

Implementation Guidelines

2

“It is also in this way that we seek to establish and entrench the understanding among all our people, for all time, that we are building a system of justice that must define its justness by the extent to which it enriches our humanity”

The Honourable Thabo M. Mbeki
*President of South Africa, at the opening
of the new Constitutional Court Building*

**Department of Justice and
Constitutional Development**



Foreword

It gives me great pleasure to release this *Gender Mainstreaming* and *Gender Responsive Budgeting Package*.

I believe that the information in this package will contribute enormously to our efforts around gender transformation through which we seek to comply with the Constitution and our international human rights obligations in terms of CEDAW and related instruments.

In a way the package is based on looking back at what we did or did not do in the last decade with regard to addressing the gender imbalances that we inherited at the dawn of democracy.

The importance of mainstreaming gender in everything we do as a Department cannot be over-emphasised, otherwise we will continue to fail to meet the needs of some of those we seek to serve, especially women from disadvantaged communities. The National Gender Policy Statement states that the implementation of gender equality is first and foremost the responsibility of all the institutions in government. To achieve gender equality the government must embark on a rigorous gender mainstreaming strategy.

I call all members of the justice community to join me and my Department as we implement the *Gender Mainstreaming* and *Gender Responsive Budgeting* package. I sincerely hope that the lives of women and other disadvantaged groups will be improved as a result.

Ms Brigitte Mabandla, MP

Minister of Justice and Constitutional Development

Pretoria, August 2005

Acknowledgements

The *Gender Mainstreaming Reporting Protocol* is part of the *Gender Mainstreaming* package developed by the Gender Directorate within the Department of Justice and Constitutional Development (hereafter referred to as the Department or DoJCD).

The Gender Directorate is delighted to finally release the *Gender Mainstreaming* and *Gender Responsive Budgeting* package and believes it will assist all role players within the Department, particularly those in leadership positions, to understand the principles of *Gender Mainstreaming* and *Gender Responsive Budgeting*. This will facilitate the integration of gender considerations into all plans, policies and day to day implementation decisions.

The *Gender Mainstreaming* project was inspired by the Directorate's *Needs Assessment* which identified an immediate need to build capacity in the Department for both *Gender Mainstreaming* and *Gender Responsive Budgeting*. The target group for the package includes other role players who contribute to policy development, interpretation and implementation within the DoJCD.

The Directorate hopes that the application of the information and tools in the *Gender Mainstreaming* and *Gender Responsive Budgeting* package will accelerate the elimination of systematic gender discrimination in the Department, and contribute towards the achievement of gender equality in the Department and the society in general.

Sincere gratitude needs to be extended to the Centre for Reconciliation and Equality Studies (CRES)/ Waweth Agency and DoJCD team for their assistance in the research and writing of the *Assessment Report*, and the development of the *Gender Mainstreaming* and *Gender Responsive Budgeting* materials. The following people need special mention:

Department of Justice

- Ms Joey Rabalao
- Ms Sizzy Mdluli
- Ms Jacqui Ngeva (Project Sponsor)
- Mr Dominick Mashishi

CRES/WAWETH Agency

- Ms Thuli Madonsela
- Ms Sury Pillay

Adv Mikateko Joyce Maluleke

Director Gender Issues, Department of Justice and Constitutional Development
August 2005

Contents

1.	Purpose	12
2.	Objectives	12
3.	Background	13
4.	Application	14
5.	Gender Mainstreaming 9 Point Strategy	14
6.	Useful Resources (Internal and External)	21
7.	Bench marks	21
8.	Implementation	22
9.	Appendix	
10.	Table 1: Gender Equality Compliance Map	23
	Table 2: Gender Mainstreaming planning matrix	46

Key Concepts and Acronyms

Key Concepts

Black Economic Empowerment	Black Economic Empowerment refers to the implementation of measures to advance black people in order to equalise economic opportunities between them and white people.
Black Empowerment	Black empowerment refers to measures that seek to advance black people in order to achieve equality between them and white people.
Disaggregate	Disaggregate means subdivide into constituent parts.
Employment Equity	Employment Equity refers to the process and outcomes relating to the equalisation of and enjoyment of all employment opportunities and benefits, and the ending of gender, racial, disability and other forms of disadvantage and (unfair) discrimination.
Equality	Equality refers to the equal enjoyment of all rights and freedoms. It entails the absence of direct or indirect (unfair) discrimination.
Gender	Gender refers to the power relations between women and men. It is a social construct that assigns roles and worth to each sex based on group culture.

Gender Analysis	A gender analysis or gender equality analysis refers to a systematic process which involves assessing the impact of or likelihood that each decision, policy, law, plan, programme, situation, process or activity will impact differently on women and men because of their diverse socio-economic or physical circumstances, with the effect of prejudicing one gender.
Gender Awareness	Gender awareness refers to the state of being conscious of inequality arising from the power relations between women and men.
Gender Balance	Gender balance refers to an equitable distribution of life's opportunities and resources between women and men.
Gender Bias	Gender Bias refers to any act that advantages or perpetuates an existing advantage of one sex over the other.
Gender Budget	A Gender Budget, also referred to as a <i>Gender Responsive Budget</i> , refers to a budget or expenditure arrangement which is structured in a manner that ensures that women and men benefit equitably from financial resources.
Gender Disaggregated Data	Gender disaggregated data means information subdivided in terms of women and men.
Gender Mainstreaming	<i>Gender Mainstreaming</i> refers to the integration of gender equality considerations in all policy, law, plans, programmes, administrative and financial activities, organisational procedures, processes and decision making, in order to effect profound organisational and ultimately, societal transformation, towards the realisation of <i>de jure</i> and <i>de facto</i> equality between women and men.
Gender Management System	A Gender Management System is a network of structures, mechanisms and processes that are put in place within an organisational framework to facilitate <i>Gender Mainstreaming</i> in pursuit of equality between women and men. (<i>Adapted from Common Wealth Gender Management System Handbook</i>).
Gender Responsive Budgeting	<i>Gender Responsive Budgeting</i> refers to the allocation of financial resources in a manner that not only ensures that women and men benefit equally from all resources but also reduces existing patterns of women's systemic inequality. Gender budgeting is one of the mechanisms of an effective Gender Management System.

National Gender Machinery	National Gender Machinery refers to a network of coordinated structures within and outside government which operate cooperatively in facilitating political, social, economic and other forms of transformation to dismantle systemic gender inequality and promote equality between women and men.
Per Capita	<i>Per capita</i> means the average per person. This is worked out by dividing total cost with the number of actual beneficiaries.
Practical Gender Needs	Practical Gender Needs refers to women's day to day needs that result from their subordinate position in society. Addressing Practical Gender Needs does not challenge or transform structural gender inequality but simply helps women cope better with their present position.
Preferential Procurement	Affirmative action in procurement.
Procurement Equity	Procurement Equity refers to the process and outcomes relating to the equalisation of enjoyment in all procurement opportunities and incorporates affirmative procurement.
Pro-women Programmes	Pro-women programmes refers to services and programmes for everyone but that are most likely to respond to the needs of women, for example domestic violence services.
Sex	Refers to the biological difference between women and men.
Sex Disaggregated	Has the same meaning as gender disaggregated. It means broken down according to women and men.
Strategic Gender Needs	Strategic Gender Needs refers to women's long-term needs relating to fundamental social transformation to end their subordination in society.
Unfair Discrimination	Unfair discrimination refers to the direct or indirect unfair denial of opportunities to or imposition of an undue burden on a person or group, on the basis of their gender, race, disability or some other difference, or combination of differences.
Women's Budget	A women's budget has the same meaning as a gender budget or gender responsive budget. 'Women' is used to emphasise the fact that women are the targeted beneficiaries of the budget reform that is entailed in gender budgeting.

Women Empowerment	Women Empowerment means establishing programmes that exclusively target women as a form of affirmative and positive action to empower them in order to equalise opportunities between women and men.
Women's Equal Access	Promoting women's equal access to mainstream services is about mainstreaming gender into all services to ensure that women and men benefit equitably.

