

DEMOCRATIC PARTY

SUBTHEME COMMITTEE 6.3

DP SUBMISSION ON COMMISSION FOR GENDER EQUALITY

1. A clear case can be made for discontinuing a separate and potentially marginalised CGE and including its work with that of the Human Rights Commission, especially since SA has made great strides at the level of public representation generally and more than half of the first Human Rights Commissioners in particular are female.

2. However, the DP will support the constitutionalisation of a CGE on the following grounds and with the following suggested proviso:
 - 2.1 The single strongest argument for a separate gender commission is the fact that it can link directly with a "constituency". Examples of direct consultation with and representation of women's organisations may be found in models like the Canadian and German Gender Commissions. The merit of the constituency link lies in the avenues opened for promoting gender equality and for establishing facts and avenues for research of the lack thereof. Since ours is a gender Commission and not a women's Commission, it goes without saying.

We believe the functions of the CGE should essentially be to monitor, research and advise both on law reform and executive action. It should do so in all fields covered by the Convention on the Elimination Of Discrimination against Women, the implementation of which (including the 4 year reports) could be considered the CGE's terms of reference.

Affirmative action is described as justified when temporary (article 4). The Commission itself as an entity separate from the HRC and future equal opportunity bodies should likewise be temporary, though not necessarily short-lived.