

**COMMISSION ON GENDER EQUALITY**  
**PRESENTATION TO THE CACADU DISTRICT COUNCIL**

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By

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**INTRODUCTION**

Local government transformation has brought both challenges and opportunities.

These include:

- Raising awareness about, and respecting people's constitutional rights;
- Incorporating constitutional principles into policies and programmes;
- Creating an enabling environment for the disadvantaged; as well as
- Considering the gender implications of policies and practices.

Local councils are thus challenged to guarantee the creation of an environment where both men and women are given an opportunity to participate in the development of their communities at various levels. It also calls for local government authorities to strive for accountable, effective and responsible service delivery, which ensures equitable benefits for both women and men.

The CGE work is based on number of objectives. These include monitoring the policies and practices of public and private institutions to ensure gender equality. At local government level the CGE is primarily concerned with the following issues.

The equal representation of men and women, as well as their rights to participation in all areas of political life and decision-making. Obstacles that women have to overcome as political decision-makers are rooted in tradition, the gender-based division of labour, and access to and control of resources. Despite the progress that has been made in terms of women's participation in decision-making processes, the political arena is still male dominated.

The CGE is also concerned with fair and equitable treatment of people with disabilities.

It is indisputable that given the opportunity, women have the power to participate effectively and to influence processes that are geared to the development of their communities. Therefore, the development of integrated plans presided over by the District Councils is of particular relevance to women.

The Commissioners are appointed in a transparent manner. Nominations are invited through national Newspapers followed by short listing ad interviews by a Parliamentary Committee selected for the purpose. The President then makes the appointments.

The CGE was established through the provision in Section 9 of the constitution of South Africa. The CGE is part of the gender machinery which includes:

- The office on the Status of Women.
- The Parliamentary Committee on the Improvement of quality of life and the Status of Women.

All these structures are tasked with the responsibility of supporting constitutional democracy by protecting and promoting gender equality.

### **Mandate/Powers of the CGE**

The Commission on Gender Equality Act No. 39 of 1996 states that the powers and functions of the commission as follows:

- (a) shall monitor and evaluate policies and practices of-
  - (i) organs of the state at any level;
  - (ii) statutory bodies or functionaries;
  - (iii) public bodies and authorities; and
  - (iv) private businesses, enterprises and institutions, in order to promote gender equality and may make any recommendations that the Commission deems necessary;
- (b) shall develop, conduct or manage-
  - (i) information programmes; and
  - (ii) education programmes,to foster public understanding of matters pertaining to the promotion of gender equality and the role and activities of the Commission;
- (c) shall evaluate-
  - (i) any Act of parliament;
  - (ii) any system of personal and family law or custom;
  - (iii) any system of indigenous law, customs or practices; or
  - (iv) any other law,in force at the commencement of this Act or any law proposed by Parliament or any other legislature after the commencement of this Act, affecting or likely to affect gender equality or the status of women and make recommendations to the Parliament or such other legislature with regard thereto;
- (d) may recommend to Parliament, or any other legislature the adoption of new legislation which would promote gender equality and the status of women;
- (e) shall investigate any gender-related issues of its own accord or on receipt of a complaint, and shall endeavour to-
  - (i) resolve any dispute; or

- (ii) rectify any act or omission, by mediation, conciliation or negotiation: provided that the Commission may at any stage refer any matter to-
  - (aa) the Human Rights Commission to deal with it in accordance with the provisions of the Constitution and the law;
  - (bb) the Public protector to deal with it in accordance with the provisions of the constitution and the law; or
  - (cc) any other authority;
 whichever is appropriate;
- (f) shall as far as is practicable maintain close liaison with institutions, bodies or authorities with similar objectives to the Commission, in order to foster common policies and practices and to promote co-operation in relation to the handling of complaints in cases of overlapping jurisdiction or other appropriate instances;
- (g) shall liaise and interact with any organisation which actively promotes gender equality and other sectors of civil society to further the object of the Commission;
- (h) shall monitor the compliance with international conventions, international covenants and international charters, acceded to or ratified by the Republic, relating to the object of the Commission;
- (i) shall prepare and submit reports to Parliament pertaining to any such convention, covenant or charter relating to the object of the Commission;
- (j) may conduct research or cause research to be conducted to further the object of the Commission;
- (k) may consider such recommendations, suggestions and requests concerning the promotion of gender equality as it may receive from any source.

To fulfill this mandate, the CGE has organized its work into four departments these are: - Finance & Administration, Policy & Research, Public Education & Information and Complaints Department. The latter is the one that allows the commission to interface directly with the public.

The CGE has an interest in working closely with the District Councils as they implement their integrated Development Plans. This will allow for cooperation and collaboration in terms of District Councils meeting their constitutional obligations of achieving gender equality. On its part, the CGE is available when requested to provide training and advice on achieving gender equality in programmes.