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LETTERS AND SUBMISSIONS TO
CODESA REGARDING THE ROLE OF
WOMEN IN THE PROCESS

6 APRIL 1992

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CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

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PO Box 307, Isando, 1600, South Africa.

phone (011) 397-1198/99. Fax (011) 397-2211

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LIST OF LETTERS TO CODESA REGARDING PARTICIPATION OF WOMEN/MC SUBCOM

LIST OF LETTERS AND SUBMISSIONS TO CODESA REGARDING THE

PARTICIPATION OF WOMEN IN THE PROCESS

LIST AS AT 6 APRIL 1992

Barker, Councillor GT (North Humberside, UK). Letter, 14 February.

The Black Sash (National Executive). Letters, 18 February & 23 March.

The Black Sash (Albany Region). Letter, 9 March.

The Bookshop. Petitions in support of letter in press from The Women's Initiative,
Bryanston (x 3), received February.

Campbell, Liisa. Letter (in support of The Women's Initiative, Bryanston,
protest), 16 March.

Canning, Victoria. Letter, 14 February.

Channell, Marietha. Letter, 25 February.

Caramagno-Hepler, Dr Francesa (Idar-Oberstein School, Germany). Letter, 20
February.

Carlson, Glenys. Letter, 20 February.

Curteis, Thomas. Letter, 18 February.

Du Plessis, A. Letter, 17 February.

Erasmus, Wiesa (Voorsitter: Dames Aktueel). Letter, 17 February.

Foundation for African Business & Consumer Services: FABCOS (from Dora
Ndaba, Nominee Businesswoman of the Year 1991). Letter, 27 January.

Friedman, A. Letter, 1 April.

Gender Research Group, University of Durban. Submission to Working Group 2,
28 February.

Gomm, EM. Letter (in support of The Women's Initiative, Bryanston, protest), 1
2
February & Letter submitted to Working Group 1, 12 February.

Gouws, Amanda (Dpt of Political Science and Stellenbosch Feminist Study Group,
University of Stellenbosch). Draft Women's Charter for submission to Working
Group 2, 2 March.

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LIST OF LETTERS TO CODESA REGARDING PARTICIPATION OF WOMEN/MC SUBCOM

Gericke Library, University of Stellenbosch (signed by various). Letter, 25 February.
Herr, Pam (Pam Herr Organisation, honorary PRO for Cape Town Business &
Professional Women's Club & National Association of Women Business Owners).
Liggett, 12 March,

Jubineau, ? R (Nantes, France). Letter, received 3 March.

Kettley, Lorraine. Postcard, 25 February.

Khutsoame, Suzuki. Letter, received in February.

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Kuru Development Trust. Letter, 6 April.

Meyer, Gillian. Letter, 11 February.

Natal Mercury (Lois Knoeser, feature writer). Request re number of women
participants, 12 March.

National Council of Women of South Africa. Submission forwarded to Working
Groups 1 & 2, 17 March.

Neemborn, M. Letter, 14 February.

Phillip Goodman Properties (Pty) Ltd. Petition x 2, 17 February.

Pullen, Julia. Letter, 14 February.

Raubenheimer, Rick. Letter, 1 March. (Concern about general lack of representativeness of Codesa)

Rhoda Fowler Public Relations Consultant. Petition, 17 February.

Richmond, J. Letter, 26 March.

Richter, Jean. Letter, 16 February.

Simson, MM. Letter, 1 April.

South African Association of University Women. Letter, 3 April.

South African Council for Catholic Social Service.

Spiro, Wendy. Letter, 24 March.

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Steveni, JAT. Letter, 13 March.

Stellenbosch Farmersâ\200\231 Winery PRO Department (signed by various). Letter, 25 February.

Strode, Ann. Letter, 17 March.

Thirtle; C. Letter, 25 February.

Union of Jewish Women. Letter, 13 February.

University of Kent (signed by various). Letter, 10 March.

Walker, SM. Postcard, 24 February.

Watts, Kerry. Letter, 17 February.

White, CF. Letter, 2 March.

White, Elizabeth. Letter, 24 February.

Womenâ\200\231s Bureau of South Africa. Letters, 14 January, 3 February & 3 March.
Women for Peace. Submissions to all Working Groups, 28 February.

Womenâ\200\231 Initiative, Bryanston. Letters, 7 & 21 February.

Womenâ\200\231s League of the ANC. Submissions to all Working Groups, 6 March.
Womenâ\200\231s Legal Status Committee. Application to participate in Codesa and
information about the committee: 28 February & 19 March; and submission to
Working Group 3 regarding an Interim Bill of Rights, 12 March; and submission to

Working Group 2 regarding Bill of Rights in a new constitution, 12 March.

Womenâ\200\231s Lobby. Letter to Working Group 1, 2 March & Application to participate
in Codesa as observers, 2 March.

Petition in support of the formation of a Gender Review Committee. Responses
received to date number about 60. (It is not known who issued this petition.)

UN General Assembly - Resolution - Elimination of all forms of discrimination against women (Source of document unknown)

Unless otherwise specified, all dates refer to 1992.

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THE BLACK SASH

5 LONG STREET MOWBRAY - 7700 - TEL. 885-9413 - 9 am.â\200\224 1 p.m. MONDAY-FRIDAY
FAZ: QA-685 7510

The Secretariat

CODESA

Fax: Cli~:9? 2271 tS February 1992

Dear Sirs

ge thank you for sending us the terms ef reference to
Kerking Greups i and 2. We are hexever digmayed <t the
deadliwe o- March 2 as this does ret lease us enorgh
time to make our submissions.

ke urpmtiy request you to consid sr extending the deadline
sn the interests of allowing al- >arties aad orgaaisations
the opportunity of contributing > the interest g-oups.

Yours sincerely

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Rarbarca Mciteno
for Netional Executive

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THE BLACK SASH

5 LONG STREET MOWBRAY : 7700 - TEL 685-3513 9 a.m.â\200\2241 p.m. MONDAY â\200\224 FRIDAY

23 March 1992

ihe Secretariat

CODESA

Les Xpcoeeen Yelena) /ameeecat |

Sine

The Black Sash views with the utmost abhorrence the decision by the Ministry of Justices to resume the practice of capital punishment, and the announcement that seventeen prisoners will shortly be executed.

The moratorium on hangings observed since November 1989 has until now given respite to prisoners on death row, and has given South Africa a breathing space in which to question the use of a violent solution by the State to the problems of a violence-ridden society.

At this time, when South Africa is poised on the brink of major changes, it, is highly inappropriate for the government to make a unilateral decision to resume executions. Both the SA Law Commission and the ANC

have made proposals for a Bill of Rights which include the abolition of the death penalty, and this may therefore be enacted in the foreseeable future. It would be a clear travesty of justice for people to be hanged now who might otherwise be reprieved within a matter of months. We urge that no such action be taken, and have written to the State President and the Minister of Justice expressing this view. We reaffirm our belief that hangings by the state do nothing to reduce the levels

of violence in our society, do not serve as a deterrent to potential criminals, and serve only to cheapen the value of human life.

Yours faithfully,

po tg 18 hnâ\200\235

Mary Burton

for the National Executive.

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DIE SWART SERP

(Albany Region)
4 | P.O. Box 319
Grahamstown
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| phone: 2809

9th Match 1992

The Management
CU)DESA
F.O.-Box \$07
Isando 1600

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Dear Sir,

We are writing to urge you to take up the matter of the representation | cf women and womenâ\200\231s interests on CODESA. It.secms to us that women - who mske up just over half of South Africaâ\200\231s pobu lation = are not sdequately represented on this important negotiating body. We would like to protest this state of affairs and point out that women â\200\234s issues nedd to be taken seriously especially at this important transition period in cur history. The lessons from newly independent states arduhd the world show thet womenâ\200\231s rights have often been ignored and. viewed as geoondary issues to be dealt with st a later date This

â\200\230later dateâ\200\231 ugua lly does not materialise. We woud like to'point out that womenâ\200\231s rights are human rights and should therefore be on the agenda of a body concerned with democracy in the new South Africa.

We urge that women and womenâ\200\231s rights be represented at CONDESA and that women be sought to serve on this body.

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The Black Sash is a women's organisation
which pledges itself to peace and justice for all people.

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Women...

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fair: Say: In
â\200\234their future

From: â\200\234JENNIFER CRYSTON |

: WILLIAMS and: JEN- Â°

~ NY HOBBS,â\200\231 The Â°
: Womensâ\200\231 eee
. (Bryanston):

IN MARCH the aoeee

round of talks between.
delegates of. political::
parties to the Conven-::
tion for a Democratic -'
South Africa will begin ,
in Johannesburg. 2Â°. Â¢

Though womenâ\200\230 make -
up 53% of the South Afri- Â¢
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play a small part in this Â°
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cess, which will deter- |
mine their future. -: Â«7 .
- At the first round of :
Codesa talks, women ;
were represented by ~*

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Many South Mirican '
women â\200\224 largely subject |
to their. husbandsâ\200\231: and:/
social strictures â\200\224:are |
outraged by this denial ,
of their right to reason- .
able representation.

â\200\234 Protests by womenâ\200\231s
groups have so far been
fruitless.

We appeal to anyone
concerned, not only with
womenâ\200\231s rights, but with
the normal democratic
process, to help us put
pressure on the parties
involved.in Codesa., Â»+ ~<

They must. acknow--
ledge ourâ\200\230right to par-
ticipate fully. inâ\200\230deci-â\200\231
sions about our future.

Individuals or organi-
sations can help us â\200\230by
addressing protests, to: ,
The Management Coun- .
cil, Codesa, Box 307,â\200\231
ISANDO 1600, South
Africa, or faxing them to
(011) 397-2211.

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BOOKSHOP

66LowerMain Road . Observatory -Cape 7925

POBox (7/- Observatory 7935. South Atrica
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Women
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fair say in
ther future

From JENNIFER CRYST-

â\200\234Sy WILLIAMS and JEN-

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NY HOBBS, The

Womensâ\200\231 Initiative

(Bryanston):

IN MARCH the decisive round of talks between delegates of political parties to the Convention for a Democratic South Africa will begin in Johannesburg.

Though women make up 53% of the South African population, they play a small part in this decision-making process; which will determine their future.

At the first round of Codesa talks, women were represented by fewer than 7% of the delegates.

