court and Children's Court respectively. The respondent was ordered to pay the sum of R 500.00 per month together with medical aid and seasonal clothes. The complainant was awarded primary care of the child subject to the respondent having access.

Research Department

Through the research department, the commission conducted numerous research projects in the past 25 years to generate knowledge and monitor the implementation of different legislative frameworks, policies and programmes aimed at protecting and promoting gender transformation in the country. Different issues such as gender-based violence, women's economic empowerment, harmful traditional practices, women's participation and representation in local, provincial and national elections, sexual and reproductive health rights, LGBTQIA+ issues, land rights, widowhood, Victims Charter, monitoring of 365 Days National Action Plan, and monitoring of National Strategic Plan on GBVF have been covered. The Commission also introduced a standard Gender Barometer Web-based monitoring tool that was used to monitor compliance of different government departments and municipalities on their implementation of gender related regulatory frameworks. The Department has also monitored compliance by the country on the implementation of international instruments, i.e., CEDAW, Maputo Protocol, SDGs and African Gender Development Index to mention a few. The department has also devised the strategy for developing Policy Briefs to be presented to respective government departments.

Public Education and Information Department

The Commission through the department of public education and information employs different educational strategies to reach communities at their grassroots levels. The department carries out its functions through conducting dialogues, information sharing sessions, seminars, conferences, capacity building workshops, community radio interviews, campaigns, roadshows, and exhibitions. In some of these activities, the CGE partnered with other Chapter Nine Institutions and, in some instances, with Non-Profit Organisations (NGOs) working on women's issues. The following activities were notable over the past 25 years:

- GBV in Schools education programme during youth month.
- Widowhood in Communities programme.
- Women's Empowerment programme during Women's month.
- 16 Days of Activism programme.
- A campaign against forced marriages (Ukuthwala)
- Human Rights and Gender Equality Programme during Human's Rights Month.
- Cultural and Religious intervention programmes.
- Joint coordinated programme on LGBTI.
- Joint coordinated programme on GBV in Institutions of Higher Learning.
- Gender mainstreaming in municipalities.
- Partnership with SALGA on gender equality.

List of CGE's Legal Investigative Reports

Report Title	Year
1. Progress Report on Gender Transformation Investigations in Technical and Vocational Education and Training (TVET) Colleges.	2022
2. Transformation in the Public and Private Sector: Report Back on Progress	2021/2022
3. Transformation in the Public and Private Sector.	2022
4. CGE Progress Report: Transformation in the Public and Private Sectors	2021/2022
5. Progress Report on Gender Transformation in Technical and Vocational Education and Training (TVET) Colleges.	2021
6. Investigations in Technical and Vocational Education and Training (TVET) Colleges: Report on Gender Transformation.	2021
7. Progress Report on the State of Shelters in South Africa.	2021
8. Investigation into Choice on Termination of Pregnancies in South Africa.	2021

9. Investigative Report into the Forced Sterilisation of Women Living with HIV & Aids in South Africa	2019
10. Investigative Report into the State of Shelters in South Africa	2018/2019
11. Discussion Document on gender Transformation in the Judiciary and the Legal Sector.	2018
12. Systemic Investigation into Mining	2017
13. Sex Work Report: Investigative Report	2017
14. Lack of Gender Transformation in the Judiciary: Investigative Report	2016
15. Investigative Report into the 'Maiden Bursary Scheme'	2016

List of CGE's Legal Hearings Reports

Report Title	Year
1. Gender Transformation on procurement 2018/2019	2018/2019
2. Gender Transformation in tertiary institutions 2018/2019	2018/2019
3. Gender Transformation in tertiary institutions 2017/2018	2017/2018
4. Gender Transformation at Institutions of Higher Learning 2015/2016	2015/2016
5. Gender Transformation in Higher Education 2015	2015
6. Gender Transformation in Higher Education 2014	2014
7. Public Investigative Employment Equity Hearings on Gender Transformation in the Workplace: Eastern Cape	2013
8. Employment Equity Hearings on Gender Transformation in the Workplace: Limpopo	2013
9. The Employment Equity Hearings: Gauteng	2013
10. The Employment Equity Hearing 2013: Free State Province	2013
11. The Employment Equity Hearing: Northern Cape	2012
12. Provincial Hearings on Employment Equity and Gender Transformation: Western Cape	2012
13. Provincial Hearings on Employment Equity and Gender Transformation: North-West	2011

