

**AGENDA: COUNCIL: 28 NOVEMBER 2017**

**398. IMPLEMENTATION OF COUNCIL RESOLUTION (ITEM: NEW): REPORT OF THE DRAFT RUSTENBURG GENDER POLICY**

(Office of the Executive Mayor)

(ag/tm)

**1. STRATEGIC THRUST**

The municipality adopted the following Strategic Thrusts:

- (i) To uphold good governance and public participation principles.
- (ii) To lobby and advocate programmes for Women, Youth, Children, Elderly and people with Disabilities.

**2. PURPOSE OF THE ITEM**

The purpose of this item serves to inform council to approve Draft Rustenburg Municipality Gender Policy Annexure A (Pages 309 - 322).

**3. EXECUTIVE SUMMARY**

Gender Policy Framework was prepared by Office of the Status of Women at National level to view gender equality so that it cannot be attained without the participation of women at all levels. Rustenburg Draft Gender Development Policy envisages a future for all women and men in the municipality which is free from racial and gender discrimination in promoting a democratic, united, peaceful and prosperous society where women and men can enjoy a full abundant life enabling to become active participants in activities in which fulfill their potential, hopes, dreams and ambitions and able to participate fully in economic, social, cultural and spiritual life.

The Rustenburg Draft Gender Development Policy will be based on a series of essential principles and values which will influenced its design and direction. These include, as a cornerstone of the Rustenburg gender Development Policy, the values enshrined in the Constitution of the Republic of South Africa.

**RECOMMENDED:**

**ACTION**

- |    |   |           |
|----|---|-----------|
| 1. | That the item on draft Rustenburg Gender policy be noted;                     | OEM       |
| 2. | That the draft Rustenburg Gender Policy be subjected to public participation; | OEM<br>OS |
| 3. | That public participation be completed by end of September 2017.              | OEM<br>OS |

This item served before the Portfolio Committee: IGR on 01 November 2017 but as there was no quorum the chairperson requested that it be referred to the Mayoral Committee.

**RECOMMENDED:**

**ACTION**

- |    |   |     |
|----|---|-----|
| 1. | That the item on draft Rustenburg Gender policy be noted; | OEM |
|----|---|-----|



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- |    |   |           |
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| 2. | That the draft Rustenburg Gender Policy be subjected to public participation; | OEM<br>OS |
| 3. | That public participation be completed by end of September 2017.<br>-----     | OEM<br>OS |

## AGENDA: COUNCIL: 28 NOVEMBER 2017

This item served before the Mayoral Committee on 14 November 2017 and the following recommendations were made:

<b>RECOMMENDED:</b>	<b><u>ACTION</u></b>
1. That the item on draft Rustenburg Gender policy be noted;	OEM
2. That the draft Rustenburg Gender Policy be subjected to public participation;	OEM OS
3. That public participation be completed by the end of March 2018. -----	OEM OS

## **Draft: Rustenburg Local Municipality Gender Policy**

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## INTRODUCTION

In terms of the Municipal Structural Act, Act no. 117 of 1998 defines the "municipality council as the municipal council of an area". It further talks about the "municipal management area to mean a part of the local municipality which in terms of section 6 it's a local municipality and is governed by that local municipality alone; local municipality means a municipality that has municipal executive and legislative authority in that area, and which is described in section 155(1) of the constitution as a Category B municipality".

The Rustenburg Local Municipality (RLM) was established in 2000 with the amalgamation of the former Rustenburg TLC, Marikana TLC, Monakato TLC and the rural villages under the chieftainship of the following dikgosi: Kgosi Mathope; Kgosi Monnakgotla; Kgosi Molotlegi; Kgosi Mamogale and Kgosi Ramokoka per government notice No. 316 of 2000. The area is characterized by its mining activities as the platinum city. It consists of **45** Wards which include 21 Bafokeng villages.