Many South African women are largely subject to their husbands' and social strictures are outraged by this denial of their right to reasonable representation.

Protests by women's groups have so far been fruitless.

We appeal to anyone concerned, not only with women's rights, but with the normal democratic process, to help us put pressure on the parties involved in Codesa. -

They must acknowledge our right to participate fully in decisions about our future.

Individuals or organisations can help us by addressing protests, to:
The Management Council, Codesa, Box 307, ISANDO 1600, South Africa, or faxing them to (011) 397-2211.

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From JENAUPRA CAYS-
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4295 PORT EDWARD

16 March 1992

The Management Council
Codssa

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1600 ISANDG

Dear Sirs,

I wish to join Jannifes Crys-Williams and Janny Hebbs in thair
protast against the pitifully low number of women in Cocesa
talks e

A fair representation would be half and halÂ¢ but since this is
utopian thinking I urge you to recruit all available women as
a matter of course.

According to the latest information available to ma in Finland
parliamentary representation is nearing the 50-50 mark, and the
present cabinet is thers already: out of 17 cabinet posts sight
azs held by women, including that of the Minister of Defenses!
Interestingly, there are two ministers of sducation for less
than & million people. ae

7 fajthfully,

Liisa Campbell

P.O), Brox 783, 8&8
Sandton 2140 South Africa

) Tel. (011) 442-624
ee) lor) CNG

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14 February 1992

The Management Council
Codessa

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Dear Sirs/Madams

Women in Codessa

Throughout history democracy and civilization have been
marked by the extension of women's rights. We would like
to see Saceean in eson SOU MARC cm WT eneld beat Om ta li asiom baal

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I am particularly concerned that attention be given to
this matter by Working Group 2 : Constitution making.
espn O hee ne man one vote but a one adult one vote
that is necessary for the full democratization of the

new South Africa.

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JI Wierorila Cammarling

Represented in London,
Los Angeles and Harare

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STELLENBOSCH

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We demand our right to participate fully | about Stirs
ard this can only happen with fhir reser es ae oa

February 20, 1992

To Whom It May Concern:

I am writing to encourage you to include more women as delegates of the political parties to the Convention for a Democratic South Africa (CODESA) which will begin in March.

Although women make up 53% of the South African population, they have a very small part in this decision-making process.

In order to become a democratic ruling country it is very important that women be included in every aspect of government.

Thank you for anything you could do to address this problem.

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Â° Neneenneâ\200\224 ye pl

Dr. Francesca Caramagno-Hepler
Idar-Oberstein School

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=FOUNDATION FOR AFRICAN BUSINESS & CONSUMER SERVICES

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SUBMISSION TO CODESA WORKING GROUP 2: WOMEN'S RIGHTS, GENDER
EQUALITY AND A FUTURE CONSTITUTION FOR SOUTH AFRICA

~ By some members of the Gender Research Group, University of
Natal, Durban (Dr Yvonne Muthien, Dept. of Sociology; Dr Jenny
Rahinsan, Nent of Geography, Mc Chorryl Walker, Dept. US
Sociology). February 28 1992.

Introduction

Any future constitution for South Africa has to guarantee gender
equality between men and women as a fundamental constitutional
principle, as fundamental as the principle of non-racism.
Without such a guarantee, the constitution cannot claim to be
truly democratic. It is essential that the constitution should
acknowledge the degree to which women in our society are
structurally disadvantaged in terms of law, custom and economic
power, and hence will find it difficult to realise the full
benefits of broad constitutional principles of gender equality
without a meaningful programme of affirmative action and popular
education.

â\200\230Equalityâ\200\231 must acknowledge â\200\230differenceâ\200\231

In formulating constitutional principles that guarantee gender
equality to men and women, CODESA needs to think carefully about
what is meant by the â\200\230equalityâ\200\231 of men and women. â\200\230Equalityâ\200\231
for women should not mean being treated according to an essentially
male norm but being accorded full respect, opportunities and

value by society. Women and men are different in one crucial
way: women are reproductive. Thus, in unmeasured men

and women's equality in terms of legal, political, economic and
social rights and capacity, women's differences and specific
needs must also be fully valued and protected where they exist,
crucially with regard to maternity rights, women's control of
their own fertility and sexuality, and health requirements.
Women's differences must not be regarded as social disabilities
and handicaps, requiring special treatment or justifying
discriminatory exclusions from full citizenship, but as socially
valuable attributes demanding acknowledgement and protection.
Thus in a democratic South Africa there has to be state
responsibility for ensuring adequate minimum maternity rights for
all women.

Affirmative action. for women

Furthermore, â\200\234equalityâ\200\231 involves equalising the socially
sanctioned burdens that different groups of people bear. Given
the legacy of subordination of women, a programme of affirmative
action for women is required in terms of access to education,
employment, housing, land etc. Given the way in which gender and
race discrimination have combined to oppress black women most
severely, such a programme must be directed in the first instance
at black women and the most disadvantaged sectors of women within
that broad category, but should not ignore the way in which all
women have suffered from gender discrimination. (See for

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instance Appendix A on gender discrimination in tertiary institutions.) any affirmative action programme should be for a stipulated period at first, after which it can be reviewed to see to what extent it is still required, rather than laid down for all time.

At the same time, for the foreseeable future, women's current social disabilities and gendered responsibilities will need to be addressed. Seemingly, the fact that women are seen as different (in terms of ensuring women's rights) should not be construed as violating the principle of equality between men and women. For instance in the area of employment conditions there have to be provisions ensuring that women who work late shifts are given safe transport home: not because there are inherent biological reasons why women cannot travel alone safely at night and need to be favoured over men, but because of the very real dangers they are exposed to in a violent, highly sexist society..

Giving women equal value in practice: Enshrining gender equality as a primary right in a bill of rights

The principle of gender equality has to be a non-negotiable principle in a bill of rights. The bill should recognise women's endogenous and exogenous rights, and ensure that women's rights must be specifically attributed to women not to ambiguous persons, and

It is essential that women's human rights are recognised very clearly by the bill of rights as inalienable and that women's rights is written in such a way as to make it clear that women's rights to full citizenship take precedence over other, lesser rights that it recognises.

The three areas where there is most likely to be conflict around the principle of women's rights are 1) the family, especially provisions relating to marriage, guardianship and the right to privacy 2) religion and custom and 3) the right to life. The latter is not carefully phrased, it may be used to give constitutional authority to the anti-abortion lobby. The question of abortion rights for women is a controversial one which needs ongoing debate and review, with 2 legislative Capacity to respond to changing attitudes and needs (of women, first and foremost); it must not be put beyond legislative and judicial reach.) The recognition given to women's rights to rights in these areas must not be constructed in such a way as to undermine or negate the rights of women and the principle of gender equality, or have the effect of entrenching present patriarchal values and power in marriage, the family, religion and culture. Here CODESA should take its lead from the UN Convention on the elimination of all forms of discrimination against women. Inter alia, article 2(f) binds signatories to take all appropriate measures, including legislation, to modify

or abolish existing laws, regulations, customs and practices which constitute discrimination against women.

The primacy that has to be accorded to gender equality and women's rights does not mean that individual women cannot subscribe to Tamiy, religious or cultural practices that other women may consider oppressive; it does mean that women cannot be forced to subscribe to such practices against their will, and they must have constitutional protection in seeking to escape patriarchal power in the family, religious and cultural life.

Clearly the implementation of this will be difficult but if women's rights are to mean anything, it is an absolutely essential principle to establish. An analogy can be made with race - no future constitution can tolerate cultural practices that are racist.

Giving effect to gender equality in the bill of rights

Such a bill of rights has to have constitutional status and there needs to be an empowering clause to ensure that the broad rights set out in the bill of rights are implemented and existing laws that violate them are automatically invalid/overruled. At the same time, in order to start to give effect to broad constitutional principles, structures have to be put in place to make it possible for women to press complaints about gender discrimination and violations of the bill of rights. There has to be funding to make these structures available to all women - this could be through state and/or private bodies (eg legal aid, lawyers for human rights, women's groups).

Furthermore, women's rights structures need to be fed into all levels of the constitutional structures that are developed, for instance a Constitutional court, standing human rights commission and office of ombudsman. Thus there should be a permanent women's rights section of a human rights commission, with power to make recommendations to the legislature and to take cases to court, both to establish precedents and to enforce rights already won. Women must staff these structures; women must also be included in general human rights bodies and gender issues not ghettoised to a women's section nor women's interests assumed to be simply synonymous with gender-specific rights: women have interests as workers, members of different religious and linguistic communities etc as well. One task of such a commission would be to review existing Legislation to see what violates the principles of gender equality of the bill of rights.

There also must be a standing committee on women in the legislature - the precise composition of such a body is hard to define while the shape of the future legislature is still unclear, but provision needs to be made for some body that can draft and consider legislation that affects women.

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CODESA also needs to recognise that given the way in which patriarchal attitudes and discrimination against women are entrenched, there needs to be an ongoing, active programme of education: at many different levels around the issue of gender oppression and rights for women, both to inform women about their rights and to conscientise the public in general. This campaign needs to be taken into schools and the media. It must be an integral part of the process by which a constitution is drafted and ratified and elections held for the first democratic legislature.

Adequate representation for women in the constitutional and political process

This is an extremely important area where affirmative action is urgently required. The pitifully small numbers of women participating in CODESA are graphic testimony of the way in which women have been excluded from political power. Like problems they face and will face in promoting and defending their legitimate gendered interests in society, and the need for mechanisms to guarantee at least a minimally acceptable level of active participation by women. The general principle that women must be adequately represented in the political process, including CODESA

and all steps towards drawing up the new constitution and electing the first legislature, has so far actively adhered to

CODESA. This demands concerted, targeted action as a matter of urgency.

National Congress
Durban, July 1992

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Equality of rights under the law shall not be denied or abridged in South Africa by the state on account of sex.

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clauses should be protected in a Womenâ\200\231s Charter with legal status with proper mechanisms for enforcement.

Concept Womenâ\200\231s Charter

Labor

To improve the position of women in the paid labor force policies should be adopted with the effect of:

- equal pay for equal work, coupled with laws prohibiting discrimination against women.

- equal pay for work of equal value (comparable worth) - the value of the work done by women in certain job categories should ne compared to the value of work done hy men in comparable job categories. Pay and benefits should be calculated accordingly.
- ~ the eradication of unequal labdr contracts.