Acronyms

ADR	Alternative Dispute Resolution (also referred to as Informal Dispute Resolution)
BBBEEA	Broad Based Black Economic Empowerment Act
BEE	Black Economic Empowerment
BPA	Beijing Platform for Action
CCMA	Commission for Conciliation, Mediation and Arbitration
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CGE	Commission on Gender Equality
DGPS	Departmental Gender Policy Statement
DOJCD	Department of Justice and Constitutional Development
DVA	Domestic Violence Act
EEA	Employment Equity Act
ERC	Equality Review Committee
GFP	Gender Focal Point or Person
GENMACC	Gender Mainstreaming Advisory and Compliance Committee
IDASA	Institute for Democracy in South Africa
IPOA	Integrated Plan of Action
MAGCOM	Magistrate's Commission
MTEC	Medium Term Expenditure Committee
MTEF	Medium Term Expenditure Framework
NGPF	National Gender Policy Framework
OSW	Office of the Status of Women
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination Act
PFMA	Public Finance Management Act
PPPFA	Preferential Procurement Policy Framework Act
SADC	Southern African Development Community
SAHRC	South African Human Rights Commission

SALRC	South African Law Reform Commission
SMME	Small Medium and Micro Enterprises
UPP	Unfunded Priority Project
VAW	Violence Against Women

Implementation Guidelines

1. PURPOSE

The purpose of the *Gender Mainstreaming Implementation Guidelines* is to assist the leadership and personnel in the Department of Justice and Constitutional Development (hereafter referred to as the DoJCD or the Department) and Ministry of Justice and Constitutional Development (the Ministry) to mainstream gender in all departmental decision making and activities in order to achieve advancement of women and gender equality.

These guidelines seek to respond to and build upon recommendations made in the Gender Mainstreaming Report (May 2004), undertaken by the Gender Directorate to establish the extent to which gender is currently being mainstreamed in the Department.

The guidelines also attempt to address the Department's need for capacity building to ensure that all policies, laws, plans, programmes, decisions and activities are aligned with international and national policy frameworks regarding women empowerment and the achievement of gender equality.

2. OBJECTIVES

These guidelines seek to ensure that persons operating under the scope of the Ministry/Department understand the differential circumstances of women and men in society and the impact of seemingly neutral decisions, plans, laws, policies and practices on either gender. The idea is to ensure that all activities and decisions avoid indirect discrimination against either gender, and consciously contribute to the eradication of existing structural inequality experienced by women. The guidelines also seek to

accelerate gender transformation within and through the work of the Ministry/Department, and to facilitate compliance with CEDAW, the constitution and other binding instruments.

3. BACKGROUND

South Africa has ratified without a single reservation, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), thus incurring compliance obligations to transform society to advance women and ensure that they enjoy all human rights on an equal basis with men and without discrimination. CEDAW is very specific that the equality that is envisaged is substantive and involves the absence of both *de jure* (legal) and *de facto* (factual) discrimination. This is the idea of equality that underpins the South African Constitution and which is reflected in the Bill of Rights. Section 9(2) of the constitution states that ‘equality involves the full and equal enjoyment of all rights and freedom’. To promote the achievement of equality, legislative and other measures designed to protect persons disadvantaged by unfair discrimination may be taken.

The position of black women, particularly those affected by customary law, is compounded by systemic racial discrimination and related factors. One critical human rights concern in this regard is the issue of women’s succession rights under customary law. Women with disabilities, young women, children and elderly women also face additional obstacles with regard to full and equal enjoyment of human rights and freedoms. South Africa undertook to rectify this situation when it ratified CEDAW without any reservation in 1996.

South Africa is also signatory to other regional and national instruments whose implementation requires Gender Mainstreaming in order to be compliant. These instruments include:

- Beijing Platform for Action (BPA);
- African Charter on Human and People’s Rights;
- SADC Declaration on Gender and Development and Addendum on Violence Against Women;
- Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA);
- National policy on the transformation of the public service;
- White Paper on the Transformation of Public Service Delivery (Batho Pele); and
- National Policy Framework on women’s empowerment and the achievement of gender equality.

However, a huge gap remains between compliance with constitutional and international obligations and the reality of women’s subordination in South Africa. This applies also to the position of women in the Ministry/Department. For example, women are barely represented within senior leadership of the Ministry/Department and in the Judiciary. Women experience additional obstacles in accessing justice, particularly in respect of gender violence, family law and the civil justice system. They tend to

be marginalized in court dialogue and are more likely than men to lack resources for legal advice and victim support.

4. APPLICATION

- 4.1 Guidelines apply to all employees and structures in the Ministry/Department. All institutions and bodies that fall within the scope of the Ministry/Department should apply the guidelines.
- 4.2 All employees, structures, institutions/ bodies that fall within the scope of the Ministry/ Department should apply the guidelines in planning *Gender Mainstreaming* activities, taking into account the specific circumstances of their own Units/Components.
- 4.3 These guidelines should be read in conjunction with the Departmental Gender Policy Statement and other Gender Instruments applicable to the Ministry/Department.
- 4.4 These guidelines apply to all activities that fall within the scope of the Ministry/Department including aspects of the judicial system that report under this Ministry/Department.

The areas to be prioritized for *Gender Mainstreaming* include but are not limited to the following:

- Service delivery and related programmes;
- Employment;
- Decision making processes and structures;
- Procurement;
- Systems and procedures;
- Communication processes, including interface with the community;
- Budgets, budget processes and expenditure patterns;
- Monitoring and reporting practices;
- Research, policy, legislation and law reform;
- Litigation strategies;
- Inter-departmental, inter-governmental and international relations; and
- The judicial process.

5. GENDER MAINSTREAMING 9 POINT STRATEGY

The following 9 point strategy is recommended for accelerating *Gender Mainstreaming* efforts in the Ministry/Department and all components therein:

- Provide leadership and create an enabling environment;
- Clarify concepts and understand legal and policy compliance frameworks;
- Conduct a Compliance Audit;
- Establish a *Gender Mainstreaming* facilitating structure/mechanism;
- Develop and implement an integrated programme of action for *Gender Mainstreaming*;
- Assign responsibility and accountability;
- Allocate an adequate budget and other resources;
- Integrate a programme of action in your mainstream strategic and other plans; and
- Monitor and report progress.

The following table provides recommended action for the 9 point strategy:

5.1 Provide leadership and create an enabling environment	Recommended Action
<p>Senior leadership up to the highest position in the Department/Component to facilitate a change process to generate commitment to <i>Gender Mainstreaming</i> in the Department/Component and create an enabling environment.</p>	<ul style="list-style-type: none"> • Statement of commitment to a process of accelerating efforts to mainstream gender; • Build and maintain a shared vision and values on gender equality; • Take responsibility for policy and legal compliance within your sphere of competence; • Provide policy clarity on critical gender issues; • Play a visible role in advocating for action on gender equality and women’s empowerment; • Demand accountability on gender compliance from all your subordinates; • Work with and support the work of the Gender Focal Point (GFP) or Directorate; • Commit to global and national mandates on gender equality; • Develop an institutional and legislative environment that is conducive to advancing equality between women and men; • Ensure a critical mass of women in decision making at all levels; • Ensure active involvement of women and men in civil society; and • Assign adequate human, financial and other resources to gender programming.