The Rustenburg Local Municipality is one of the five local municipalities in the Bojanala Platinum District Municipality (BPDM). It forms part of a spatial program aimed to unlock the inherent and under- utilized economic development potential of specific spatial locations in South Africa and SADC in general. Rustenburg Local Municipality is reputed to be one of SA's fastest growing of 319 000 males and 262 000 females. It is also known as one of the best-managed municipality in the country.

The Rustenburg Local Municipality is centrally located within the North-West Province and is accessible to another major South Africa (SA) urban centre. These centers include Johannesburg and Tshwane, both of which are located approximately 120km from Rustenburg. Smaller centres surrounding Rustenburg are Madibeng, Mogale City and Zeerust.

## LISTS OF ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
HIV	Human Immune Virus
IDP	Integrated Development Planning
RGDP	Rustenburg Gender Development Policy
NGO's	Non-Government Organisation
CBO'S	Community Based Organisation
UN	united Nation
LED	Local Economic Development
RLM	Rustenburg Local municipality
BPDM	Bojanala Platinum District Municipality
SA	South Africa
WID	Women in Development
GAD	Gender and Development
GBV	Gender based violence
GFP	Gender Focal Point

## DEFINITION OF GENDER

For as long as there has been culture, people have placed a meaning by naming every event they have encountered, be the birth of child, climatic conditions, initiations rites battles of death, or any other events that seems vital to their daily existence. It has been a way of giving life meaning, a way of claiming territory, a way of honouring leaders, away of giving direction or location, a way of celebrating important events and mourning disastrous events.

Therefore, Gender refer to the socially determined and evaluated identities and roles of men and women, and it is usually distinguished from their biological or sex differences. It identities and roles vary from society to society, but are usually based on unequal statuses of men and women, and the roles they have in society. Recent theorist accepts that gender is deeply influenced by identities on race, behaviour, activities, class and other factors. In South Africa, we will understand that a rural black woman was disadvantaged, and historically excluded from accessing opportunities and services virtue of colour gender and geographical location. Disability, regardless of environment, colour or gender could contribute to exclusion.



## **VISION, MISSION AND VALUES**

### **VISION**

"A world class city where all communities enjoy a high quality of life"

### **MISSION**

"To continuously improve the quality of life, economic and eradicate poverty through best practice, sustainability and inclusive governance"

### **VALUES**

For many years the lives of all young women and men have been influenced by the conditions and dynamics of apartheid. Many men and women suffered because of the denial of basic human rights, sustainable only using violence and force. Apartheid generated a form of continued structural violence toward young people through poverty, inferior education and the denial of basic services.

Today women and men still struggle with the legacy of apartheid. To obtain a good education, maintain physical, mental and spiritual well-being, access health services, and pursue meaningful employment remains a fundamental and constant struggle. Young people are still seen as a threat to society and its values, but they are themselves threatened.

The Rustenburg Draft Gender Development Policy envisages a future for all women and men in the municipality which is free from racial and gender discrimination in promoting a democratic, united, peaceful and prosperous society where young women and men can enjoy a full abundant life enabling the to become active participants in activities in which fulfill their potential, hopes, dreams and ambitions and are able to participate fully in economic, social, cultural and spiritual life.

The Rustenburg Draft Gender Development Policy is based on a series of essential principles and values which have influenced its design and direction. These include, as a cornerstone of the Rustenburg gender Development Policy, the values enshrined in the Constitution of the Republic of South Africa.

**KEY PRINCIPLES ON WHICH THE POLICY HAS BEEN FORMULATED ARE AS FOLLOWS:**

**Redressing Imbalances**

Recognition of the way women and men have been affected by the imbalances of the past and the need to redress these imbalances through more equitable policies, programmes and the allocation of resources.

**Gender Inclusive**

The Rustenburg gender Development Policy promotes a gender- inclusive approach to the development of young women and men, where the socializing influences of gender, the impact of sexism and the circumstances of gender women are recognized. The Rustenburg gender Development Policy celebrates the many differences found amongst gender people and promotes equal opportunity and treatment of all young people- male and female.