- affirmative action programmes to address past discrimination on grounds of gender, including training programmes.

- the improvement of working conditions for women â\200\224 including maternity and parental leave without the loss of income, and the provision of childcare.

- sexual harrassment policies in the workplace - emplyers should be forced to adopt sexual harassment policies.

Reproduction

Women should have control over their own reproduction.

This should include:

- safe, easily available contraception accompanied with enough information so that women can make informed choices.

- sex education.

- education on family planning.

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~ access to medical care and treatment during pregnancy and delivery of babies.

- maternal child health care.
- the right to an abortion if a woman so chooses.

Rape

- Rape should be made a criminal offence, also inside the marriage.
- Victims should have the right to legal representation of her choice, paid for by the state.
- Offenders should be subjected to therapy paid for by the state.

Domestic Violence

- Police powers to intervene in domestic disputes.
- ~ Women and children should have access to shelters for domestic violence when they are forced to leave the home. These shelters should be funded by the state.

Marriage

- equal legal rights and equal protection Under (the law of husbands and wives also in the case of the break-up of marriages.

Health

- State health care for women and children who are destitute and cannot afford health care.

Draft by the Stellenbosch Yeminism Study Group:

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Draft by the Stellenbosch Feminism Study Group:

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Ons versoek alle partye om te besin oor die gebrek aan vroue-verteenwoordigers by CODESA en ons dring aan dat vroue hul regmatige plek as verteenwoordigers by CODESA inneem.

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PAM HERR ORGANISATION

PO BOX 30176. TOKAI, CAPE, ?S66 â\200\224â\200\224â\200\224â\200\224
TELEPHONE (G21) ?62-S892
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FACSIMILE TRANSMISSION DETAILS

TO Seu DES

ATTENTION : MANAGEMENT COUNCIL
FROM : PAM HERR

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Sirs,

On behalf of the two organisations in Cape Town, for which I am
honorary PRO, namely the Cape Town Business and Professional
Womenâ\200\231s Club and the National Association of Women Business
Owners, I would like to record our concern that women are being
excluded from Codesaâ\200\231s deliberations.

All women are economically active and half the South African
population is women.

We would urge your Council to give serious and urgent attention
to making provision for womenâ\200\231s groups to participate.

Thank you.

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21 Soeteweide
STELLENBOSCH
7600

25 February 1992

The Management Counsel Codesa
P.O. Box 307

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TO WHOM IT MAY CONCERN

)

It is my great concern with the fact that women only represent 7 % of delegates at the Codesa talks, that urged me to write this letter in protest.

In all fairness I believe that the "New South Africa" should not only entail equality among race groups, but also equality on various other spheres as well. I hope that Codesa will not think along the lines of hierarchy by making one issue more important than the other, but regard all with equal seriousness.

It is on the grounds here of that I implore you to give women more representation on the body deciding all our futures so that the interest of all will be duly considered as a new constitution becomes reality.

Yours sincerely

E. KOTZE (Ms)

ag ae

FROM : Kuru Development Trust

PRONE NG 3) 267 SS6 2es

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Tele efax From:

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NATIONAL COUNCIL OF WOMEN OF SOUTH AFRICA
NASIONALE VROUERAAD VAN SUID-AFRIKA

Affiliated to the International Council of Women â\200\224 1913 â\200\224 Geaffilieer m
et die International Vroueraad

BOARD OF OFFICERS
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WORKING GROUP 2 el
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1600 LSANDO
Dear Sir/Madam
CODESA WORKING GROUP 2

Thankyou for inviting organisations to make submissions
of behalf of women s rights and interests. We are glad
OMG OMS. Ol

Ee We have previously submitted to Min Viljoen the
1980 UN CCONVENTION ON THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST MOND, (CRB), IG A aLS)SO) Please
re-submit this again, so that our request for.
ratification and signature can go foward once more. (See
copy enclosed, and the ICW - Intl Council of Women
Standing Committee on Laws and the Status of Women Plan
of Action, Bangkok, September 1991.)

2% UNA GONVEN DLOND ON Li ReReCHRGeenOlme bt ae CH LD) reach
emphasis on the protection of children from exploitation Â©
and abuse (please see our ICW Resolution passed at
Bangkok, September IS). DWieaso swum, om Owe leeineithe .

3 PROTECTION FOR THE RIGHTS CF THE AGED : it has come
to our attention from our Krugersdorp Council that a lack
of accommodation for the middle income aged is prevalent.
Particularly since the present Old Age Homes have been
turned into frail aged homes and are very overcrowded.
The greater majority of rent-controlled flats have now
been made Sectional Title Schemes or, aS in one case,
have been bought by Jehovahâ\200\231s Witnesses for their

members. How this need can be met is a difficulty. But
it is a very real need for those without children at hand
and limited income. (See ICW Term of reference for the

new Standing Committee on Aging & Minutes of Nel OCS
Committee on Aging, Bangkok, September 1991). Please
also submit this - we are all going to be old one day, so
now is the time to prepare!

Thankyou very much for opening the door for us to Working
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Date Rec'd: ...-

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MRS HEATHER TRACEY. NATIONAL PRESIDENT: De cerACkni ttn ieee teri
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A/RES/34/180
22 January 1980

Thirty-fourth session
Agenda item 75 fe

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY
for the report of the Third Committee (A/34/830 and A/31/u.01)7

34/180. Convention on the Elimination of All Forms of
Discrimination against Women

The General Assembly,

Considering that one of the purposes of the United Nations, as stated in oe

Articles 1 and 55 of the Charter, is to [EUEEuQEOTTSREEEENONS or human
rights and fundamental freedoms =ayiit=aaeueeom of any kind, iam esp

Wigieebbeer 2s to em, ;

Recalling the proclamation by the General Assembly, in its resolution ve
2263 (XXII) offpenovenoer TORT, of thÃ©Weclaration on the Elinination) of
against Women.)

: Taking into account the conventions, resolutions, declarations and
recommendations of the United Nations and of the speciali encies Wasigned to)
= forms OT discrimintion\and to"promote equal rights} for|mef and

Noting, in particular, its (resolution 33/177 of 20 December 1978} concerning
the drafting of a convention on the elimination of discrimination against women,

Considering that{@discrimination\ agai neff han combe bao.
welfare of society 9

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iret he of the world and the\Gause of peace(reauire the
full participation of both en and women in society, vA

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Gen ee rane %

Convinced that it is necessary to ensure the thiversal recognition in law

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and in fact of the WrInciple of equality of men and women, {

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sie Adopts and opens for signature, ratification and accession the

on the Elimination of All Forms of Discrimination against Joust the text of which

is annexed to the present resolution, >

Expresses the hope that the Convention will Â¢ signed and ratified.

~ Qo

or acceded to without delay and will come into rorce at an early date,

ay Pecuests tie Cecretary-General to pres â\200\2304 toyt of the Convention to
of the United Naticns Tecade for Yemen for its eriONgmatceo an

the World Conference

ub. Pequesta the Secretary-ceneral to submit to the General Assently at

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Status of the Convention on the Elimination of All Forms of

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Discrimination against Women".

107th plenary meeting

18 December 1979

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ANNEX

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Convention on the Elimination of All Forms of Discrimination
against Women

The States Parties to the present Convention,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind,¹

including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal right of men and women to enjoy all economic, social, cultural, civil and political rights²

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity³

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

1/ General Assembly resolution 217 A (III).

2/ General Assembly resolution 2200 A (XXI), annex.

or all romans Or raecrsim,

Emphasizing that the eradication of apartheid,
aggresssion, foreign

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racial discrimination, colonialism, neo-colonialism,
occupation and domination and interference in the internal affairs CH wees

essential to the full enjoyment of the rights of men and women, va]

Affirming that the strengthening of international peace and security,
relaxation of international tension, mutual co-operation emong all States
irrespective of their social and economic systems, general and complete
disarmament, and in particular nuclear disarmament under strict and effective
international control, the affirmation of the principles of Justice, equality and
= tual tenefit in relations among countries and the realization of CMa rast CaO
CPCS aoe tener aoe colonial dominatica and foreign cecupation to selr-
determination and independence, as well as respect for national 3govereignty and
territorial integrity, will promote social progress and development and as a

consequence will contribute to the attainment of full equality between men and
women, v

Convinced that the full and complete development of a country, the welfare
of the world and the cause of peace require the maximum participation of women

on equal terms with men in all fields,.

Bearing in mind the great contribution of women to the welfare of the family
and to the development of society, so far not fully-recognized, the social
significance of maternity and the role of both parents in the family and in the
upbringing of children, and aware that the role of women in procreation should
not be a basis for discrimination but that the upbringing of children requires a
sharing of responsibility between men and women and society as a Se

Aware that a change in the traditional role of men as well as the role of
women in society and in the family is needed to achieve full equality between men

and women,

Determined to implement the principles set forth in the Declaration on the

Elimination of Discrimination against Women and, for that purpose, to adopt the
measures required,for the elimination of such Been raniaten in all its forms and

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Haveâ\200\231 agreed on the following:

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PART TI

Article 1

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States Parties condemn discrimination against women in all its forms agree to pursue by all appropriate means and without delay a policy of eliminating

discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical

realization of this principle; »

(b) To adopt appropriate legislative and other measures,

wae sanctions
where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination; 200
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(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation; Y

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise,

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

a

(a) To repeal all national provisions which constitute discrimination against women.

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Article 8

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment

have been achieved, \/

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2, Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women ;\

(ob) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women. | : : ,

PART II Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: |

_ (a) To vote in ell elections and Dui referenda and to be eligible for election to all publicly elected bodies;

(b>) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; a

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country | ~â\200\224

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Article 3

: vous Parties shall take all appropriate measures to ensure to women on
qua erms with men and without any discrimination, the opportunity to :
represent their Governments at the international level and to participate in the
work of international organizations. _ 5

Article 9

States Parties shall great women equal rights with men to acquire,

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a change or retain their nationality. They shall ensure in particular that neither
â\200\234t marriage to an alien nor change of netionality by the husband during marriag
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shall automatically change the nationality of the wife, render her stateless or
force upon her the nationality of the husband.

Q Bo States Parties shall grant women equal rights with men with respect to
_ the nationality of their children.