5.2 Clarify concepts and understand legal and policy framework	Recommended Action
<p>Ensure that everyone in the Department/ Component from top management to the lowest level is familiar with all the key national and international standard setting instruments on gender equality and fully appreciates the nature of compliance required from the Department/ Component.</p> <p>Ensure that there is a common understanding of all key concepts in the gender transformation dialogue.</p>	<ul style="list-style-type: none"> • Provide a briefing pack with copies of all key human rights and legal policy instruments on gender equality to personnel in the Department, starting with senior leadership. At minimum, the following documents, including summaries if possible, should be provided: <ul style="list-style-type: none"> - Beijing Platform for Action (BPA) include National Commitments on Implementation and the BPA+5; - CEDAW Reporting Protocol and the CEDAW Committee Concluding Comments; - SADC Declaration on Gender and Development and the Addendum on the Prevention and Eradication of Violence Against Women and Children; - The South African Constitution; - Employment Equity Act (EEA), 1998 ; - Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (PEPUDA); - Preferential Procurement Policy Framework Act (PPPFA), 2000; - Broad Based Black Economic Empowerment Act (BBBEEA), 2003; - National Policy Framework for Women’s Empowerment and Gender Equality; - Skills Development Act, 1998 and Strategy, - Batho Pele: White Paper on Transformation of Public Service Delivery; - Department’s Gender Policy Statement; - Gender Mainstreaming Assessment Report; and - Gender Mainstreaming Guidelines and Reporting Protocol. • Disseminate simplified and accessible information on the above instruments, for example posters, pamphlets, web pages and speeches; • Conduct briefing sessions/workshops with all personnel (top to bottom), to familiarize them with the applicable national and international standard setting instruments on Gender Mainstreaming and women’s empowerment; • Identify a Gender Focal Person or Point as a central information centre for sustainable technical support; • Consult regularly with the gender focal person/point/directorate to clarify difficult concepts and compliance

	<p>obligations regarding Gender Mainstreaming/equality; and</p> <ul style="list-style-type: none"> • Identify Department/Component’s obligation in relation to each gender priority and strategic objective arising from the standard setting instruments.
<p>5.3 Conduct a Compliance Audit</p>	<p>Recommended Action</p>
<p>Review the situation in the department and assess the extent to which policies, programmes, plans, structures, processes, decisions and activities are aligned with compliance obligations under national and international standard setting instruments.</p>	<ul style="list-style-type: none"> • Prepare a checklist of all compliance obligations applicable to the Department/Component arising from the standard setting instruments; • Read the Gender Mainstreaming Assessment Report and identify issues that apply to your sphere of responsibility and determine action required; • Conduct a detailed gap analysis on all aspects of the Department/Component prioritizing the following: <ul style="list-style-type: none"> - Employment; - Decision making processes and structures; - Procurement; - Systems and procedures; - Communication processes, including interface with civil society; - Budgets, budget processes and expenditure patterns; - Monitoring and reporting practices; - Service delivery and related programmes; - Research, policy legislation and law reform; - Litigation strategies; - Interdepartmental, intergovernmental and international relations; and - The judicial process; and • Ascertain the nature of obstacles that prevent effective gender mainstreaming in the Department/Component that has been identified during the compliance audit.
<p>5.4 Establish a Gender Mainstreaming facilitating structure/ mechanism</p>	<p>Recommended Action</p>
	<ul style="list-style-type: none"> • Establish a Gender Mainstreaming Advisory and Compliance Committee (GENMACC); • Establish a GFP in each Unit/Component or reinforce an existing one and ensure that it is empowered through inter alia:

<p>Establish an advisory and compliance committee that will drive the Gender Mainstreaming process in the Department/ Component.</p>	<ul style="list-style-type: none"> - An adequate budget; - Human Resources; - Space and Equipment; - Authority; - Support from leadership; and - Capacity Building. <ul style="list-style-type: none"> • Empower the GFP to participate as a technical advisor in the GENMACC and other key decision making structures; • Ensure that the GENMACC is representative in terms of components within the Department and with regard to gender and race, and that appointed persons have high-level decision-making powers/authority in the Department/Component; • Assign adequate authority and resources to the GENMACC to enable it to operate effectively; • Ensure that the GENMACC meets regularly, has a clear programme of action with clear deliverables, and reports regularly (in writing) to the head of the Department/ Component, who in turn should integrate the report into their mainstream report to the Executive Committee/ Departmental Board or any other relevant structures; and • Cascade the GENMACC to all levels of decision making in the Department.
<p>5.5 Develop and implement an Integrated Programme of Action (IPOA) for mainstreaming gender</p>	<p>Recommended Action</p>
<p>Develop a coherent and Integrated Programme of action which provides a framework for ensuring that all parts of the Department/ Component contribute effectively to and complement each other. Ensure that gender is being mainstreamed into all decisions and</p>	<ul style="list-style-type: none"> • Develop a Vision and Value Statement for Gender Mainstreaming; • Develop an IPOA for mainstreaming gender in the Department/Component; • Ensure that the IPOA has clear goals, targets and activities to achieve such goals during the next 5 years, 3 years, 12 months, quarter and month; • Base Departmental goals/objectives on compliance obligations arising from international and national Human Rights treaties and policies on women’s advancement and gender equality, using the Gender Equality Compliance Map (Table A) and the Gender Mainstreaming Planning Matrix (Table B) and the Gender Policy Statement of the Department;

<p>activities, thus advancing women and eliminating systematic gender equalities.</p>	<ul style="list-style-type: none"> • Ensure that the IPOA also incorporates measures that address each and every obstacle to Gender Mainstreaming that has been identified;
<p>5.6 Assign responsibility and demand accountability</p>	<p>Recommended Action</p>
<p>Clarify the role and responsibility of each manager/employee and ensure that they are informed accordingly.</p> <p>Implement measures to enforce accountability.</p>	<ul style="list-style-type: none"> • Ensure that the role and responsibility of each manager/employee is clarified and that they are all informed accordingly; • Clarify the role, responsibility, powers and accountability of the GFP and inform everyone accordingly; • Integrate gender responsibilities and accountability in all performance contracts and systems; and • Implement mechanisms for rewarding performance and sanctioning non-performance.
<p>5.7 Allocate an adequate budget and other resources</p>	<p>Recommended Action</p>
<p>Allocate sufficient funds, personnel and required resources to provide effective support to the Gender Mainstreaming processes in the Department/Component.</p>	<ul style="list-style-type: none"> • Integrate gender consideration into the mainstream budget of the Department/Component; • Allocate sufficient budget for gender focal person/point; • Allocate a reasonable budget for GENMACC and reviewing of systems and processes and engendering mainstream systems processes; and • Allocate adequate resources to pro-women programmes.
<p>5.8 Integrate the IPOA in your Mainstream Strategic plans and all other plans</p>	<p>Recommended Action</p>
<p>Ensure that elements of the IPOA are incorporated in the strategic and other general plans, including the MTEF of the Department/Components.</p>	<ul style="list-style-type: none"> • Review existing plans/budget and adjust provisions in accordance with commitments in the IPOA ; and • Adjust targets and indicators in strategic and other general plans to accommodate contents of the IPOA that are not covered in existing plans.

<p>The IPOA should also be incorporated into all programmes and projects.</p>	
<p>5.9 Monitor and report on progress</p>	<p>Recommended Action</p>
<p>This information includes reporting on and regularly disseminating information on progress against agreed targets.</p> <p>Ensure that reporting compliance is rigorously enforced by the Department/Components.</p>	<ul style="list-style-type: none"> • Review existing data management systems to determine capacity to capture baseline data and progress indicators on Gender Mainstreaming and if, necessary make adjustments; • Ensure that there is the necessary capacity to link Gender Mainstreaming to data management and reporting; • Establish baseline data disaggregated by gender and its intersection with factors such as race, on all the activities of the Department/Component, prioritising the following: <ul style="list-style-type: none"> - Employment; - Decision making processes and structures; - Procurement; - System and procedures; - Communication Processes; - Budgets, budget process and expenditure patterns; - Monitoring and reporting practices; - Service delivery and related programmes; - Research, policy, legislation/law reform; - Litigation strategies; - Interdepartmental, intergovernmental and international relations; and - Interface with civil society. • Align sanctions and rewards with performance against Gender Mainstreaming objectives and accountabilities; • Align internal reporting formats with national and international reporting obligations; • Ensure that regular reports are submitted and discussed at management meetings; and • Ensure that compliance reports to appropriate agencies are prepared and submitted timeously.

6. USEFUL RESOURCES

The decision makers are advised to familiarize themselves with other resources that provide them with knowledge and skills on *Gender Mainstreaming*.

6.1 Documents include:

- National and international standard setting instruments;
- National and international case law;
- International and national literature on gender equality, mainstreaming and management; and
- United Nations Agencies and other useful websites and audio visual material.

6.2 Human resources include:

- Internal GFP;
- Gender Directorate and Advisory Committee;
- Office on the Status of Women (OSW);
- Commission for Gender Equality (CGE); and
- Civil society experts.

7. BENCH MARKS

Benchmarks are important for the purpose of setting targets and milestones, and for reviewing and extracting standards and compliance obligations applicable to the Department/Component. These should then be integrated into the Programme of Action in point 5 above. The *Gender Equality Compliance Map* and the *Gender Mainstreaming Planning Matrix* should provide some guidance in this regard.