**Responsiveness**

The municipality is expected to be answerable to community concerns timeously. The needs of all segments of the population should be addressed especially marginalized groups including women, youth, children, disabilities and elderly.

**Gender Participation**

The role of women in community structures such as ward committees, self help projects and project committees should be expanded. Women representation is crucial for balanced and equitable development.

Respond to the needs, challenges and opportunities experience by women and men in a realistic and participatory manner.

**Cultural and Spiritual Diversity**

Recognition of cultural and spiritual diversity as a basis for gender development and the important role tradition, spirituality and culture can play in the development of men and women.

## **Sustainable Development**

The value of sustainability is promoted to ensure the needs of the present are met without compromising the ability of future generations to meet their own needs. Rustenburg local Municipality should provide a set of principles to be promoted both short- and long-term indicator that can be used to progress. The principles include:

- **Equality between men and women**

The RLM would create an environment where men and women would be able to participate equally, that would include removal of traditional barriers hindering women's active participation.

- **Recognition of inequalities among women**

Women are not a homogenous group and their lives vary depending on the place in which they live as well as their age, social class, ethnic origin and region. It is therefore crucial to consider the above in every step intended to redress gender imbalances.

- **Women's right is human's right**

Women's right is part and of parcel of human right enshrined in SA's Bill of Right, which is a cornerstone of SA's democracy.

- **Promotion of essential dignity**

RLM will work with both men and women in restoring women's dignity as humans. To achieve this, gender relations need to be transformed.

- **Focus on gender as opposed on women**

Changing women's status needs to be understood as the responsibility of both sexes. Development affects men and women differently and that it has impact on relations between men and women. A focus on gender is required to ensure that women's needs such as class, race, ethnicity and religion do not continue to be ignored.

- **Affirmative action programmes for women**

Corrective measure through programmes targeting women should be undertaken to redress imbalances and women's subordination. This means that, a plan, resources and benchmarks should be developed by the RLM.

## **WOMEN'S NEED AND DEVELOPMENT PROJECTS**

"Development" is a positive word that is synonymous with 'progress.' It may entail disruption of established patterns of living, over the long term it implies living standard, improved health and well-being for all.

The two common approaches to promoting women's development, 'Women in Development (WID)', and Gender and Development (GAD) differ in which would be primary focus of their programmes. Brief summaries of the two approaches are presented below:

### **Women in Development (WID)**

The WID approach aims to integrate women into existing development process by targeting them, often in women-specific activities. Women are passive recipients in WID projects, which emphasized making women more efficient producers and increasing their income. WID projects have improved health, income or recourses in the short term, because they did not transform unequal relationship, a significant number were not sustainable. Furthermore, a WID focuses primarily on integrating women into development process and concentrates on making women more efficient and improving women's income.

### **Gender and Development (GAD)**

The GAD focuses on intervening to address unequal gender relations which prevent equitable development and lock women out of full participation. GAD seeks both men and women to participate, make decisions and share benefits. The biggest difference between WID and GAD is that WID projects traditionally were not grounded in a gender analysis. GAD does not reject welfare, anti-poverty, or equity approaches to development, it entails a more holistic perspective, looking at the organisation of social, political and economical life.

## **OBJECTIVE OF THE GENDER POLICY**

### **The objective of the RLM Gender Policy is:**

- To ensure that gender needs, priorities and differences are considered and institutionalized into the RLM business, policies and practices including Integrated Development Plan (IDP).
- To develop positive action that will promote the full participation and empowerment of women in existing and future programmes to ensure that RLM's programme and project benefit both men and women equally.
- To promote access by women to key resources such as employment opportunities especially in decision-making, start-up capital for business, services and facilities.
- To ensure that the rights of women and men are equally upheld and women are enabled to exercise their rights over their bodies and are protected from violence.
- Promote and protect the rights of women in RLM areas.