PAR aelen

Article 10

States Parties shall take all appropriate measures to eliminate discrimination
against women in order to ensure to them equal rights with men in the field of
education and in particular to ensure, on a basis of equality of sen and women:

(a) The same conditions for career and vocational guidance, for access to
studies and for the achievement of dipicazas in educational catadlshments of all
categories {n rural as well es in urtan areas; this cjunlity shall be censured {a
pre-school, eÂçeneral, technical, srofessional and higher technical oducation, as
woll es in all types of vocational training, _ ;

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(c) Te elimination of any stereotyped concept of tre roles of men and vomen
at all levels and in all forms of education by encouraging cceducation and other
y types of education which will help to achieve this aim and, in particular ,_vy che
revision of textbooks and school programmes and the adaptation of teaching

methods; *

(a) e same opportunities to benefit from scholarships and other study
grants; ie

(e) The same opportunities for access to programmes of continuing education,
including adult and functional literacy programmes, particularly those aimed at
reducing, at the earliest possible time, any gap in education existing between

men and women; ~~

jee.

18 (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same opportunities to participate actively in sports and physical education;.,

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning ~~

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nS States Parties shall take all appropriate measures to eliminate

i d@iscrimination against women in the field of employment in order to ensure, on a

basis of equality of men and women, the same rights, in particular:

(a) The right to work as an inalienable right of all human beings; / â\200\224

(o) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment /

(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

- (ad) The right to equal remuneration, including benefits, and to equal treatment â\200\230in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work3;3/

(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as smthen wight coMpard leaveâ\200\231,

(f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction. v

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital gtatus,;

(bo) To introduce maternity leave with pay or with comparable social benefits _ without loss of former employment, seniority or social allowances;

(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and lito

Page 7

participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them. i

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Article 12

States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning ~/

2 Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connexion with pregnancy, confinement and the post-natal period, granting free services where necessary as well as adequate nutrition during pregnancy and lactation. .

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

Q ; .

. (a) The right to family benefits;

0 (b) The right to bank loans, mortgages and other forms of financial credit;

(c) The right to participate in recreational activities, sports and all aspects of cultural life.Â«/

Article 14

States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

(a) To participate in the elaboration and implementation of development planning at all levels;

(vb) To have access to adequate health care facilities, including information,

counselling and services in family planning; .â\200\235

(ec), To benefit directly from social security programmes;

(ad) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment ;

. (Â£) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

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PART IV

Art aclems)

lige States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity

identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3c States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4, States Parties shall accord to men and women the same rights with regard to the law relating!to the movement of persons and the freedom to choose their residence and domicile. :

Article 16

alls States Parties shall take all appropriate measures to eliminate

discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

ees

- (a) The same right to enter into marriage ;/
- (>) The same right freely to choose a spouse and to enter into marriage only with their free and full consent; /
- (c) The same rights and responsibilities during marriage and at its 2) dissolution;
- (4) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount,
- (e) The same rights to decide freely and responsibly on the number and â\200\2345 spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- (f) The same rights and responsibilities with regard to guardianship, <> wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be ISR
- (g) The same personal rights as husband and wife, including the right to ? choose a family name, a profession and an occupation; i
- (h) The same rights for both spouses in respect of the ownership, 9 acquisition, management, administration, enjoyment and disposition of property, - whether free of charge or for a valuable consideration.

Bo The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

PART V

Article 14

1. For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification, .of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems

On The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

3 The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4 Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

6. The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The terms of two of the additional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.

7 For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

\
\

8. The members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

; ze
. Article 18

10 States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:

ans

(a) Within one year after the entry into force for the State concerned; and

(bd) Thereafter at least every four years and further whenever the Committee so requests. :

Bo Reports may indicate factors and difficulties affecting the degree of ~ fulfilment of obligations under the present Convention.

Article 19

1. The Committee shall adopt its own rules of procedure.

2. The Committee shall elect its officers for a term of two years.

3. The Committee shall normally meet for a period of not more than two weeks

annually in order to consider the reports submitted in accordance with article 18 of the present Convention.

2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee.

Article 21

1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

2. The Secretary-General shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

Article 22

The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities. The Committee may request specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.

aA

MP BICLE 2S

Nothing in this Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained: .

(a) In the legislation of @ State Party; or

(o>) In any other international convention, treaty or agreement in force for
ellen oie cuore

Article 24

States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

Avastin)

nie The present Convention shall be open for signature by all States.

On The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Shc The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

ie The present Convention shall be open to accession by all States.

Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 26

Article A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 27

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Article The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

sees

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Annex

Page 13

A: For each State ratifying the present Convention or acceding to it after

the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the GAcCe OK WAS Gejxosshs C2 ass} Sr aeins aas Won mG Ofna a Geen Cel Ogee omen :

Article 28

ale The Secretary-General of the United Nations sn3il receive and circulate to all States the text of reservations made Ly States At FoI MacHtTn CRN On amnts Chcpl etslCalcelton or accession.

Ce A reservation incompatible with the oobject and purpose of the present Convention shall not be permitted.

Be Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which 18 35} received.

Article 29

dbo Any dispute between two or more States Parties concerning the | interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2, Each State Party may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not te bound by that paragraph with respect to any State Party which has made such a reservation.

Ste Any State Party which has made a reservation in accordance with paragraph 2

of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 30

The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of whi'ch are equally authentic, shall be deposited with the

Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Convention.

(2)

INTERNATIONAL COUNCIL OF WOMEN Sc/Laws & the Status
1 eaRUe Caumar tin of Women/91/2
75009 - Paris - France (original English)

Paris, 15th November LES

XXXVI th PLENARY CONFERENCE

Bangkok, Fihidileti ao nce Orel September 1991

LCW STANDING COMMITTEE ON LAWS AND THE STATUS OF WOMEN

PLAN OF ACTION 1991-1994

Theme_I - The Child and the Family

(a) Safeguarding the rights of children by legislation.

(ob) Safeguarding women's legal rights within the family.

Theme II! . The Status of Women in Politics

(a) Women in government, local authorities and in public offices.

(b) What do National Councils do and what can they do to promote women in government, local authorities and public offices.

Theme IIT

(a) Women should promote legislation prohibiting discrimination against women. In those countries where such legislation already exists, women should work to ensure that such legislation is effective in preventing discrimination.

(b) Women should lobby for the full implementation of the Convention on the Elimination of all forms of discrimination against women.

- a)
- b)
- c)
- 4)

INTERNATIONAL COUNCIL OF WOMEN

13, rue Caumartin ee a & Family/391/2
PF300D = : a Original English)
aris France Paris, 14th November 1991

XXVI th PLENARY CONFERENCE
Bangkok, Thailand 23rd - 30th September 1991
ICW STANDING COMMITTEE ON CHILD AND FAMILY

PLAN OF ACTION 1991 - 1994

THE RIGHTS OF THE CHILD

The Convention - Ratification, Provision of Information.

The World Declaration on the Survival, Protection and Development
of Children.

Plan of Action for Implementating the Declaration

Children in especially difficult circumstances, e.g. prostitution, ~
Child abuse, child labour etc.

Preiaion of exceeible af f.icvtable, eatemamioc bild care

eo! Rew sege-cbhe '. Cee koe lowe

INTERNATIONAL COUNCIL, OF WOMEN SC/Child & Family/91/3
13, Rue Caumartin (original English)
75009-Paris-France Paris, 18th October 1991

XXXVI th PLENARY CONFERENCE
Bangkok, Thailand 23rd - 30th September 1991

MINUTES OF CHILD AND FAMILY STANDING COMMITTEE MEETINGS

Child and Family Standing Committee Meeting, Friday, September 27th, 1991
Present: see list at end.
Convener: Diane Alley in the chair.

The Convener introduced the two Vice-Conveners present, Senel Aksu of Turkey and Monica Glenn of Australia. She reported that she had asked the 3 Vice-Conveners to work with the regions of the world in which they lived. She expressed her regret that many countries had not responded to the Plan of Action for the Triennium 1988-91.

The Plan of Action was then discussed. Concern was expressed that so many children are being bought and sold as commodities or kidnapped in many parts of the world.

Thailand - explained their tourist policy, concern was expressed over sex tours. Parent education is important to strengthen the family. It was stated that Japan, Korea, Germany, Hong Kong and Malaysia need a campaign to prevent trade of children, sex exploitation and the promotion of sex tours.

Thailand - explained their tourist policy, concern was expressed over sex tours. Parent education is important to strengthen the family. It was stated that Japan, Korea, Germany, Hong Kong and Malaysia need a campaign to prevent trade of children, sex exploitation and the promotion of sex tours.

New Zealand stated that sexually transmitted diseases can be responsible for infertility in women.

Monica Glenn, Vice-Convener. then spoke of her concern of the rights of children to know their parents, and that National Councils need to work for uniform legislation, as in Article 8 of the Convention. She read out her suggested resolution, "Uniform Legislation Protecting the Rights of the Child born of new reproductive technology so that every child had access to both identifying his or her legal, medical and parents history and records".

This resolution was agreed to by all present. and was to be put forward as an emergency resolution.

India - expressed concern that children were being kidnapped for their human organs, e.g. kidneys and eyes.

"New reproductive technology" was recommended as; a better expression than Genetic Engineering in the Plan of Action. The Washington Resolution was Women and Reproductive Technologies.

The (CW Conference to be held in Brussels from 8th - 12th February 1992
hanging Families and Changing Societiesâ\200\235 was then discussed. Concern

was expressed that it did not include contributors from Asia and the

merrie. Anstpmiaa ines eq I Merituce of Pam iar Seichies which Inac pessaainetadc
UUs an Gite iON en nC nc eae Tt was agreed that those present should inform
the President of suitable people from these areas.

Indonesia - Now has 3 models on Family, Home Management and Child Care, and
Communication. Relationships need improving.

Problems of the elderly were discussed and the â\200\234Sandwich Generationâ\200\235 wh
o
are caring for the young and the old. It lays stress on women of child-
bearing age.

tsrael] and Thailand both stated life expectancy for women greater than men.
Concern was expressed about divorce and separation giving rise to single
parent families.

Discussion centred around the programmes for the elderly which support them
to remain in their own home. Day care, respite care etc for the frail or
disabled elderly is as necessary as quality child care for children.

India is concerned that child marriages are still occurring.

The Plan of Action for the next triennial is to be discussed at the next
meeting.

The meeting concluded at 3.30pm.