It is important to regularly seek the technical input or advice of specialist gender structures. This should include structures mentioned in point 6 in the table above.

It is also important to note the specific benchmarks captured in the following standard setting instruments:

- 7.1 BPA and the National Commitments;
- 7.2 CEDAW Reporting Protocol and recommendations of the CEDAW Committee;
- 7.3 SADC Declaration on gender and development and the Addendum on Violence against Women and Children;

- 7.4 National Policy Framework for Women's Empowerment and Gender Equality;
- 7.5 Department's Gender Policy Statement; and
- 7.6 National and international best practices on gender.

It is recommended that the IPOA incorporates best practices from similarly situated institutions, nationally and internationally, for example the Departments of Minerals and Energy, Water Affairs, Transnet, Eskom and Telkom, as well as the Departments of Justice in countries such as Canada, Australia and United States of America.

8. IMPLEMENTATION

The following points suggest a process for implementation:

- Distribute the Gender Mainstreaming Assessment Report, the Guidelines and Reporting Protocols within each Business Unit/Component;
- Organise a meeting to plan process;
- Identify a GFP from within the Unit/Component to provide technical and coordination support;
- Organise Briefing Packs for every person, starting with the most senior leadership, using the services of the Gender Directorate and the identified GFP;
- Implement the 9 point strategy in 5 above;
- Utilise the Gender Equality Compliance Map and the Gender Mainstreaming Planning Matrix to support the implementation of the 9 point strategy; and
- Review progress periodically and redirect where necessary.

10. TABLE 1: GENDER EQUALITY COMPLIANCE MAP

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
1. Violence Against Women	<p>Women are entitled to the right to bodily and psychological integrity.</p> <p>This means women have the right to security and to make decisions over their own bodies.</p> <p>Key Issues:</p> <ul style="list-style-type: none"> • Enhance effective implementation of Domestic Violence Act; • Fast track Sexual Offence Bill and develop strategy for implementation thereof; • Provide adequate resources to sexual offences courts; • Develop and implement legislative and administrative action to address trafficking of women and children; 	<p>Article 2 and 12, 6</p> <p>General Recommendation 19 of CEDAW</p>	Paragraph 112 to 130	<p>Article (iv) H(viii)</p>	<p>Article 8, 9 10, 11, 12, 13, 14, 17, 20, 21 and 22</p> <p>All articles</p>	<p>Article 1, 2, 3, 4, 5, 6 and 12 and 28</p>	<p>Section 9,10,11, 12 and 13 of the South African Constitution</p> <p>Domestic Violence Act of 1998</p> <p>State of Emergency Act of 1997</p> <p>The Criminal Law Amendment Act of 1997</p> <p>Criminal Procedure</p> <p>Second Amendment Act of 1997</p> <p>Criminal Matters Amendment Act of 1998</p> <p>Justice vision 2000</p> <p>National Gender Policy Framework - Chapter 2 pages 9-17</p> <p>Gender Policy Statement of Department of Justice Chapter 3 page 9</p>

¹ These reference are not exhaustive but tends to highlight some of the relevant sources as a starting point

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
1. Violence Against Women (Continued)	<ul style="list-style-type: none"> Finalise legislation regarding willful infection of HIV/AIDS; Improve and standardize victim empowerment; and Institutionalize understanding that violence against women is a form of unfair discrimination against women and a violation of women's human dignity. 						
2. Human Rights of Women (including equality)	<p>Women's rights are human rights as enshrined in the Bill of Rights. They apply to all human beings. Human rights are integrated and indivisible.</p> <p>Key issues:</p> <ul style="list-style-type: none"> Implement administrative measures to address cultural values and practices that violate women's dignity; Ratify the optional protocol to CEDAW; Eliminate unfair discrimination and ensure state compliance Mainstream equality; 	Article 1 and 2	Paragraph 210 to 233 Paragraph 102g Paragraph 102k	Article H(vii) Article A(i), B(i) and H(vii)	Article 13	Whole Chapter and NB Article 1, 2, 5 and 28	Chapter 2 (Bill of Rights) of the Constitution. Section 34 South African National Gender Policy Framework Chapter 2 page 19

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ³
2. Human Rights of Women (including equality)	<ul style="list-style-type: none"> • Modify and repeal of laws that constitute discrimination against women; and • Ensure that the justice system guarantee Women's equal enjoyment of all human rights, including social economic, cultural and development rights. 						
3. Women, Culture and Customary Law /Practices	<p>The right of all persons to enjoy and practice their cultural and religious beliefs without discriminating on the basis of gender is recognized subject to the protection of women's human dignity and gender equality.</p> <p>Key issues:</p> <ul style="list-style-type: none"> • Modify social and cultural practices to eliminate discrimination against women; 	Article 5, 14 and 16	Paragraph 210 to 233 and paragraph 259 to 286 Paragraph 103 d, e and g Paragraph 128h paragraph 130a and c paragraph	Article H(iv)	Article 13,14 and 15	Article 1, 2, 3, 4, 13 and 18	Section 9, 15(3), 31(2) and 38 Section, 186 and 235 Recognition of Customary Marriages Act 120 of 1998 National Gender Policy Framework - Chapter 2 Page 9

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ³
<p>3. Women, Culture and Customary Law /Practices (Continued)</p>	<ul style="list-style-type: none"> • Respond to rural women's needs; • Implement administrative measures to effectively address women's rights in customary marriages; • Address women's rights in religious marriages and domestic partnerships; • Address women's inheritance and succession rights under customary law; • Undertake constitutional and law review on women's rights and customary law; • Conduct effective gender sensitizing and public awareness; • Discourage media stereotyping of women; and • Implement measure to be adopted to ensure that cultural and religious rights are exercised in a manner that is consistent with the Bill of Rights as stipulated in S31(2). 						<p>Gender Policy Statement of Department of Justice Chapter 3 page 27-30</p>

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
4. Woman and the family	<p>The state is required to take all appropriate measures to protect and advance women's equality within the family.</p> <p>Key issues:</p> <ul style="list-style-type: none"> • Strengthen administrative arrangements for maintenance and domestic violence; • Address women's rights in dissolution of marriage/domestic partnerships; • Implement administrative measures to address parental rights and achieve a balance between work and family; and • Implement administrative interventions to discourage attitudes that undermine women's access to and control of family property. 	Article 5(b) and 16	Paragraph 112 to 130 and article 210 to 233	Article H(iii), (iv), (v), (vi), (viii), (ix) and (x)	Article 5 (a), (b) Article 11,13	Article 18	<p>Section 9, 10, 15(3) of the constitution</p> <p>Divorce Courts Amendment Act No 65 of 1997</p> <p>Maintenance Act No 99 of 1998</p> <p>Marriage Act, No 50 of 1997</p> <p>Domestic Violence Act No 116 of 1998</p> <p>Adoption matters Amendment Act No 56 of 1998</p> <p>National Gender Policy Framework – Chapter 3 page 21</p>

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
5. Women, poverty and the economy	<p>The state is required to adopt measures to ensure that women have equal access to and control over economic resources to alleviate poverty and improve the quality of their lives.</p> <p>Key issues:</p> <ul style="list-style-type: none"> • Review employment equity/affirmative action measures and implement special strategies to improve the position of women; • Audit remuneration practices and implement measures to ensure pay equity; • Address workplace health and safety issues affecting women in the Department; • Review policies and practices on family benefits; • Address gender gaps if any; • Address legal and administrative gaps to ensure that women have equal access to succession/inheritance; 	Article 11, 13 and 14	Paragraph 47 to 68 and Paragraph 150 to 180 Paragraph 135 (d)	Article H(iii), (V)	Article 13 – 15	Article 8, 10, 13, 15, 23 and 27	Section 9, 22, 23, 24, 25, 26 and 27 of the Constitution Basic Conditions of Employment and Employment Equity Act of 1998 Skills Development Act Social Assistance Act of 1992 The unemployment Insurance Act of 1996 White Paper on Affirmative Action on the Public Service P P P F A B B E E A P E P U D A National Gender Policy Framework Chapter 2 page 11 Addendum articles 13, 18 and 34 Implement measures to facilitate women's equal participation in employment related decisions Workers Compensation Act

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
5. Women, poverty and the economy (Continued)	<ul style="list-style-type: none"> • Improve effectiveness of maintenance administration and prioritize systems for improved collection; • Implement special measures to ensure procurement equity for women and other disadvantaged groups; • Implement accelerated development for women including career pathing; • Develop and implement an implementation strategy for the B B E E A, prioritizing women; and • Review justice services to ensure responsiveness to the needs of people. This should include legal aid and payment of service of process where applicable. 						