List of CGE's Research Reports

Report Title	Year
1. Counting Achievements on One Hand: Assessing Current Responses and Interventions to Combat Gender-Based Violence and Femicide in South Africa.	2022
2. Much Ado About Little: Assessing Second Year of Implementing Government's Gender Responsive Budgeting Framework.	2022
3. Old Emergencies, New Priorities: Assessing Responses to CGE's Findings on the Emergency Response Action Plan (ERAP).	2022
4. A Promise Without Commitment: Overview of State Compliance with President's 40% Procurement Allocation.	2022
5. Gains Made, Gains Lost: Women's Representation in the 2021 Local Government Elections in South Africa.	2021
6. Government's Emergency Action Response Action Plan (ERAP) on Gender Based Violence and Femicide: Commission for Gender Equality review of implementation report.	2021
7. Government Gender Responsive Budgeting Framework: Commission for Gender Equality review of implementation report.	2021
8. One Step Forward, One Steps Backwards: Assessing Current Government's Responses and Interventions to Combat Gender-Based Violence and Femicide in South Africa.	2021
9. When Relations Disentangle: Assessing factors prohibiting unmarried, divorced, or separated biological fathers from exercising their parental rights, including contact with their children.	2021
10. Illegal Initiation Schools in South Africa: Assessing risks to boys and young men.	2021
11. The Bare Minimum: Commission for Gender Equality Report on South Africa's Compliance with CEDAW Committee 2011 Concluding Observations & Recommendations.	2020
12. Sink or Swim: The Challenges of Implementing Government's Women Economic Empowerment Programmes in South Africa.	2020
13. Accounting for Work in Progress? Assessing progress on the establishment of a national coordinating structure on gender-based violence.	2020
14. Balancing the Scales. Reviewing developments in women's representation in Politics and Government between the 2014 and 2019 Elections.	2019
15. Elections and Gender Mainstreaming: Assessing Gender issues and Women's representation in South Africa's 2019 Elections.	2019
16. Bound by Duty to Care: Assessing Correctional Service Centres on the health and Welfare Services for Female Offenders	2018
17. Gender Rights Under Culture Rites: Assessing women's empowerment through Houses of Traditional Leaders in South Africa	2018
18. Bold Claims and Small Gains: Reluctance to promote gender equality in the Mining Sector in South Africa.	2017

19. Royalty and Women's Empowerment: Assessing Gender Mainstreaming through Houses of Traditional Leaders.	2017
20. Inmates in Sickness and in Health: Assessing Correctional Services on the Health and Wellness of Women in Correctional Facilities.	2017
21. Struggling to Meet the Ends of Justice: Assessing Departmental Responses to CGE findings on the Victims Charter.	2016
22. Talking the Talk, Not Walking the Walk. Assessing Gender Mainstreaming in South Africa's Mining Sector.	2016
23. Giving With One Hand, Taking with the Other: Women's Representation in South Africa's 2016 Municipal Elections.	2016
24. Fighting Fire With (Out) Fire: Assessing The Work of Police Stations in Combating Violence Against Women.	2016
25. Ship Without a Captain: Assessing Departmental Responses to CGE Findings on the Victims Charter (Departments: Social Development, Health & Correctional Services).	2015
26. The African Gender Development Index (AGDI) South Africa Country Report.	2015
27. Painting Over Old Cracks: Assessing Current Programmes to Combat Gender-Based Violence.	2015
28. Promoting Gender Equality Underground? Women, Mining and gender mainstreaming in South Africa.	2015
29. From Expectation to Uncertainty: Assessing the Work of the National Council on Gender Based Violence.	2014
30. Beyond the Numbers: Mainstreaming Gender in the Public Service (Assessing Selected National and Provincial Departments).	2014
31. From Rhetoric to Gender Reality: Women's Participation and Representation in South Africa's 2014 Elections.	2014
32. Women and Political Parties in South Africa. Evaluating Progress for Women's Political Participation and Representation in Political Parties.	2013
33. Mainstreaming gender in the public service: reviewing progress in the Departments of Police and Science and Technology.	2013
34. Assessing the Effectiveness of Gender Focal Points in South Africa.	2013
35. Expectations unfulfilled? Assessing the effectiveness of the National Council on Gender-Based Violence.	2013
36. Out of Mind or Out of Sight: Reviewing the Implementation of the 365 Days of Action to End Violence Against Women and Children.	2012
37. 365 Days of Action to End Violence Against Women and Children.	2012
38. Gender Barometer Report.	2012
39. The Victim's Charter: Assessing the effectiveness of implementation by Departments of Health and Correctional Services.	2012
40. Gender and the Elections: Local Government Elections Report.	2011
41. Gender Mainstreaming in the Water Sector: Evaluating Progress by Municipalities and Provincial Water Boards: A National Board.	2011