PRESENT AT THE MEETING WERE:

Monica Glenn (Australia) - Mary MacGiven (New Zealand) -â\200\224 Prapaipau
Subhachaturas (Thailand) - Mrs. Sentanu (Indonesia) - M.R. Chalumanok
Bronthai (Thailand) - Somchit Kaiyanapoklu (Thailand) - Sasithorn Wasuwat
(Thailand) - Yarumee Chittayasathorn (Thailand) - Dorothy Kurz (Australia)
- Sri Nirmala (Indonesia) - Roojtoeti M. Partonedardo (Indonesian Embassy.
Thailand) ~ Bocn Choo Saikasem (Thailand) - Merrinelle Sullivan (USA) -
Pimchai Sooksmi (Thailand) - Koonying Vanna Chaimouanvong (Thailand) -
Somsri Ekaboosa (Thailand) - Vimolratana Kamnecdpoy (Thailand) - Colonel]
Asanee Saowapap (Thailand) - Amarisa Thansathit (Thailand) - Kuerkul Tonkul
(Thailand) - Piew-on Ngernsri (Thailand) - Chief (Mrs) O.T. Soyeye

(Nigeria) - Fatimah Fihanta (Indonesia) - Tuti Suwarno (Indonesia) - Lili
Ramkumar Bhargava (India) - Judy Edwards (Australia) - Catharine Sly
(Canada) - Palti Hava (Israel]) - Siti Hertati Hartono (Indonesia) -

Beatrice Ubeku (Nigeria) - Taeka Piya Ajariya (UNICEF Thailand) - Harriet
Samuels (Hong Kong) - Pranit Rabieb (Thailand) - Pugprink Akarasawart
(Thailand) - Boatrice Leinback (Canada) - S.A. Yussuff (Nigeria) ~ Rommy
Suttiteth (Thailand) - Mrs. Subhaporn-Peters (Thailand) - Srisomwong
Wanasilpin (Thailand).

, Oy AO viele ma Smarr abn aya AON a
MEETING OF STANDING COMMITTEE ON CHILDRN AND FAMILY

Saturday, September 28th 1991

Present__: Diane Alley. Commoner (Australia), Seael Nhe, WiceeCommeicly (Turkey). [Lila Rambumar Bhargava (India), Adeloya David (Nigeria). Monica Glenn. Vice-Convener (Australia), Tati Hartono (Indonesia). Somchi t

Kan janupokin (Thailand). Bea Ieinback (Canada) Annie Mukhopadhaya (India), Merrinelle Sullivan (U.S.A.)

A UNICEF report on Children in Especially Difficult Circumstances was discussed and it was decided that: action should be taken concerning the sexual exploitation of children.

Discussion of Resolutions ~ It was suggested that the Committee support a resolution to endorse the Campaign to End Child Prostitution in Asian Tourism which was launched in Thailand in March 1991.

The resolution of this Standing Committee of Child and Family, on Sexual Mutilation, was discussed: the Committee decided no addition was necessary.

The Committee reaffirmed support for the following resolutions:

NC/Canda - War Toys

#6 -

ETT = SC/Socra Welfare - Trafficking in Human Organs

t 5 ~ NC/Cameroon ~ Sexual Violence within the Family and Society
#19 - Women and HIV Infection and AIDS

An emergency resolution was adopted on Reproductive Technology and a child's right to know its parental background.

Discussion of Plan of Action - The Committee discussed the necessity of urging their governments to ratify the Convention on the Rights of the Child.

ICW President Mrs. Lily Boeykens joined the meeting to inform the Committee of Belgium's concern about child prostitution. Recently, King Baudoin, in a private meeting, asked Mrs. Boeykens to work nationally and internationally to stop the trade in children. Belgium is a way station for the Thai and Philippine child trade. Children are brought to Belgium, given new names, stripped of their identity and subjected to abuse if they do not cooperate in training as prostitutes. When these children become

too old or diseased, they simply disappear.

The Chair noted that there are two useful information sources available from UNICEF: the

see A kit on the Convention on the Rights of the Child

for

A publication: "World Declaration on the Survival, Protection and Development of Children" from the World Summit for Children. United Nations. 30th September. 1990.

UNICEF has also produced a new video on the Summit goals called "One Day in September." (28 minutes - \$10.00. It may be borrowed without cost).

Members of the Committee noted positive programs involving young people in taking part in solving their own problems:

* Nigeria spoke of the program sponsored by the International Jaycees in which participants from 143 countries took over the United Nations: for one week. Resolutions are being presented to the UN by the group.

* Thailand sponsors an Annual Children's Day on September 20 - UN Youth

DRAW

* Turkey has a Youth Day each April 23 with participants from other countries.

* Since 1976, Indonesia has recognized the Decade of Children. Annually, children aged 11 to 18 celebrate National Children's Day (July 23) with the President of Indonesia.

* Nigeria celebrates Children's Day May 27. There is also a weekly TV Program called "Speak Out" in which children interview top government

Officials

The meeting concluded with the drafting of resolutions.

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INTERNATIONAL COUNCIL OF WOMEN EXEC/91/9
13, rue Caumartin (original English)
75009 - Paris - France Paris, 13th November 1991

TERMS OF REFERENCE FOR THE NEW STANDING COMMITTEE ON AGING

Adopted by the Executive Committee
at the 26th ICW Plenary Conference
Bangkok - Thailand, 23rd - 30th September 1991

- To become aware of the growing number of the aged;

â\200\224 to enhance their ability to remain independent and active contributors to their communities; and preserve their dignity;

â\200\224- to become knowledgeable about the aged, their specific needs and difficulties;

- to protect them, where necessary, by legislation and other appropriate social measures;

~ to increase and improve opportunities for personal growth and community service;

- to encourage intergenerational co-operation in all its aspects;

- to recapture the honour and respect which in the past was given to the aged.

INTERNATIONAL COUNCIL OF WOMEN EXP OeASI049
13, rue Caumartin (original English)
75009 - Paris - France Paris, 13th November 1991

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INTERNATIONAL COUNCIL!. UF SOME

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33 paxsons signed cine attendance sheet, representing 15 affiliated
Natiomal Councils. There was a distinguished attendance of delegates
from Thailand, drawn from Universities, nals TO aGamisa ca Ons: sana) auc
medical profession.

Mrs Paolozzi, who had served as Chairman of the Ad Hoc
Committee from inception, described the present position in America
and the liaison with AARP, whose membership numbersd some 49 mdb LaOM
She stated that the USA had gone far in its legislation for the agein
She said that ICW should now upgrade this Ad Hoc Committee to a full
Standing Committee. She described structures at present in place
So oqmchould beasuopastede sm tie first has been a mave by the King
Baudouin Organisation for Ageing to conduct a World Survey in order
to arrive at a health programme for the ageing. The Organisation
has funded a questionnaire which will be distributed to our National
Pouncils = the gemercelstiutle will be "Home Care for the Ageing". All
Councils should Se enccuraged to reply to it promptly.

The Chairman then enlarged on the second structure, the
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Bweden said that Old Age Homes are nat considered to be
successful. In Sweden they have been replaced by inter-generational
homes and she explained the system. Great Britain spoke of the
prejudice against older people when their names were proposed for
committees and the like. New Zealand said that it was easy to get a
wrong idea about homes and hospitals. - 6% of people over the age of
60 are in homes and hospitals but young people are encouraged to visi
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old people as independent as possible.

eerie nee ce tart tel pnaolb) be mao each clmrt\e oma cleancly serious
in Africa and referred to the different problems of men and women.

The International President attended the meeting briefly

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LOTTE VIS VA Vr aoe VC Lec) eli CCIM Nem ONa ON NS MMC ham TER MUISTen TG Whine a
generation. She questioned whether a second career in old age was
ee bisiene tid UNMSS we Unleine ewes .

Australia Made a Very interesting Comttibution om the
TeECnGds Ci seeing with the preplem in Australaan enc sen chethat 4
Board of 13 aavised the bovermmnt and had asked for anti-discrimina-
tion legislation in reyard to the ageing. She said that it was no
longer mandatory to retire from Government posts at the age of 65.
Nigeria said that her country reflected some aspects of all these
problems and mentioned the break-up of tribal life and the tendency
to migrate to urban areas, leaving the old people behind. Zimbabwe
has a 4% elderly population but an approximate 50% population under
Se ee et] Treo et Cl VEN Te) en enn nS) being decimated by
AIDS and it is feared that there will be no-one to take care of the
fotuire elderly and orphaned children. A Thad delegate spoke on behalf
of the Senior Citizen Association of Thailand and said that there
were many small elderly groups throughout the provinces. She spoke
of the university of the Third Age. The Chairman drew attention to
omnes Waele! Minecsencilenet Plan of Newen eid Aging, which arose from
the World Assembly on A ging July/August 1982. Another delegate fram
Thailand spoke of the Council of Social Welfare of Thailand and
mentioned that Thailand had 16 persons over the GEM clsgeee 90) 0 Fierce elemerapoe
illiterate, use na modern drugs, only herbal remedies, eat fish and
live with their families, She said that the extended family system
was favoured, not homes or-hospitals. India spoke of the experiment
of a schoolchild "adapting" an elderly woman and the proposal that
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number of elderly women, cared far hy women ne OMern me nese heer an snc
eres Uae) reed Rig teenen Â«ie io eles et) amie he Sma elma) Godeare (y Oe
Be Weenie yee Go clic amine alae ocean ne Bi Acihy, luskey contrasted the
Gld days, when it wes 6 pleasure to Live with grandparents - now

homes for the elderly are springing up.

Due to lack of further time the meeting closed.

A_ Second Meeting of the Committee was held on Sautweadayw, 2lslisit

September and Mrs Margaret McGee of Canada was congratulated on her
eleecwten as leavemnes of ile ine Standing Committee on Ageing.

Proposed Terms of Reference were discussed and accepted for submission
to the Plenary. & freamble and Plan of Action were also et eae ke

For submission tu the Executive Committee.