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
6. Women, the Law and the Constitution	<p>The constitutional and national laws and implementation thereof should facilitate women's equal enjoyment of all human rights and freedoms in the political, social, cultural environment, development, family and other spheres of life.</p> <p>Key Issues:</p> <ul style="list-style-type: none"> • Eliminate laws which unfairly discriminate against women; • Enhance the functioning of the Equality Courts; • Implement special measures to empower women to ensure de facto equality; • Address the tension between gender equality and the recognition of cultural / customary / religious rights; 	Article 1,2,15 and 16	Paragraph 112 to 130 and paragraph 210 to 233	Article H(vii), (iv) and (x)	Article 8, 9, 10, 11, 12 and 18	Article 1, 2, 3, 5, 7, 9, 13, 26 and 28	<p>Section 9, 165, 175 of the constitution</p> <p>PEPUDA</p> <p>Employment Equity Act of 1998</p> <p>Skills Development Act of 1996</p> <p>The Unemployment Insurance Act</p> <p>State of Emergency Act of 1997</p> <p>Divorce Courts Amendment Act No 65 of 1997</p> <p>Adoption Matters Amendment Act No 56 of 1998</p> <p>Maintenance Act No 99 of 1998</p> <p>Domestic Violence Act No 116 of 1998</p> <p>National Gender Policy Framework - Chapter 2 page 9</p> <p>Gender Policy Statement (Department of Justice)</p>

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
6. Women, the Law and the Constitution (Continued)	<ul style="list-style-type: none"> • Audit all laws to eliminate negative gender impact; • Facilitate women's equal enjoyment of all rights enshrined in the Bill of Rights; • Facilitate women's access to justice in respect of all Departmental services; • Enhance protection of women consumers / civil litigants; • Undertake constitutional reviews to balance rights of victims and accused; • Implement standardized legal and administrative measures to enhance victim empowerment, including restorative justice; • Ratify the CEDAW Optional protocol and familiarize all service providers with 						

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
6. Women, the Law and the Constitution (Continued)	<p>CEDAW; and</p> <ul style="list-style-type: none"> Address succession/inheritance rights of women affected by customary and religious laws. 						
7. The Girl-Child and other victims of multiple forms of discrimination	<p>Special measures are required to accommodate the needs of the girl child and to respond meaningfully to the diverse needs of women affected by the intersection of gender and other forms of oppression.</p> <p>Key Issues:</p> <ul style="list-style-type: none"> Address rural poor women's and girl children's access to justice; Address disabled women's access to justice and employment opportunities in the Department; Address the intersection of race and gender in economic and professional opportunities within the Department/Ministry's scope of work; 	Article 4, 7 10 and 16(2)	Paragraph 259 to 285 and paragraph 210 to 233 paragraph 103c	Article H (vi), (vii), (ix)	Article 8, 9,20	Article 18	Section 9, 10, 11, 12 and 28 of the Constitution Chapter 2 (Bill of Right) of the Constitution Basic Conditions of Employment Act of 1997 The Protection Of Children and young persons from Economic and Social Exploitation Act The National Gender Policy - Chapter 2 page 12 Gender Policy Statement Framework of Department of justice page 15

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
7. The Girl-Child and other victims of multiple forms of discrimination (Continued)	<ul style="list-style-type: none"> • Improve responsiveness to violence against the girl child and other vulnerable groups; and • Conduct a needs assessment on the diversity of women's justice needs and respond accordingly. 						
8. Women in power and decision-making	<p>The state is required to ensure women's equal representation in senior positions in government, the judiciary and the private sector; and</p> <p>This enhances diverse gender perspectives, responsiveness to women's circumstances and the promotion of gender equality.</p> <p>Key issues:</p> <ul style="list-style-type: none"> • Implement special measures to enhance participation of women in management structures and processes; 	Article 1, 2, 3, 4, 5, 7, 8,10, 11 and 14	paragraph 185 to 195, 117(a) bis	Article H(ii)	Article 20, 24	Article 13 and 11	Section 9, 19 (1), 19 (3) (b) of the Constitution Employment Equity Act of 1998 White Paper on the transformation of the Public Service (1995) White Paper on Affirmative Action in the Public Service (1998) South African National Gender Policy Framework - Chapter 2 page 18

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
8. Women in power and decision-making (Continued)	<ul style="list-style-type: none"> Accelerate management and professional development for women; Implement gender awareness raising and skills development for decision makers; and Involve women in civil society adequately in the formulation and implementation of government policies. 						<p>PEPUDA</p> <p>Gender Policy Statement of Department of Justice Chapter 4 page 56</p>
9. Women and Victim Empowerment	<p>Victim support and empowerment policy considerations should be embedded in all laws, procedures and practices for vindication of women's rights.</p> <p>Key issues:</p> <ul style="list-style-type: none"> Finalise and implement the Victims' Charter; Institutionalise the seven core rights of victims; Establish uniform victim support services in all courts; 	Article 1, 2c, 2d, 2e 6, 12 and 19	Paragraph 210 to 233 and paragraph 112 to 130	Article H (vii), H (ix), H (x)	Article 11, 16, 17, 18 and 19	Article 3, 5, 12 and 18	<p>Chapter 2 (Bill of Rights) of the Constitution</p> <p>Criminal Procedure Act 1997</p> <p>National Crime prevention strategy</p> <p>Gender Policy Statement of Department of Justice page 19</p> <p>Domestic Violence Act</p> <p>Draft Violence Act</p> <p>Sexual Offence Legislation</p> <p>Maintenance Act</p> <p>PEPUDA</p>

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
9. Women and Victim Empowerment (Continued)	<ul style="list-style-type: none"> • Train all service providers on responsive service delivery; • Review and strengthen legal and administrative mechanisms on victim empowerment; and • Strengthen civil society initiatives on victim empowerment. 						
10. Women and the budget	<p>The state is required to ensure that all budget processes and the content thereof reflect a commitment to redirecting resources towards gender transformation and that ultimately women and men from all walks of life benefit equally from all resources used.</p> <p>Key issues:</p> <ul style="list-style-type: none"> • Implement measures to ensure that women benefit 	Article 1, 2, 3, 4	Paragraph 345 to 361 Paragraph 30 Paragraph 109(a)	F (i) and (ii) H (iii)	Article 24	Article 1 – 13	Section 9, 195(d) and (e) 217 and of the Constitution Public Finance Management Act of 2000 Batho Pele National Gender Policy Framework page 51 – table 7; page 55 – paragraph 7.3.1.

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
<p>10. Women and the budget (Continued)</p>	<p>equitably from procurement opportunities;</p> <ul style="list-style-type: none"> • Implement capacity building measures on gender budgeting for all decision makers; and • Mainstream gender considerations into all budget processes and expenditure items. • Top slice funding for pro-women and women empowerment programmes; • Top slice funding for pro-women / gender equality promoting services (e.g. domestic violence / maintenance / sexual offences and equality courts); • Allocate an adequate budget towards sustained public education on new laws; • All decision makers to prepare and submit annual budget statements; 						<p>Gender Policy Statement of Department of Justice pages 18 – 24</p> <p>P P P F A</p> <p>B B B E E A</p>

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
10. Women and the budget (Continued)	<ul style="list-style-type: none"> Allocate an adequate budget and other resources towards gender programming; and Prepare a gender disaggregated per capita expenditure baseline report and regular progress report on gender gaps thereafter. 						
11. Education, training and capacity building	<p>States are required to ensure that women and men have equal access to education, training and capacity building opportunities.</p> <p>Furthermore, education and training should promote gender equality.</p> <p>Key Issues:</p> <ul style="list-style-type: none"> Implement special developmental measures to accelerate women's leadership, management and professional advancement; and 	Article 10	Paragraph 69 to 88	Article H(v) and H(x)	Article 14, 20	Article 8, 17 and 25	Section 9, 10 and 29 of the Constitution South African Qualifications Authority Act of 1995 PEPUDA Employment Equity Act of 1998 White Paper on Affirmative Action in the Public Service Gender Policy Statement of the Department of Justice chapter 4 page 46 - 57