42. The Victims' Charter: Assessing the effectiveness of implementation by the National Prosecuting Authority and Department of Social Development.	2011
43. Gender Barometer Report: Case Studies.	2010
44. Research Report on Victims Charter.	2009
45. Gender in the Curriculum.	2007
46. South African Gender Barometer: The State of Women Empowerment and Gender Equality.	2007
47. Widowhood Rites and Rights Research Report	2006/2007

List of CGE's Policy Briefs

Policy Brief Title	Year
1. Policy Brief 20: Raising Issues of Mental Health Care for Female Inmates in South Africa.	2018
2. Policy Brief 19: Equality for Women in Mining: Assessing gender mainstreaming at Impala Platinum & Petra Diamonds.	2018
3. Policy Brief 18: Policing Violence Against Women: Assessing local police station interventions.	2017
4. Policy Brief 17: Focus on Gender in South Africa's Mining sector.	2017
5. Policy Brief 16: On paper and in Practice: The Challenges of South Africa's Compliance with Global and Regional Gender Instruments	2016
6. Policy Brief 15: Gender Based Violence: Problems of Interventions without Coordination.	2016
7. Policy Brief 14: Failing Gender Transformation in Mining.	2016
8. Policy Brief 13: Turning Gender Mainstreaming into a Numbers Game.	2015
9. Policy Brief 12: A Future Left Uncertain: Assessing the effectiveness of the National Council on Gender Based Violence.	2015
10. Policy Brief 11: En-Gendering Transformation in the South African Public Service: Police, Science and Technology Case Studies.	2014
11. Policy Brief 10: Turning "Events Managers" into Gender Focal Persons: Assessing Effectiveness of Gender Focal Persons in the Public Service.	2014
12. Policy Brief 9: Victims Charter: From Policy to Implementation: Assessing Implementation by the Departments of Health and Correctional Services.	2013
13. Policy Brief 8: Victims Charter: The Gap Between Policy and Implementation: Assessing Implementation by the National Prosecuting Authority and the Department of Social Development.	2013
14. Policy Brief 7: Victims Charter: The Gap Between Policy and Implementation: Assessing Implementation by the South African Police	2013

Service and the Department of Justice and Constitutional Development.	
15. Policy Brief 6: Good Intentions, Poor Outcomes Assessing Gender Mainstreaming in the Public Service in South Africa.	2013
16. Policy Brief 5: Placing Gender in the National Education Curriculum Assessing progress since the 1997 GETT Report	2013

List of Parliamentary Submissions

Title	Year
A gendered Review of South Africa's Implementation of the Sustainable Development Goals.	2019
Submission to the SALRC on the Right to Know One's Biological Origins By the Commission for Gender Equality: Issue Paper 32 – Project 140	2017
The Implementation of the Beijing Platform for Action in South Africa	2014
CEDAW Report	2014

Section 2: The Current CGE

Funding

A longstanding challenge within the CGE has been that it is the least funded Chapter Nine Institution despite its broad and growing scope. In the CGE 20-year review report of 2017, it was articulated that the issue of funding is a major impediment to the ability of the CGE to fulfil its mandate optimally. One of the recommendations contained in the report, therefore, was that the state should review the budget allocation to the CGE in light of the Commission's mandate and the enormous gender-related challenges confronting the people (especially women and children) of South Africa. The status quo with regards to funding as of 2022 remains the same as no significant budget increments have been noted ever since the report was published.