### **Strategies for achieving Gender Equality**

#### **Gender should be mainstreamed into the business of RLM**

- To strengthen the issue of gender equality, the RLM would establish a Women's Forum (WF) consisting of women representative from various sectors e.g. Political parties, Non-Governmental Organizations, Community Based Organizations and faith-based Organizations and etc, the role of Women Forum is to monitor implementation of gender and women empowerment initiatives in RLM.
- This WF should be chaired by the Gender coordinator that will look after women's needs e.g. monitor assess impact of affirmative action programme, women's practical and strategic needs.
- As a way of promoting gender sensitivity and awareness, there should be resources allocated, and programme for capacity building for all councilors, officials and ward committees.

### **BASIC SERVICE DELIVERY**

Along with many SA citizens, the RLM is concerned about the lack of access to basic services such as health facilities e.g. reliable ambulance service, health care centres with adequate medical treatment. As bearers of children, carers of the sick and aged, lack of access to basic services is perceived as a threat to women's security.

Women carry much of the responsibility for meeting the basic needs of their households because of their socially prescribed roles in the patriarchal society. The quality of services delivery affects women directly. IDPs, as the critical tool for developmental government, must include a gender analysis as a core component. The impact of each must be reviewed, while gender specific processes and measures should become part of each IDP composition and review as a matter of course. The basic service deliver includes the following:

- Water sanitation and electricity
- Housing
- Transport
- Environment
- Health
- Social development
- Sports, Arts, Culture and
- Gender-based violence

### **Local Economic Development (Led) and Economic Development (Ed)**

Poverty is a gender issue because women make up majority of the poor. Poverty is articulated framework through the municipal indigent policy as not only the inability to access income, but the absences of capital such as land, access to natural resource, and a climate of democracy and security necessary to enhance the capabilities of the poor. Therefore; it is important to consider those households which are headed by women. Rustenburg Local Municipality must ensure that they have gender equity, and that issues of multiple disadvantages are considered so that black women access their fair share of municipal tenders. LED can do much for job creation by creating the correct regulatory environment and by direct municipal investment.

### **Municipal Financial Viability and Management**

Corruption affects the service delivery by making basic services more expensive, or resulting in non-delivery. The difference between poor performance management and corruptions is a very fine line. Transparent monitoring, evaluation and communications structure for the eradication of corruption is crucial for municipal financial viability.

## **Community Participation**

Gender equality is intrinsic to all the basic pillar of good governance: fair representation; equal participation; transparency; accountability and responsiveness, and a better system for delivery of good and services. The achievement of gender equality in governance is not just a matter of equity but it is also a matter of efficiency and efficacy. A key challenge of gender equality has been that gender issues are not recognized as important and that the voice of those individuals disadvantaged by the sex has been silenced. Access to information, communication strategies, and ability to participate in governance has been discriminatory toward women. The absence of women's voice and women effective participate has a negative effect on service delivery, because of their gendered roles.

## **HEALTHY AND WELLBEING**

There are many society factors that impede equality in health outcomes. Extreme levels of poverty and persistent structural inequalities make it very difficult to achieve equality in health outcomes. The poor, uneducated and unformed suffer most the distribution of health care service and are affect by HIV and AID epidemic. Rural women in South Africa constitute vulnerable population groups. They are very impoverished and constituted a group that is susceptible to gender-based violence, HIV infected and to the effects of AIDS.

### **HIV and AIDS**

HIV and AIDS remain dominant in South Africa's development agenda. It influences the municipal expenditure and income, impacting negatively on municipal financial viability and management. The correlation between HIV and AIDS, POVERTY and the disproportionate impact on women; young people and children have increasingly.

According to the research findings, 2 out of 3 HIV infected South Africans are women, 1 out of 4 women are HIV infected. It is easy for women to acquire HIV than it is for men due to their physiology. Due to their vulnerability to rape and unprotected sex, women are more likely to be infected by HIV as opposed to their male counterparts.