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
11. Education, training and capacity building (Continued)	<ul style="list-style-type: none"> • Facilitate women's entry and development in the legal profession. • Implement special measures to accelerate entry, development and advancement of women in the judiciary; • Align skills development strategies with employment equity objectives; and • Implement special development measures to ensure career pathing for women (especially those experiencing glass ceilings). • Implement gender awareness and skills development measures to enhance gender management capacity for all decision makers; and • Implement measures to ensure gender balanced representation in decision making regarding education and training. 						Skills Development Act National Gender Policy Framework Chapter 2 page 12

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
11. Education, training and capacity building (Continued)	<ul style="list-style-type: none"> • Implement mentorship programmes to accelerate women's professional and management advancement; • Review mainstream programmes to assess development barriers faced by women in the Department; • Implement personal development and career pathing for everyone in the Department/Ministry; and • Review public education programmes to ensure that women's legal literacy and gender awareness are effectively addressed. 						
12. Institutional mechanism or the advancement of women	States are required to establish and support a coherent network of institutional mechanisms to ensure effective promotion of gender equality						

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
12. Institutional mechanism or the advancement of women (Continued)	<p>and monitoring on the status of women.</p> <p>Key issues:</p> <ul style="list-style-type: none"> • Strengthen the Gender Directorate through access to decision making and resources, such as human resources, finance, infrastructure and research capacity; • Establish and resource gender focal point in all units; and • Establish a crosscutting coordinating mechanism for gender issues. • Clarify the responsibility of all managers and integrate accountability in performance contracts; • Mainstream gender in general management and monitoring mechanisms; • Implement capacity building on Gender Mainstreaming for all relevant decision makers; and 	Article 7(c)	Paragraph 196 to 209 and paragraph 286 to 344	Article F(i), (ii) and (v) Article (g)	Article 23	Article 1 and 26	<p>Section 9(2), 33, 34, 187 and chapter 8 and 9 of the Constitution</p> <p>National Gender Policy Framework – Chapter 4 pages 25 – 34</p> <p>Gender Policy Statement of the Department of Justice Chapter 5 page 58 – 63</p>

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
12. Institutional mechanism or the advancement of women (Continued)	<ul style="list-style-type: none"> Assign an adequate budget for coordination of gender programming. Prepare and discuss regular reporting on all aspects of Gender Mainstreaming; Implement urgent measures to ensure that all court statistics are gender disaggregated and specific on women's concerns such as rape, domestic violence etc; and Review complaints mechanisms, particularly in respect of courts, to ensure effective redress for users. Allocate resources to research/knowledge generation on the position and needs of women in respect of all Department/Ministry services. 						

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
13. Research and information management for advancing women	<p>States are required to integrate gender considerations into every plan, activity, policy and research;</p> <p>Gender disaggregated information is to be kept to facilitate planning, implementation, monitoring and evaluation of gender programming.</p> <p>Key issues:</p> <ul style="list-style-type: none"> • Review management information systems to ensure that all data is disaggregated by gender and its intersection with race and other compounding factors; and • Prepare base line information on the status of women in terms of all aspects of the Department/Ministry services. 	2 (e), 4	Paragraph 196 to 209 and article 286 to 344	F (i), H (i) and (iv)	Article 21 and 22	Article 1	Section 9, 10, 15, 16, 19(e) 30, 31, 32 and 165(4) of the Constitution National Gender Framework - Chapter 2 page 18 Gender Policy Statement of the Department of Justice page 59 PEPUDA E E A

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
14. Women, health and the Environment	<p>States are required to adopt appropriate measures to eliminate discrimination against women with regard to health and the environment.</p> <p>This includes health concerns relating to the work place.</p> <p>Key issues:</p> <ul style="list-style-type: none"> • Establish and address women's health and safety needs in the administration and courts; • Audit the working environment to establish the impact on women's wellness; • Review HIV and AIDS policies and programmes and address gender dimensions; and • Provide education and training on health and safety in relation to Information Technology utilisation. 	Article 11(i) (f), 12, 13 and 14(b)	Paragraph 89 to 111 and paragraph 246 to 258	Article H(iii), H(vi), H(viii) and H(ix)	Article 19, 23 and 24	Article 4, 16 and 22	<p>Section 9, 11, 12, 24 and 27 of the Constitution.</p> <p>The Choice of Termination of Pregnancy Act of 1996</p> <p>The National Health Act of 1995 (Towards a National System)</p> <p>National Gender Policy Framework - Chapter 2 page 13</p> <p>Basic Conditions of</p> <p>BCEA Employment Act</p> <p>Occupational Health</p> <p>W C A</p>

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
15. Women, communication and the media	<p>States are required to mainstream gender into all communication processes to ensure that women and men benefit equally. Communication should contribute fairly towards transformation of gender relations.</p> <p>Key issues:</p> <ul style="list-style-type: none"> • Review current communication programmes to establish gender content and impact and implement measures to address gaps; • Implement special measures to reach out to women on Department/Ministry mainstream issues; • Develop and implement a sustained high impact communication strategy on pro-women interventions such as equality legislation, the Maintenance Act, Domestic Violence Act, Recognition of Customary Marriages Act, Succession/ Administration of Estates/ Administrative Justice Act, PAIA and Sexual Offences Legislation; 	Article 1, 2, 3, 4, 5, 7, 10 (c) and 11	Article 234 to 245	Article H(x)	Article 15	Article 2, 9 and 25	<p>Section 9, 10, 15, 16 and 32 of the Constitution</p> <p>Independent Broadcasting Authority Act of 1998</p> <p>Promotion of Access to Information Act (PAIA)</p> <p>Gender Policy Statement of the Department of Justice</p> <p>Chapter 2 page 18</p> <p>PEPUDA</p>

CRITICAL AREA OF CONCERN	KEY ISSUES TO BE PRIORITISED IN PROGRAMME OF ACTION	CEDAW	BPA AND BPA +5	SADC DECLARATION ON GENDER AND DEVELOPMENT	SADC AND ADDENDUM ON VIOLENCE AGAINST WOMEN & CHILDREN	AFRICAN CHARTER ON HUMAN & PEOPLES RIGHTS & PROTOCOL	CONSTITUTION AND OTHER LEGISLATION AND POLICY INSTRUMENTS ¹
15. Women, communication and the media (Continued)	<ul style="list-style-type: none"> • Introduce mechanisms to ensure that all women and men are aware of opportunities for advancement in the Department/Ministry; • Implement special measures to communicate with women on economic and professional opportunities in the Department/Ministry; and • Use departmental powers including procurement to modify media behavior regarding stereotyping of women. 						

TABLE 2: GENDER MAINSTREAMING PLANNING MATRIX

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
1. Awareness	<p>Implement measures to ensure that all personnel in the Department/Component are fully informed of their accountability with regard to gender mainstreaming, starting with the most senior leadership;</p> <p>Brief all management and personnel in the Ministry/ Department about all key international and national legal and policy frameworks on the advancement of women and the promotion of gender equality. Ensure that they are fully aware of the compliance action required of the Department and their responsibilities in this regard; and</p> <p>Provide capacity building to all managers and staff to ensure that they fully appreciate the unequal and different circumstances of women and men and that seemingly neutral decisions or actions may have a prejudicial impact on either gender. Ultimately they should be</p>							

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/ TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
1. Awareness (Continued)	<p>able to align their decisions and actions with such appreciation.</p> <p>Ensure that all structures, decisions and processes are informed by a gender equality analysis. This entails assessing the effect or likely impact of all policies, programmes and activities on women and men and ensuring that all these respond meaningfully to the diverse circumstances of women and men and reduce existing systemic inequalities;</p> <p>Ensure a consistently high profile for the issue of gender equality;</p> <p>Insist on equal participation of women and men in decision-making in all structures at all levels and within all processes²⁷;</p> <p>Ensure that the organizational profile reflects an equitable balance between women and men at all levels;</p> <p>Allocate adequate resources for gender transformation;</p>							

²⁷ The Gender Policy Statement of the Department stipulates that "All decision making structures should comprise at least 40% of each gender." This is in line with compliance obligations in terms of the SADC Declaration which requires member states to "ensure equal representation of women and men in the decision making of member states... at all levels." This is also in line with article 7 of CEDAW which requires, amongst other things, that party states parties must adopt measures to ensure the involvement of women at all levels of governance. The South African Government committed itself in compliance with the BPA, to adopting positive measures to ensure meaningful involvement of women in all structures and at all levels of decision making.