Relationship with the state

The relationship between the CGE and the State has in the past been characterized as ambivalent, it is however notable that over the years, the relationship has exhibited significant improvements. This is demonstrated by the partnerships and collaborations that have been forged between the CGE and the state, and its related entities, especially in the fight against gender-based violence and femicide. It must be noted, however, that despite these collaborative efforts, the CGE has maintained its independence in the execution of its Constitutional mandate to monitor the work of government and state entities to ensure compliance with the gender transformational regulatory frameworks and programmes, including international obligations. While the relationship with the state continues to strengthen, one of the key challenges that still remain is the weakened National Gender Machinery. A weakened Gender Machinery undermines current initiatives to rid the gendered societal challenges that have engulfed the country.

Strategic focus

The strategic focus of the Commission is built onto the vision, mission, and values of the institution.

- **Vision**

A society free from all forms of gender inequality.

- **Mission**

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

- **Values**

The CGE values are anchored in the supremacy of the Constitution and the rule of law, and all functions are performed with an ethos grounded in the following values:

- **Independence** – we impartially perform our duties without fear or favour, mindful of the independence of our office.
- **Professionalism** – we timeously execute our responsibilities with the utmost care and diligence.
- **Accountability** – we always give an account of our actions and decisions
- **Ethical behaviour** – we strive to maintain high standards of:
 - Trustworthiness and honesty
 - Respect and empathy
 - Integrity
- **Teamwork** – we support and work in collaboration with our colleagues, state organs, civil society and other partners to maximise the attainment of our objectives.

Commissioners, who are appointed by the President of the Republic under Section 3 (1) of the CGE Act 39 of 1996, perform an oversight role over the work of the Commission. The Commission's strategic objectives are as follows:

- **Outcome 1:** An enabling legislative environment for gender equality: To ensure the creation and implementation of an enabling legislative framework that promotes the attainment of gender equality.
- **Outcome 2:** Gender equality promoted through information and education to foster public understanding: To protect and to promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take action against infringement of gender rights through the implementation of appropriate redress.
- **Outcome 3:** Monitoring and Research investigations on issues that undermine the attainment of gender equality: To monitor state compliance with the regional and international conventions, covenants and charters which have been acceded to or ratified by the Republic, relating to the objects of the Commission.
- **Outcome 4:** A renewed, efficient, and effective organisation that is sustainable. To build an effective, efficient and sustainable institution that will fulfil its constitutional mandate on gender equality.

These strategic objectives are unpacked in the form of sub-strategic objectives, which are transformed into the annual performance plan that enables the execution of the CGE mandate. The respective CGE departments are responsible for ensuring achievement of the stated outcomes.

Use of powers

The CGE has since its 20-year review that was conducted in 2017, continued to reflect on the execution of its mandate, its use of powers as well as its impact on mainstreaming gender and promoting gender transformation in the country. This has led to the development of a tracking tool which tracks the level of progress achieved by governments and related entities, private sector, institutions of higher learning, civil society organisations, and others on the implementation of recommendations. CGE's recommendations emanate from research reports, as well as legal hearings and investigations reports, and are geared towards advancing gender equality in the country.

The Commission has made significant contributions to the transformation agenda over the past 25 years as it has developed its own monitoring and evaluation tool (Gender Barometer). The Commission has further contributed to legislation and policy development and change through the submissions made to Parliament for the development and/ or repealing of legislations that did not promote or respect the principle of gender equality.

Reach

CGE has increased its voice and visibility by using traditional media channels such as radio, television and print, and the CGE electronic internal newsletter. Growth can also be seen in digital media platforms such as Twitter, Facebook, Instagram, Tik Tok, YouTube and the CGE website. Through CGE's footprint in the nine provinces, the institution has been able to reach most municipalities in their diverse terrains, i.e., rural, semi-rural, urban, semi-urban, and others. Some of the work that has been covered with municipalities includes the localisation of SDGs through gender mainstreaming programmes. The CGE has also expanded on its reach through stakeholder engagements on gender and development workshops.