### **Safety and Gender-Based Violence (GBV)**

Violence against women and children remains one of the most challenges in South Africa. Social and cultural norms make domestic violence a difficult problem.

### **Observations in relation to violence against women include the following:**

- Economic powerlessness make women vulnerable to the consequence of physical violence and emotional abuse.
- Gender-based violence it is not only a women's issue but an issue that concerned the nation.
- The absence, of basic services such as water and electricity makes women vulnerable, especially to rape and physical violence.
- Sexual harassment in the workplace, schools and other public places is characterized by unequal power relation and economic powerlessness.

They are specific ways in which violence against women affects their ability to participate effectively in municipality. Women councilors needs to be considered when deciding on meeting venues and times, and transport to meetings, especially at night.

### **Children, Young Women and Elderly**

Special effort should be made to protect the girl-child from discrimination, ill-health, malnutrition, stereotyping, violence, including genital mutilation, early and forced marriage and domestic work.

Elderly women face double discrimination based on both gender and age. And, are plunged into poverty when they are very vulnerable.

### **Young Women with Disability**

Disable women comprise the most neglected, if not totally ignored. For both men and women, disability becomes more disadvantages when compounded by low-socio- economic and educational status. Disabled women who are poor and illiterate are worse off than men under the same conditions. Therefore, disabled women are left aside, isolated, marginalized, socially unaccepted and neglected. The vulnerability of a disabled woman is multiplied as she is mentally or physically to fend her against sexual harassment, rape or forms of physical violence.

Transport is not accessible or not "user- friendly" for disabled persons. As a result, parents prefer to retain girl- children with disabilities at home so that they can tend their younger siblings and help with the domestic work. There is a very high illiteracy rate among this group.



## **GENDER POLLICY CONTEXT**

The SA government has progressive Legislation in place, which is meant to prohibit and prevent all the above. For example, there is:

### **The Constitution of the Republic of SA Act 108 of 1996**

#### **The bill of Right**

According to Section (9) state that no one may be unfairly discriminated against respect of colour, race, marital status, age, disability, religion, belief, culture, language and birth. The Constitution is a supreme law of the country and it prevents discrimination of women.

### **Employment Equity Act 55 of 1998**

The Act outlaws any discrimination on the ground of race, sex, gender, and family responsibility, pregnancy, and HIV status. Therefore, its strategic lies on eliminating unfair discrimination with the aim of achieving diversity at the work place.

### **Promotion of Equality and prevention of Unfair Discrimination Act 4 of 2000**

The Act is an effort directed towards eradicating social and economic inequalities especially those that are systematic in nature, which were generated by colonialism, apartheid and patriarchy, which brought pain and suffering to the great majority of SA people. The aim of the Act is to prevent and prohibit unfair discrimination and harassment; to promote equality and eliminate unfair discrimination; to prevent and prohibit hate speech. The prohibited grounds of discrimination include both gender and sex.

### **The Domestic Violence Act 116 of 1998**

The Act covers actual or threatened physical, emotional, verbal, psychological and economical abuse, as well as intimidation, harassment, stalking, damage or destruction of property, or your entire home without your consent. It is vital to understand that violence against women constitute an infringement of basic human rights, undermines women's self determination including their ability to participate fully in and to benefit from development. It is for those reasons that the Act provide for issuing of protection orders to domestic violence.

## **CONCLUSION**

Since gender is a marginal issue within municipalities, and that women's voice struggle to be heard. While there is greater and more vocal representation of women in RLM, women in these municipality still feel constrained from taking up gender issues within existing structures. Although gender desk is starting to address these concerns, they are still isolated.

NGO's and CBO's are providing an alternative voice that can influence the work of municipality. IDP process offer a new forum in which women's voices can be heard, but the separation of participatory processes from decision-making is limiting the impact of women's voice.