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FAX TRANSMISSION COVER SHEET

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FROM : COMMUNICATION IM SCTIGN @ RIR PHCHE NO. 200\230 G11 Pee 3564

FAX MESSAGE

FROM: TO:

Rick | Raubenheimer Name: Mr Zach de Beer
Firm: Democratic Party Delegation,
Codesa

PO Box 2077, Rivonia 2128 Address: PO Box 307, Isando 1600
(011) 780-4742 | Telephone: | 397-1168
(011) 789-3564 Fax: 397-2214

1 March 1992 | Pagetofi | FX-DP.DOC

LACK OF CONTACT BETWEEN CODESA AND CITIZENS

Since | now reside in the Bryanston constituency (DP territory), last voted for {the no
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Cape-resident) Mr Dave Dalling of the DP as MP for Sandton, and am a long-term
supporter of, and contributor to, the Democratic Party, | suppose that the DP is the cl
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that | have to a representative at Codesa. Hence this fax.

| am worried by the lack of representativeness of Codesa and the virtual exclusion of
certain major groupings and points of view, together with a lack of consultation with t
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general public.

The limitation of Codesa to political parties is, In my view, a major flaw and | hope s
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Steps must be taken to obtain a greater involvement by women, possibly by the Inclusion
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ordinary citizens!

The call by Codesa Secretariat for submissions from the public is a hopeful sign, but needs to go much further. Consultation and information must be two-way: We must share in the trust which is built up between leaders of our diverse parties.

Yours faithfully

RICK | RAUBENHEIMER,
B Se (Eng), Pr Eng.

uU

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RICK | RAUBENHEIMER,
B Se (Eng), Pr Eng.

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MAR 26 14:23:19 18:81 ALGORAX\$SF INANCE P14

FROM: MS. J. RICHMOND FACSIMILE NO, 041-435-3525
C/O P.O. BOX 862 TEL NO. 041-435-1280
PORT ELIZABETH FAX NO. 2

YR FAX NO 1 011-3973311

PAGES \$ 1 (including this one)

TO ' MANAGEMENT COUNCIL OF CODESA

DATE t 26.03.92

SUBJECT : REPRESENTATION FOR WOMEN AT CODESA

MESSAGE;

At least 60% of the population in South Africa are women and yet only 7% of the delegates to Codesa are female. The New South Africa will, according to many political sources, be "non-racial, non-sexist and democratic",

I do not believe a fair and just Constitution to all can be negotiated when there is not adequate representation for all parties. It is a common fact that women in this country, especially blacks, suffer severe prejudice under laws made by men for men, be they ethnic or judicial,

The situation can be redressed only if there is adequate representation for 60% of the Population of this country and I therefore request adequate representation for women at the Codesa negotiations, to negotiate a fair and just Constitution that incorporates the rights they have so long been denied,

If cognizance is taken of this request, the New South Africa may well come to be recognised as having one of the most advanced, humane and democratic Constitutions of the world. We should show the way to other countries.

S. J. RICHMOND

Oe a a al 2912 13:49 FROM 2.6. FOWLER & RSSOC. eS EO west onlay

Rhoda Fowler

Public Relations Consultant

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South African Association of University Women

Suid-A frikaanse Vereniging van Universiteitsvroue

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Codesa

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ISANO Gu)

Dear Sir

The South African Association of University Women request a
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polaters which sncu:d Se seriously consicered before your
Opec Grom Oe Om ine te gice aCe wing Relic SiGnko qemu ncny MaGlelonas mia)h
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we have considered the Repuslic of South Africa Constitution
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53 - 65; and the failure to define thea use of the masculine
pronoun throughout, even tthoughn other terms are defined).

Since Codesa nas amphasised that its preposals for our

COUMEPS Wats MOce OO GULgleee VE PASS Or SEK GGeramsnacion, we
cine Supine MEO sth Const Culm ac inal CepaClern ae Sm comes mec sly

the National Youtn Working Committee, to ascertain whether
this document avoided tne androcentricity of the current Con -
SELEWUCLOM Or wine REa@UubLLE er Soucek Avrics,. Bue thae documents
is aiso guilty of bias and discrimination against@women, as is
evidenced in the following examples fameng many), each of which
raises questlons. . :

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Ce) Gea Siem tcae Ola Meo) eet) rele ence anv ama G iar Semeca it
CENSUS) SG) naeeen DICH itralce| GumO) enn C\Cunene neue LLICIs

Have women ever been hereditary rulers and
chiefs - and, consequently, will they ever
be included in decision-making processes?

2, LAND

cu)
Are all women in this country veered to womanly
and Culturally allowed to own land? Will
the new constitution guarantee women's rights
to land ownership, or will women be
"culturally" debarred from doing so?

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FOUNDED 14th May 1972 / GESTIG 30 WEI 1923

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3. WOMEN

Cw)

Would this clause be reasonable and acceptable
to your organization if the heading was
replaced with 7 MEN Cw)?

We do not need to remind you that 54% of the population is
female, Nor should we need to remind you Ch EHCME DOOM pmerohclelcin

in which women are "traditionally" held within: the different
cultural groups in this country. And it should be self-evident
that no man, unless he is blessed with transcendental powers,
can undertake to think or act on a woman's behalf.

Therefore, we ask what guarantees Codesa can give ef being

a truly representative group, rasponsible for momertous decisions
of policy which will affect all geooles, and the Subsequent
history of our country. Will women be part of the decision
making process when a new constitution is designed? will women
Share in policy making in the new government of our country?

As an Association of highly qualified women functioning in
diverse academic and professional fields; and as an a-political
group with International Lie = Aiael WHPSOwvEln eli, reo POSeine=
ation on UNO and UNESCO = we need to have a policy statement
from Codesa before any final cecisions ara mace, on the role

of women within the context of policy and decision making at
present being co-ordinated. Nor should this be a mere formality,
because the imolications of your policy statement will need
CAPR, OnICl AGREE EMAWWAIS Anel GASESS tems â\200\224 tis Tetilowes â\200\234eliavc
sufficient time will be required in order to bring women inte
Sedesa well before policies are decided, and decismons are made.

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preference to the term "Sex" in any anti-discriminarcer
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cations from the homosexual community in Cur ccuntry, whe at
present are legally marginalised.

Since our concerns for a democratic country are ene and the
Same with yours, we Would appreciate a response to this letter

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Syee) NN HONORARY SECRETARY

SOUTHERN AFRICAN COUNCIL FOR CATHOLIC SOCIAL SERVICE

Under the jurisdiction of The Commission for Christian Service
: of Southern African Catholic Bishops Conference

27 Hunter Street P.O. Box 16277
Bertrams Johannesburg Doornfontein
2094 2028 South Africa
Tel/Fax: (011) 614-3429 Fr. no. 08 800512 000 0

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The Management Council
CODESA
PROnm SOx Ol

Dear Sirs,
PARTICIPATION OF WOMEN IN THE DEMOCRATIC PROCESS

While women make up more than 50% of the South African population, we are conscious that to date they have been allowed to play a ridiculously small part in the decision-making process which is to determine their future.

We would welcome your comments on this seemingly unaddressed important factor in your deliberations. we should also like details of the plans and means through which you intend to re-dress this blatant exclusion.

We look forward to your response.

Yours sincerely
for and on behalf /ef/ SACCSS

Sister MgLoughlin

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â\200\230Father, may they be one in us as you are in me and | am in youâ\200\235, Jn. 1
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FAX TRANSMISSION SHEET

(Cover Sheet)

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FROM:

Person's Name: -~ MENOY SCIEO

Fax No.: (011) 643 5310

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FROM SFy GIDE LLBERTAS Paras ue TenGT

Qur fax ur: 02231-4568

PRO Department
Stellenbosch Furmers!' Winery
STHLLLENBOSCH

Phyllis Hands
Alba Botha
Ellen van der Merwe
} Jeanette van Zyl
25 February 1992 Loudse-Ann Broughtcn
DedrÃ© Reuvers

Louisa Mocke
Fax to: 011 397 2211 Jana Acker

Nikki Jacobs

The Management Council
â\200\224 Codema

Tt is with alarm that I became aware of the lack of representation of
woman at the Codesa talks.

Women rake w the majority of the South African Pee AEe and one
would expect that at Codesa our rights for reasonable tion

will be acknowledged. To do otherwise makes a mockery c
fer a Damooratis South Africa.

Ã© Too long have women been silent, non-violent sufferers under a system
Rinaigrach |) esp a Wee Eee eee eae ee

We demand our right to participate fully in decisions about cur future
and this can only happen with falc representation at Codasa.

Yours sincerely

Masia. A Be Â°
Tra nd |

P.O Box 40
Umhlali

4390

17 March 1992

The Management Council
CODESA

PoOmsox soz

Isando

1600

Dear Sir/Madam

Re : The inclusion of Women in the negotiating process at
Codesa

I wish to express my concern at the lack of women representatives
at Codesa.

Women represent just over half our country's population yet we
are represented by less than 10 women at the Codesa negotiating
table. This completely unsatisfactory situation needs to be
remedied as soon as possible.

I trust that you will take this matter up as a matter of urgency
with your committee.

Biase *

ss

Ann Strode (Ms)

Â¢.Thirtle (Mrs.)

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SneaSis

I would like to point out that Vww=s5A is not truly representative
of the people of South Africa.

Â¢

Women may be different from men in a physical and emotional sense
but that surely does not make them less responsible citizens?

Trey too should be allowed to put forward tneir views and be given
Similar opportunities to make legislative decisions, especially
those concerning their own wellbeing.

Minister Venter has just recently seen fit to agree to removing

one of the few privileges afforded to women, namely earlier Social
Pensions, in order to put women on a more "equal" footing with men.
when one considers women frequently work hard to bring up children
end serve a working husband, for little or no monetary remuneration,
therecy serving tne whole community, this seems a little unfair.

It also proves women seldom serve the interests of their own sex
within a male dominated party system.

would it not be a timely gesture if Parliamentarians, including

Codesa now considered making women more equal regarding political
representation? Pysical prejudices such as male versus female

or write versus black do not make for a "Winning Nation" approach
to problems,

Re le N\ Le csr s IU free

/somen.do.not

women do not normally form themselves into gangs or bands,
possibly because natural women do not have the more aggressive
male urge to dominate. However, do you gentlemen not agree
it could be beneficial to the male dominated nature of South African
DC MeN CEC or mmeleam a a apolitical body of women could be granted a place
at Codesa to help address problems peculiar to women and more
particularly young children, in our violent God forsaken Country.

