



Commission on Gender Equality

COMMISSION ON GENDER EQUALITY PRESS COMMENT ON FINDINGS AND RECOMMENDATIONS OF PARLIAMENTARY *AD HOC* COMMITTEE ON THE REVIEW OF CHAPTER 9 AND ASSOCIATED INSTITUTIONS

The Commission on Gender Equality notes and accepts the report of the Parliamentary *ad hoc* committee on chapter 9 institutions. We welcome the opportunity for reflection and strengthening our institution, and will take the recommendations very seriously. We are in the process of studying in great detail the particular recommendations relating to the CGE, and will respond on these shortly.

We note with concern however, that the chapter 9 institutions were only provided with a copy of the findings and recommendations at the press conference, and that Chairpersons were not granted the opportunity to engage with the committee prior to this.

In assessing the effectiveness of the CGE, we must reflect on what comparative analysis and models for gender equality work have been used to inform the approach, questions and findings of the review process. Measured against international indicators, South Africa is making great progress towards gender equality. The notion of effectiveness needs to be more broadly interrogated in this regard.

We acknowledge that there are instances where we have failed to make full use of our powers, and have picked up on similar issues that have emanated from earlier reviews of the CGE. We have synthesized and analysed these, and developed several interventions to address these progressively and systematically, and are confident that we are on track to redress institutional weaknesses, many of which are reiterated in the *ad hoc* committee's report.

With regard to the *ad hoc* committee's recommendation to create one umbrella human rights and equality commission, we note with concern that gender inequity forms part of the South African landscape, as a result of the very gendered nature of apartheid. We are concerned that unless we have a focused institution such as the CGE, this will not be adequately addressed, and issues of gender will be subsumed and not acknowledged in their own right. Not only do we feel that the consolidation of commissions is premature for this very reason, but that the rationale behind the creation of individual chapter 9 institutions needs to be recalled.

It is by no accident that South Africa's chapter 9 institutions were created, as this speaks directly to our history. Against this backdrop, it is important to understand why we have a stand-alone Commission on Gender Equality. International experience shows that when there are "one-stop" commissions catering for all human rights issues, gender inequality acquires a lower status. In the early 1990s when these issues were being debated in South Africa, stakeholders specifically opted to create separate constitutional bodies to safeguard these human rights components, because they were adamant that issues of gender should not become second-class issues. Questions of efficiency and cost-effectiveness should not be conflated. The creation of an umbrella human rights body is taking us back to a notion that was already considered and deemed not suitable for South Africa.

Having said this, the CGE commits itself to engaging proactively with the proposed task team on this recommendation, to ensure that gender receives adequate attention. In this regard, we would welcome public dialogue on this review process and recommendation, and call upon the National Assembly to take the lead in this regard. The creation of the CGE came about as a result of input from a broad range of stakeholders within South Africa, and it is important that these stakeholders are given the opportunity to deliberate on this development.

**Issued by Commission on Gender Equality
August 23 2007**

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