

Information based on the Press Release Issued by the Department of Women, Youth & Persons with Disabilities, South Africa

Pretoria, 31 AUGUST 2019

JUDICIARY IS A KEY PARTNER IN FAST TRACKING GENDER EQUALITY IN SOUTH AFRICA

To close Women's Month, the department, in partnership with UNODC and UN Women, hosted a Women in Judiciary Dialogue to explore how the legal system can be an enabler for gender equality.

The event brought together Court Presidents, Judges, Magistrates, the Commission for Gender Equality, Wits Law Clinic, Legal Aid, SA Chapter: International Association of Women Judges (SAC-IAWJ), and UN Women, amongst other organisations.

"Gender-based Violence, sexual violence and sexual harassment; cohabitation and maintenance; widows and deceased estates, and child justice still remain areas of concern for gender equality where either application, interpretation of the law, or disharmony in laws results in gender injustices taking place," said Deputy Minister in the Presidency for Women, Youth and Persons with Disabilities, Professor Hlengiwe Mkhize.

Since the dawn of democracy progressive legislation have been promulgated that serve to protect women and ensure gender equality, however, there are pieces of legislation that contradict each other that must be reviewed to ensure harmonisation. Representative, SA Multi Country Office, Ms Anne Githuku-Shongwe said that South Africa's laws were mostly inclusive but there still exists laws that discriminate on the grounds of gender. She spoke of land ownership and how cultural practises still prevented women from owning land – one of 39 countries around the world.

Having referred to the findings of recent UNODC Homicide report, UNODC Regional Representative Ms Zhuldyz Akisheva highlighted that worldwide there were more people killed in homicides than in armed conflicts. Situation in South Africa is of serious concern, as evidenced by last year TotalShutDown movement. She said that the Judicial response to address gender-based violence is crucial, and that Judiciary should be sensitive to social context when adjudicating GBV cases.

Regional Court President, North West and Deputy President of SAC-IAWJ, Ms Vuyokazi Noncembu asserted that we need a renewed judicial activism to tackle patriarchy. We need to break cycles of abuse and develop new patterns of socialisation.

Speaking on the role of the judiciary, Ms Noncembu said: "As the judiciary we are not blameless. As judges we are grown and socialised in these societies that are patriarchal, and so judging with a gender lens does not require bias but to understand systems of patriarchy to be able to empower victims."

There was agreement that South Africa does not need many new laws, but rather a calibre of person who is willing to tackle inequality in the legal system head on.

As the department concluded its Women's Month 2019 Programme the department encouraged South Africa to keep addressing gender inequalities and sharing success stories of powerful women and women's organisations under the hashtag #WhatWomenWant.

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