Thank you for allowing people the privilege of putting forward their
views, which we have been assured will be given your kind consideration
iOS Summa cela MbLattelle lavas

CML,

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UNION OF JEWISH WOMEN |S

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OF SOUTH AFRICA

NATIONAL EXECUTIVE COUNCIL,

fre Bax 3622 Funa-raising No Sth Floor
Johannesburg 2000 U1. 100-1 26-000. 3 Sheffield House
Telephnone 331-0331 29 Kruis Sreet
Telegraphic Address: cnr. Main Street
UNIONHE.AD JOHANNESBURG 200]

iC Feoruary 1992

FAX TO CODESA FAX NUMBER 397 227]

FROM MINX SAPIR - NATIONAL ORGANISING SECRETARY UNION OF JEWISH WOMEN
FAX NUMBER 331 6703

Could you please fax us to the adove Fax Number the ful} terms cf reference for
each working group, on CODESA

\\

MINX SAPSR

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XOX UNTIN OF EwiS5 WOMEN OF SCLTH SeRIZA PEX No. (811) 33-6723 xox

UNION OF JEWISH WOMEN

OF ROUTH ARICA

NATIONAL EXMCOTIVK COUNCIL,

13 February 1992

FAX TO CODESA FAX NUMBER 397 221)

FAX NUMBER 33] 6703

The Union of Jewish Women of. South Africa emphatically beâ\200\230feve that
religion or pol{tical affliliation.

MIRIAM STEIN
RESIDENT

NATIONAL P

oe,
; P () Box 3622 Fund-snising No Sth Floor
Johannesburg 2000 01-100-126-4000-3 Sheffield House
Telephone 331033) : 29 Kruis Street
Telegraphic Addrem cnr. Main Street
~ UNIONHEAD JOHANNESBURG 200]

should be included in ALL discussions at CODESA, They, the women should be
8 aaecoet body in decision making irrespective of race, colour, creed,

FROM MIRIAM STEIN - NATIONAL PRESIOENT OF THE UNION OF JEWISH WOMEN OF SOUTH AFRIQ

ALL women

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KERRY-LYNNE WATTS
2 Â© Box 1573
BENONI

1500

17th February 1992

The Management Council
Codesa

Â© Â©. Iex 307

ISANDO

1600

TO whom it may concern.

As a South African woman I wish to express concern over the fact that women have such a small part in the decision making process that is to determine our future. I hereby call on all parties involved in Codesa to aknowledge the fact that women are so poorly represented and to do, their utmost to address this issue in some tangible way. We women have the Tei EOM pe istcu pace fully in this process and to be represented.

Yours Sincerely

(KERRY WATTS)

66 Seventh Avenue
Malville 2092
2 March 1992

The Management Council

CODESA

PO Box 307

TlIsando

FAX: 397 2211

I write in response to your request for comments and suggestions from members of the public regarding the composition and agenda of the CODESA working groups.

As you know, the Declaration of Intent formulated by CODESA participants affirms a commitment to the creation of a democratic South Africa free of all forms of discrimination and governed by a constitution which protects the rights of women.

There are very few women participants in the decision making bodies of CODESA. In my view, if the decisions taken by CODESA are intended to represent the aspirations of a majority of South Africans, the needs, views and ideas of women must be taken into account at every stage of the negotiation process. Women represent 50% of the South

African population and in many respects, their experiences and concerns differ from those of men.

In the interests of ensuring that the CODESA process is representative and legitimate. I offer the suggestion that a CODESA Gender Review Committee be constituted and charged with the following responsibilities:

1 to consider the briefs of each of the working groups with regard to their potential impact on women and to make recommendations on them to ensure that all deliberations reflect gender awareness;

2 to review the decisions of each working groups with regard to their projected impact upon women. Working Groups should be required to consider the

recommendations of the Gender Review Committee before making final decisions.

The Gender Review Committee should consist of two representatives from each party selected on the basis of demonstrated interest in and experience of gender issues.

Yours sincerely

La IJ]

Dr CF White

FAX TO:

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El izabenn Wali = mas ol Lo eS

UE Ree BK 7 FROM: ELIZABETH WHITE & ASSOC.

FAX NO: Tay FAX NO: (QL1) BBO 1355

PAGES: a

sedialet292/2

The Managesent Council 24 February 1992
Codesa

P 0 Box 307

ISANDO

1600

Dear Sirs

In the New South Africa which aspires to being a demo cratic country the denial of women being equitably represented in Cadesa asounts to conteapt for then.

l and many woaen in South Africa protest at this. We wish to be fully represented by women and to ensure that our rights recerve due consideration.

l speak also for sany disenfranchised women who for many years have exercised restraint under intolerable conditions.

xâ\200\230

s/s

a eece

Elizabeth White & Assoc. 73 Hamilton Avenue, Craighall Park, Johannesburg 2196, S.A. Te
l: (011) 880-1352 Fax: (011) 8801

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ae sQMEN'S 3UREAL JF SCUTH AFRICA ~ MARGARET LESSING

URGENT ATTENTION : OR ZACH DE BEER - CODESA

14 JANUARY 1992

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he WOMEN'S 2UREAU OF SOUTH AFRICA urges you +O 7ak@
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We recommend that you do
WOMEN'S BUREAU - South Africa's widest Linking bocies bringing together

WOMEN'S NATIONAL COALITION arc =ne
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All good wishes

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Ge TAG mah eme U omicd che leiseraess available to you

MARGARET LESSING OMS

EXECUTIVE DIRECTOR

HML/ ap

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pg BOX 705, PRETORIA, 0001, TEL (012) 476-176

476 KINGS HIGHWAY, LYNNWOOD, PRETORIA, 0061 FAX NUMBER: (012) 476-176

FAX TO CODESA SECRETARIAT

FAX NO Bit se7-2211

FROM : MARGARET LESSING

DATE = > FEBRUARY 1992

Pear Sirs, .

This acknowledges your letter dated 24 January 1992 in response to our requests that women should be included in your Working Groups.

We were aware that full participation in CODESA 14 limited to political organisations but believe that Working Groups should have more flexibility.

In the circumstances We note that at its meeting on 18 January the CODESA Management Committee decided that each Working Group shall determine ways and means by which women and other interested groups which are not participants in CODESA may make submissions to the Working Group on matters relevant to its terms of reference and that

the manner in which Working Groups will receive submissions is being under consideration. :

In the meantime we would appreciate your sending us the precise terms of reference of each of your five Working Groups to enable us to determine the submissions we should make.

Yours faithfully

7 days Naso es)

MARGARET LESSING DMS cee
EXECUTIVE DIRECTOR gua

HML/ ap

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PO BOX 705, PRETORIA, 0001, TEL (012) 476-176
476 KINGS HIGHWAY, LYNNWOOD, PRETORIA, 0081 FAX NUMBER: (012) 476-176

an rane ne rie

Mr Murphy Morobe

Head : CODESA Administration
F.O.Box 207

ISANDO

1608

Dear Mr Morobe,

This acknowledges your letter dated 24/2/92 and is to thank you EXC) Og your copy of the Declaration of Intent adopted at the Conference for a Democratic South Africa on 20/12/91 as well as the requested Terms of Reference of the five Working Groups.

We have noted particularly CODESAâ\200\231s declared commitment in paragraph one of the Declaration "to bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of RACE, COLOUR, SEX or CREED. ;

We have considered in detail the terms of reference of your five working groups and we think we should inform you that we have decided to make no submissions at this stage.

Our reasons are :

The following phrases occur in the terms of reference of each of the Working Groups â\200\224 a

"To identify the key issue and problems that need to be addressed"

"To identify areas of communality and aspects where agreement already exists between participating delegationsâ\200\235.

It is the Womenâ\200\231s Bureauâ\200\231s view that these terms of reference will be extremely difficult to fulfil as the Working Groups are not representative of a most important segment of the economically active population and existing and potential voters-- women.

Whereas women represent 48% of the economically active population and more than 5S@% of voters only an insignificant percentage of women is represented at CODESA and even a smaller percentage is active in each Working Group. Key issues that the vast majority of women voters would regard as significant therefore cannot be voiced.

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â\200\234his patercsliseic reactiaon to the preflens faced by women im tre
horkforce and }.ey j ssues relevamt to women voters could well lesd to
imdustrial unrest snd vcters resistance in future.

ae regret that ne have to take this point Oy cere einem tee mr a
believe that any plane for the future of South Africa can Only SUCcexce
if they are seen to ha<e included women's direct involvement on the
widest possible scale - and not through the limited representation
cat the present political groups.

To this end we would te happy to give you all the cooperation we can.

In the meantime we haxe to withhold aur further reaction until we
receive CODESAâ\200\231S final recommendations.

With kind regards,

MARGARET LESSTNG DMS
EYECUTIVeE DIRECTOR

BML 7em

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WN

PO. 80x Å\$7233
Houghton
Johannesburg
2041

bub
Telephone f- 4501

98 February 19892

Codesa Secretariat Fay no: (On) 44 4-A2 i]
Pp 0 Box 307

TSANDO

1600

Dear Sir/Madam
WOMEN FOR PEACE - OUR WRITTEN SUBMISSION TO CODEBSA

We are writing in response to & call from yourselves encouraging
â\200\234the greatest possible participation by all interest groups from
every walk of lifeâ\200\231, The Star, February 13 1982. Mention is also
made in this letter of â\200\234provision having been made for all interest
groups to make submissions to the five working groups of Codesa in
order that these are taken into account in the deliberations of the
working group.â\200\235

Women for Peace 88S & national non-political organisation wishes to
respond to the invitation for submissions. Our response to the
submission is based on the following two issues:

(a) As a non-political organisation we are prevented from
participating in the negotiations at Codesa. In spite of being
a non-political organisation we have an input to make and &

definite role to play; and

(b) The need for greater participation of women at Codesa in
the future constitutional/political deliberations of South
Africa.

We enclose a pamphlet which states our aims and objectives and
what we stand for.

Our proposals and suggestions will be made under the various working
groups: -

WORKING GROUP 1

Women for Peace along with other similar women's organisations have
been working towards the peaceful change to a non-apartheid society
in South Africa.

With reference to clause 1 we have campaigned strongly on many
of these issues in the past (copy letters are available on request).

We feel strongly that discussions aimed at the creation of a climate
for free political participation are presently involving some
so-called political organisations who have not always shown
themselves to be champions of peaceful change; nor have they been

impartial, something for which our organisation has a very good record.

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Although we are a non-political organisation we would wish to make a contribution here - at least that we may put forward some of our leading women (not necessarily publicly known and recognised) who have experience in the political field.