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
2. Commitment	Ensure that gender issues are raised regularly and with conviction in policy and other forms of dialogue with internal and external stakeholders;							
	Provide support to the GFP and ensure adequate resources for all gender mainstreaming activities;							
	Ensure that the achievement of gender targets is celebrated and rewarded and that non-compliance is openly sanctioned;							
	Develop and display appropriate policy statements, Departmental gender profiles and progress reports on targets, in places where all members of Department/Component can regularly view them;							
	Ensure that the I P O A for Gender Mainstreaming is viewed as one of the key result areas of the overall strategy of the Business Unit; and							
	Integrate Departmental commitment to non-sexism and achievement of							

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
2. Commitment (Continued)	gender equality in institutional value statements and discourage sexist jokes or language.							
3. Planning	Conduct an audit to establish the gender profile of the Department covering the employment profile and trends, decision-making trends, procurement, information, knowledge generation and management, communication patterns, impact and reporting practices. This should include a customer survey disaggregated by gender, race, disability and other factors. Align services and systems with the findings; The I P O A and Department's strategic sub-plans and planning system should be subjected to a compliance test against key international and national laws, policies and benchmarks ²⁸ ; Agree on a vision and values to underpin gender mainstreaming in the Department/Component;							

28 For example the SADC Declaration requires a 30% representation of women at all senior management structures. (Including the judiciary). Article 3 of CEDAW states that "states parties shall take in all fields . . . all appropriate measures including legislation, to ensure the full development and advancement of women, for the purposes of guaranteeing them the exercise and enjoyment of all human rights and fundamental freedoms on the basis of equality with men." The Promotion of Equality Act has identified the need for measures to be taken to address issues such as gender violence and equal access to social resources and family property for women and men, (chapter 3)

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
3. Planning (Continued)	Ensure that such vision and values are aligned with international human rights obligations regarding women, and the constitutional vision regarding non sexism and the realization of the full and equal enjoyment of all human rights for all;							
	Integrate gender considerations into business/ operational project plans of all components at all levels in the Department/Ministry and collaborative activities with other stakeholders;							
	Set clear time bound targets and milestones for Gender Mainstreaming and incorporate these in main-streaming plans and goals/objectives of the Department/Component;							
	Develop an I P O A based on the international and national compliance obligations on the advancement of women and gender equality ²⁹ . Ensure							

29 refer to the 15 critical areas of concern outlined in table 1 above, the article identified under each critical area of concern

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
<p>3- Planning (Continued)</p>	<p>that this is integrated in the mainstream plans;</p> <p>Disaggregate planning data by gender and its intersection with race, disability, HIV status and other forms of difference;</p> <p>Align data management systems and information generation priorities with the I P O A; and</p> <p>Conduct a customer survey disaggregated by gender, race, disability and the intersection of these and other social factors and align services accordingly to maximize responsiveness to the diverse needs of women.</p>							
<p>4- Policy and Decision-Making</p>	<p>Subject all policies, plans, programme activities and decision-making processes to a gender equality analysis to ascertain current or likely impact on women and men and opt for an approach which promotes (substantive) equality. This is mandatory and should be enforced (chapter 5 GPS);</p>							

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
4- Policy and Decision-Making (Continued)	<p>Ensure that all organizational memoranda and other decision-making processes include a clause indicating anticipated gender impact, also taking into account the diversity of women’s circumstances and needs;</p> <p>Conduct an audit of the current gender profile and trends and identify obstacles that hamper women’s full participation in decision making;</p> <p>Institute measures to affirm women and accelerate their equal representation in all aspects of the Ministry/ Department including the judiciary;</p> <p>Apply a mandatory requirement that women and men be equally represented at all levels of decision making, including committees, conferences, decision-making processes, and representation in international structures. Where representation is rank based,</p>							

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/ TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
4. Policy and Decision-Making (Continued)	<p>introduce special temporary measures to ensure that women are included in the interim, while progress towards permanent representation is accelerated;</p> <p>Consult the Gender Directorate, gender experts, and organizations that work on gender equality, and ensure that they participate fully and equally with men in all decision making structures and processes³⁰; and</p> <p>Ensure that the Department / Component's GFP is consulted and participates fully in decision-making at all levels.</p> <p>Ensure that women's needs are established and reflected in the Top 5 organizational priorities and that this is also reflected in budget processes and content;</p> <p>Ensure that organizational policy on all key gender issues is clearly stated</p>							

30 A neutral approach that fails to take into account unequal power relations between women's organizations and men led organizations indirectly exclude women and women's perspectives, For example, consulting only organizations such as BAC, fails to capture women's perspectives on the work of the department.

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
4. Policy and Decision-Making (Continued)	<p>in a separate or generic instrument and that policy serves as a reference point when relevant decisions are made³¹; and</p> <p>Ensure that all written decisions/memorandum advice on implications for compliance with international and national standards on gender.</p>							
5. Implementation	<p>Develop mechanisms for effective implementation of programmes in response to international and national obligations and against agreed departmental targets and plans;</p> <p>Implement contents of the I P O A and track progress on agreed gender targets;</p>							

³¹ For example this may include policy on preferential procurement for women and other disadvantaged groups as envisaged in section 217 of the Constitution and the *Preferential Procurement Policy Framework Act of 2000*. This could also include a policy on accelerating the appointment and advancement of women in the judiciary as envisaged in the Department's Gender Policy Statement which reiterates commitments in instruments such as, the SADC Declaration on Gender Development [article h (ii)], BPA and CEDAW (article 3 and 4) and the Constitution (section 174).

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
5. Implementation (Continued)	Take appropriate measures to eliminate and prohibit unfair discrimination against women whether it is direct or indirect, and ensure that all decisions, processes and practices in the Department/Component accelerate the realization of substantive equality for women ³² ; Implement activities including training and dialogue forums, to facilitate behavior modification, targeting men in particular; Ensure that programme implementation covers all the fifteen (15) Critical Areas identified in the Gender Equality Compliance Map (Table 1) and issues identified in the audit referred to above; and Implement measures to empower women in order to level the playing field between them and men in all operations of the Department/Component. ³³							

32 This is a requirement under article 2 of CEDAW. It is also a requirement under the Prevention of Equality Prevention of Unfair Discrimination Act
 33 The Department's Gender Policy Statement commits the Department to adopt measures to equalize opportunities between women and men within the judiciary through programmes which include accelerated development for women, reviewing the appointment criteria and speeding up the process of integrating the different levels of the judiciary.

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
6. Resources	<p>Allocate specific resources towards gender programming, including a substantial budget for special programmes to empower women and those directed at modifying organizational and male behavior³⁴;</p> <p>Identify a specific budget for supporting Gender Mainstreaming.³⁵ This should include setting aside funds for capacity building and monitoring;</p> <p>Engender the budget by integrating gender considerations in all aspects of the budget of the Department/Component. At all stages of the budget cycle, ensure that the content of the budget reflects the Department's commitment towards re-directing resources to women and other historical disadvantaged groups;³⁶</p>							

34 Determine the percentage of the total budget of the Department/Component that is allocated to Gender Mainstreaming and use this information to allocate an adequate budget on Gender Mainstreaming.

35 Gender inequalities in budget could be addressed by reprioritizing activities and redeploying resources accordingly.

36 This is mandatory requirement under Batho Pele: White Paper on the Transformation of Public Service Delivery. The Department of Justice committed itself to a gender budget in its input to the

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
6. Resources (Continued)	<p>Prioritize basic infrastructure for all courts, taking into account specific gender needs relating to gender violence, maintenance, family law, access to equality courts, civil justice, victim empowerment and general access to justice; and</p> <p>Assign adequate resources to support gender mainstreaming. This should include the identification of a GFP or strengthening an existing one, and provision of infrastructure and an adequate budget</p>							
7. Capacity Building	<p>Ensure that all Department/Component members starting with the most senior management levels, are exposed to an induction course and thereafter have regular exposure to gender mainstreaming training and related materials;</p>							

36 This is mandatory requirement under Batho Pele: White Paper on the Transformation of Public Service Delivery. The department of justice committed itself to a gender budget in its input to the national commitments regarding the implementation of the Beijing Platform for Action. This commitment is reflected in the UN Report.