Although these media efforts have somewhat increased the reach of the CGE, challenges persist in relation to capacity and the resources needed to reach rural communities. In this regard, the CGE may benefit from revisiting its employee retention strategy and fostering strategic partnerships with like-minded allies to bring about deep social transformation through challenging the assumptions behind the perpetuation of unequal power relations and patriarchy. Lastly, and on another positive note, the CGE has also expanded its reach in terms of its work with men and boys, this is evident in its research studies titled 'When Relations Disentangle' and 'Illegal Initiation Schools in South Africa'.

Section 3: Future CGE

New approach in support of South Africa's democracy: educating and informing the public about gender equality

Looking to the future of the CGE, the work of educating and educating the public on gender equality can be strengthened through digital transformation. The world wide web is expanding and the CGE's reach regarding education and information will be vast if this is central to its future. The digital transformation across the organisation will ensure that the CGE remains progressive in its processes and programs.

The CGE aims to be creative in developing its future education and information interventions to go beyond achieving the quantitative outputs and translate the work into qualitative targets. The current Gender Mainstreaming programme, which includes the thematic area on gender and development will go beyond the capacity building of government and municipal offices, by incorporating programmes on influencing gender sensitive IDPs, policies and plans, budgets including the audits, i.e., gender responsive planning budgets, monitoring and evaluation, and audits. The current programmes and projects relating to educating and informing the public have been useful and effective, however, the CGE does not have a mechanism to measure the impact of this work. The public education and information work of the CGE will be closely monitored going forward, to reflect on the impact of the work of the unit.

New approach in monitoring the implementation of policies and laws to ensure promotion of gender equality

The CGE plans to have a Monitoring and Evaluation unit which will look at both internal and external policies. Externally, the unit will focus on laws and policies of the state and private sector and internally it will look at issues around impact and effectiveness of the work of the Commission. There must be a focus on amongst others the effective implementation of the three Bills that were passed into law to fight gender-based violence. The CGE will therefore, monitor public awareness of these Acts, knowledge, and usability as well as whether the implementors are capacitated to discharge their responsibilities.

CGE's current approach of investigative hearings as well as oversight visits is still relevant and if used optimally it can produce desired results. However, there is a need for legal powers to enable the Commission to charge and hold accountable those who do not implement its findings and recommendations. There is also a clear need for the CGE to invoke Section 18 and other relevant sections of the CGE Act if the subpoenaed entities and individuals do not appear at the investigation hearings to account. Tracking implementation of findings and recommendations during Employment Equity hearings and in the broader context speaks to the commitment of the organisation to its own processes and its mandate as a monitoring body. Regular launching / publishing of monitoring reports made available to the public allows for public participation, creates a sense of accountability to the public and instils trust that

government and private sector are held accountable. Strategic litigation to bring about change and transformation in law and practices is key in promoting gender equality with long term impact.

New approach in promoting and protecting gender equality

The CGE intends to develop new approaches in monitoring the development and implementation of policies and laws based on its research informed by the CGE research agenda, PEI and legal interventions to ensure promotion of gender equality. Improvement is notably needed in areas of research communication and implementation of recommendations; therefore, it will be made standard practice that the findings and recommendations are shared with relevant entities, and that implementation is tracked.

The CGE will be more proactive in communicating CGE messages, instead of waiting for the media houses to contact the institution on what the CGE must talk about. The CGE also aims to be more proactive in using media and not wait for sensationalised contemporary issues to happen. The current approach appears to be predominantly reactive in responding to what is in the public domain, instead of communicating the mandate and work at own accord. Moreover, there is room to explore opportunities in social media platforms to run campaigns on CGE reports and opinion pieces.

CGE's tackling of contemporary societal challenges

CGE has been working on addressing socio-economic ills that the country is faced with and will continue the work by incorporating new emergent themes. 4IR has been included in the long-term vision (5-year strategic plan – 2019-2024) of the Commission. This can further be advanced through in-depth research which must be conducted by the CGE on contemporary issues to advice government from a gender perspective. This is important as decision making needs to be based on sound and objective information. Government must be further held accountable on the research findings by CGE on these issues. Lastly, public awareness and education can play a critical role in addressing these matters. The CGE will thus streamline and focus on these contemporary issues.

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