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
7. Capacity Building (Continued)	<p>Provide capacity building to all managers and ultimately all personnel in the Department, to ensure that they are able to conduct a gender equality analysis. This is to ensure that all decisions and activities are based on a clear understanding of the implications for women and men and an effort to reduce women's inequality;</p> <p>Integrate gender mainstreaming in all general training and communication activities, including induction courses, information booklets and regular newsletters;</p> <p>Include representation of gender units and, if possible, other specialists in Departmental/Component's governing bodies and consult regularly with these on gender dimensions of seemingly neutral issues under consideration; and</p> <p>Provide specialist skills development and support to persons in the GFPs</p>							

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
7. Capacity Building (Continued)	and the GENMACC to assist them to discharge their responsibilities effectively. ³⁷							
8. Communication and Information Management	<p>Collect and maintain data and regularly disseminate gender disaggregated indicators on all aspects of the Department/ Component, with special attention to employment, procurement, service delivery (usage and per capita expenditure) and decision-making systems;³⁸</p> <p>Assess the ability of current communication to reach, address and prioritize the needs of women, taking into account the diverse social contexts that different women and men live under, and develop a strategy to address identified gaps;³⁹</p> <p>Allocate a specific budget towards research and knowledge generation</p>							

37 For example the Department of Correctional Service sent the person in charge of the gender focal point overseas on a one year course, on Gender Mainstreaming.

38 Employment Equity Act requires all employers to regularly display their progress indicators on the implementation of their employment equity plans.

39 This should include Demystifying the legislative making process so that it is more accessible to women.

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
8. Communication and Information Management (Continued)	<p>on women and women's circumstances and their diverse needs;</p> <p>Prepare a gender profile of those consulted in courts in the past year and develop strategies to enhance consultation with women and women's organizations;</p> <p>Conduct a gender audit of all Information Technology processes, plans and activities to establish responsiveness to women's circumstances and related needs. This should include customer consultation to identify needs;</p> <p>Mainstream equality in all communication and information systems and processes; and</p> <p>Reflect a commitment to non-sexism and the promotion of women's equality with men in all Departmental/Component communication, including speeches, letters, reports and media releases.</p>							

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
9. Employment	<p>Enforce compliance with the EEA and related instruments including the display of the Department/Component's EEA plan and progress report;</p> <p>Mainstream employment equity in Department/Component's strategic plan, sub-plans/projects and ensure that all practices validate women and men equally;</p> <p>Regularly review the Departmental employment policies and practices to eradicate continuing gender inequalities and systemic unfair discrimination. For example, the Department/Component should develop policy on matters such as sexual harassment, family responsibility and equal pay for equal work.⁴⁰</p> <p>Implement special measures to accelerate the recruitment, development, advancement and retention of women at all levels and structures of the Department, as envisaged in Article 4 of CEDAW; and</p>							

⁴⁰ This includes the identification of obstacles to women's entry, development, advancement, retention and the implementation of measures to remove the obstacles. It should take into account the diversity women's experiences (e.g. race, gender, disability, age and health status) as well national and international benchmarks/ commitments regarding power sharing and involving women in decision making;

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
9. Employment (Continued)	<ul style="list-style-type: none"> Review the Department/Component's Employment Equity Plan and ensure that there is a specific programme to accelerate the entry, development, advancement and retention of women from diverse backgrounds. This should happen while transforming work relations to affirm women's human dignity and respond to the gender impact of HIV/AIDS. 							
10. Procurement	Implement measures to familiarize managers and personnel with compliance requirements regarding the equalization of procurement opportunities for women and men of diverse backgrounds. This includes preferential procurement in terms of the PPPFA, and constitutional and international obligations regarding advancing women in the economy;							

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
10. Procurement (Continued)	<p>Prepare a gender disaggregated profile (including race, gender and disability) of contractors and outsourcing trends over the last year in order to identify gender and race gaps and to plan special interventions to empower women;</p> <p>All personnel, including the judiciary, to be made aware of their accountability for implementing preferential procurement for women and other disadvantaged groups;</p> <p>Set targets for remedial action directed at improving women's representation amongst recipients of government contracts. This is to ensure that racial and other dimensions of gender are addressed;⁴¹</p> <p>Consider special programmes to empower women through knowledge on availability of contract opportunities and procedures, and other supportive programmes. Best practices in this regard may be sought</p>							

⁴¹ Implementation could be facilitated through a departmental preferential procurement protocol to be prepared and enforced through decision-making channels such as approval of memoranda;

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
10. Procurement (Continued)	<p>from government departments that have introduced empowerment programmes for women and other historically disadvantaged groups;⁴²</p> <p>Implement special measures to involve women and women's organizations in Public Private Partnership (PPP) initiatives, promote skills transfer and avoid limiting opportunities to historically advantaged groups; and</p> <p>Request regular gender disaggregated reports on procurement for tracking gender progress and planning corrective action.</p>							
11. Monitoring and Evaluation	Review current information management systems, including the management of statistics, to establish							

⁴² Examples in this regard, include Departments of Minerals and Energy, Public Works, Trade and Industry and Agriculture.

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/ TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
11. Monitoring and Evaluation (Continued)	<p>capacity for generating base line data and regular indicators for tracking gender progress and addressing gaps where necessary;</p> <p>Develop gender disaggregated indicators, benchmarks and milestones to be integrated in Department/Component's strategic plan and sub-plans/projects for tracking gender progress;</p> <p>Integrate specific gender indicators, including targets and milestones, in all performance agreements in the Department/Components;</p> <p>Ensure that all Departmental/Component plans and projects incorporate gender targets and benchmarks drawn from national, international and Departmental instruments as stated above;</p> <p>Ensure that a gender disaggregated report, which includes progress on service delivery, employment equity, procurement and decision-making processes, is regularly tabled at management meetings, including the Board, MAGCOM and JSC, with</p>							

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
11. Monitoring and Evaluation (Continued)	<p>questions raised on non-performance;</p> <p>Ensure that management meetings regularly ask questions on employment equity, procurement equity, progress against gender targets in respect of service delivery, expenditure patterns and plans to accelerate progress in the future;</p> <p>Ensure that milestones achieved are celebrated and publicized in newsletters and meetings. Also ensure that a gender disaggregated employment equity report, which includes changes in the profile of the Department/ Component, is regularly presented in all key meetings and posted on bulletin boards;</p> <p>Give consideration to the development and implementation of a risk management tool to limit departmental non-compliance with international, national and its own policy and legal frameworks on</p>							

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
11. Monitoring and Evaluation (Continued)	<p>gender and other equality issues; and</p> <p>Use the opportunity presented by PEPUDA and proposed BBBEEA to strengthen the evaluation and monitoring of progress on the equalization opportunities between women and men, taking into account women's diversity in terms of race, disability, impact of HIV/AIDS and other factors.</p>							
12. Reporting	<p>Ensure that all components falling within the Ministry/Department maintain gender disaggregated data for monitoring and reporting on gender equality in an easily accessible form;</p> <p>Ensure that all managers and governing bodies are made aware that they are accountable for mainstreaming gender in their work. Also ensure that all their reports indicate progress made on promoting equality between women</p>							

STRATEGIC OBJECTIVE	COMPLIANCE MEASURE	PLANNED ACTION	MILESTONE	TARGET/ TIMEFRAME	RESOURCES	RESPONSIBILITY		STATUS
						PRINCIPAL	SUPPORT	
12. Reporting (Continued)	<p>and men and that they have developed action plans to address gaps;</p> <p>Ensure that all reporting on gender is aligned with agreed targets and reporting obligations arising from international and national standard setting instruments; and</p> <p>Ensure that gender issues are given priority in general reports and that clear indicators are provided to show progress made with regard to reducing the gap between women and men in every aspect of the Department/Component.</p>							