WORKING GROUP 2

Women for Peace requires women to be present at the negotiating table to make sure that the Constitution does not just specify racial equality, but it must include a Stipulation on gender equality. Gender inequality (including outright discrimination against women) in the new South Africa must be seen to be unconstitutional.

The opening paragraph in this submission quoting from the Codesa secretariat clearly embraces women.

In South Africa women make up at least 53 percent of the population. The future of South Africa cannot possibly be determined without the role and support of women at the negotiating table. Historically, women have been grossly under-represented in South Africa, because the country is a patriarchal society. Only women can convincingly represent women's rights and interests.

It is important that the new constitution is non-sexist so that women in all walks of life and in all their respective activities and undertakings - social, political and economic will have their rights entrenched.

Women's status in South Africa must be upgraded on the widest scale possible - affirmative action must be taken in this regard not only by the Government of the day, but also by the private sector.

In order to achieve this it is suggested that a Bill of Rights be appended to the new Constitution as an annexure to the clause relating to gender equality.

It is acknowledged that various women's organisations (we are one of them) are working on a women's charter. One hopes that this document will not be too long in coming.

It is imperative that should a constitution-making body be formed (clause 2.1.5 of Codesa terms of reference for working group one) that women from various organisations, both political and non-political participate.

WORKING GROUP 3

It follows, (especially with reference to (by, above), that women, as natural negotiators, organisers and facilitators can make a great impact in this working group.

WORKING GROUP 4

Over the years, Women for Peace has been involved through its work with the Wonderbox, with South Africans in rural areas - which would encompass the TBVC states.

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we have a number of members in our organisation with a special understanding of the needs and aspirations of South ANE TGRUCIA Kise acts Clue TBYC states - We would recommend that Pnleye Diemic cis Ure eG. negotiations on the future of these states.

A special concern of ours is that women in the TRYG states be consulted with regard to their future - that their needs, TURES MEN IAG! aspirations be protected and respected.

WORKING GROUP 5

With reference to this group we would ask that all the working groups be requested to be sensitive to the inputs being prepared for consideration at Codesa eg the Women's Charter being prepared by the National Women's COALAGAEM

Such organisations, which by virtue of their non-political nature have not been granted a formal mouthpiece at Codesa. However, they have taken the initiative regarding women's interests by preparing the Women's Charter and this may well take a while to prepare. They are endeavouring to include inputs from all women's interest groups.

Therefore, the setting of time-schedules for the completion of tasks by the various Codesa working groups is of the utmost importance. The LS

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suggested that working group 5 take this into consideration.

In conclusion, we would reiterate that it is seemingly unfair that the Codesa negotiations, whilst seeking to advance the cause of a peaceful transition to a new order for all South Africans, have seemed fit to exclude non-political interest groups, many of whom are women, from the negotiating tables.

Most of these interest groups, many of whom have been active for years, have played a very constructive role regarding the welfare and needs of South Africans. Because they are non-political, they have been accepted and trusted by many South Africans.

Such knowledge and experience and expertise really cannot be ignored by those who wish to design our future.

Yours faithfully
7) WASTOR\200\235

JANET SBHPLE (HRS)
NATIONAL CO-CHAIR
WOMEN FOR PEACE

Aims and Objectives:

To become aware of the needs
and problems of all people living
in South Africa

To promote communications and
understanding between all races

To work towards equal opportuni-
ties for all

To utilise the power of women to
take the necessary representa-
tions and explore all avenues of

seeking | peaceful change

* Above all to ACT

Founded 1976

WOMEN FOR PEACE

is a national organisation
with Branches around the
country

is committed to bringing
women together, and through
women, the people of our
country

promotes inter-relationship
between people who have had
no opportunity to know each
other

works in our various commu-
nities to bring hope and op-
portunity to people who can
see no alternative to the
achievement of their goals
other than violence and anti-
social behaviour

provides a forum through
conferences and meetings
where women can exchange
ideas and philosophies to find
common ground and play a
convincing role in shaping
the future post-apartheid
society

is totally opposed to violence
and actively seeks peace and

justice for all

creates public awareness
through publications, re-
search and surveys

is committed to working for a
better future for all our chil-
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Branches in:

Klerksdorp
Alexandra
Sandton
Soweto
Johannesburg
Coronationville /EldoradoPark
Benoni
Daveyton
Lenasla

Reiger Park
Kimberley
Plettenberg Bay
Welkom

Cape Town

Branch activities are many and various. They include:- classes in music, literacy and typing, dress-making, nutrition, crafts; community advice centres; wildermess

trails; youth clubs; penfricnd clubs,

upgrading of school subjects such as English, Maths and Science; creches: the Wonderbox; work with aged and handicapped.

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p.Â©. box 67356 Dryanston 2021 tel/fax: (0m) 706-3363
7 February 1992

The Management Council, CODESA
Dear Sirs

You have asked for submissions by South African CheeEccnsr
I am extremely concerned about the following matters, and

would like to know what action is being taken regarding them.

1) hinrst. and) foremost, the paucity of women representatives
at CODESA. Less than seven per cent is not good enough
when women form the majority of the voters. What is being

i) done to increase the representation of women at CODESA?

2. I do not believe that our future should be decided upon
solely by politicians, who have their own (often self-
serving) agendas. It is patently wrong and unjust that
obscure political parties should be allocated voting
rights when major interest groups such as trade unions,
church, business, educational, health and charity
organisations are denied the right - with all their
expertise! - to make decisions about our future. WE MUST
GATHER OUR BEST PEOPLE TOGETHER IN A COALITION INTERIM
GOVERNMENT TO ENSURE THE BEST POSSIBLE NEW SOUTH AFRICA.

Â») 3. I would like to see on the CODESA agenda:

x a fully enforceable Bill of Rights for women

* provision for a detailed investigation of the violence
that is racking our country, by impartial international
experts provided by the United Nations

x indications of strong and immediate action being taken
over the provision of housing, education, social
services and decent medical care for everyone

* the lifting of VAT on more basic foods, books, health
care and medicines; the shortfall could be made up by

double-taxing luxury goods, cigarettes and alcohol.

Yours sincerely Al (Mrs) Jenny Hobbs
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p.0. DOX 67356 bryanston 2021 â\200\224 tel/fax: (0m) 706-3363
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Mr Murphy Morobe

Head: CODESA Administration
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ISANDO

Dear Mr Morobe

Thank you for your prompt and courteous reply to my
letter of 7 February, voicing various concerns which
I feel should be discussed at CODESA.

I very much appreciate the fact that you took the trouble
to reply at length, and also to enclose a photostat of
the terms of reference for the CODESA working groups.

It was particularly pleasing to learn of the steps being
taken to increase women's participation in the CODESA
process. As you rightly say, it is the responsibility

of the political parties to choose more women delegates -
and, dare I say it, the responsibility of women to become
more active politically.

The time for apathy and non-involvement and "the men know
best" is past. Our small group is a) Tey Ce TIAN I eal cit Cl CS) >
this message over to the women of our country, who fully

deserve to be equal partners in our future democracy.
Webs Ssvelesieeiyy

Cluny HE

(Mrs) Jenny Hobbs

The Women's Initiative

PO Box 61884 17th Floor

oa
Marshalltown 2107 fee SPRin as 51 Plein Street
Tel: 330-7143 2a me Shell House
Fax: 330-7144 =e) = â\200\230 Johannesburg
Telex: 43-1466 ve A 2000

A
ANC
WOMENâ\200\231S LEAGUE

6 March 1992

The Daily Management Committee
CODESA

Dear Sir/Madam,

Re : ANC WOMENâ\200\231S LEAGUE REPRESENTATIONS TO CODESA

ANC WOMEN'S LLAGUE ree eeooue

Please find herein enclosed written representations of the ANC Womenâ\200\231s League t
o
CODESA.

As you will note there is an introduction followed by submissions to each of the 5
working groups. Â©

We hope that these will be taken into consideration during discussions.
Yours in the struggle,
: â\200\230yp & Â¢

GERTRUDE SHOPE
PRESIDENT

ergceyenst

: Forward to a United, Non-sexist, Non-racial, Democratic South Africa

PO Box 61884 17th Floor

Marshalltown 2107 â\200\224 51 Plein Street
Tel: 330-7143 es Seite
Fax: 330-7144 ; 7 ' Jonannesourg
Telex: 43-1466 ee i 2000
: .
ANC
WOMENâ\200\231S LEAGUE

AFRICAN NATIONAL CONGRESS WOMENâ\200\231S LEAGUE

WRITTEN REPRESENTATIONS TO CODESA

The African National Congress Womenâ\200\231s League (ANCWL) is the largest womenâ\200\231s organisation in South Africa. It is autonomously constituted and represents a broad spectrum of South African women.

The ANCWL believes that the terms of reference of all the working groups have implications for women. It is not only when a new constitution is drafted that consideration has to be given to gender issues. It is essential that, even prior to that stage, we ensure that the current democratising process eliminates discrimination and oppression of any kind and catapults us into a non-racial, non-sexist and democratic society. Our task in these representations is to ensure that the principles of non-sexismâ\200\231 and equality, adopted in the Declaration of Intent, are institutionalised in the transition to a democratic South Africa. We have not, however, confined ourselves to gender issues.

Sexism may be defined as the system and a pia Geucem Or discriminating against a person on the grounds of sex. Speer talc aye eee Helge unfair prejudice against women, the stereotyping of women, the defining of women in regard to their sexual Avialelea baeiein=vamsatic attractiveness to men, and all the conscious and unconscious assumptions which cause women eo mDe treated as not fully human, while men are identified as the norm.

We feel that we ought to distinguish between sex and gender. "Sex" refers to the biological characteristics of men and women. "Gender" refers to the differential social and cultural characteristics that we attribute to men and women.

Cbg ore ara

ocratic South Africa

Forward toa United, Non-sexist, Non-racial, De

At Codesa 1, the absence of women in the negotiation process was raised, and it was agreed that CODESA would rectify this weakness. In this respect, it is important that CODESA looks at different mechanisms which would ensure the increased participation of women in the current process and in the process of writing up a new constitution.

In Working Group 1, we will show that there are particular factors affecting the free participation of women in the political process. The exercise of civil liberties, the peace

accord, the role of the police force, the role of the media and education about CODESA - all have to be looked at from a gender perspective. Do they facilitate or do they further inhibit the participation of women in the political process, or do they just preserve the status quo which already mitigates against women's participation?

In Working Group 2, democracy and all other political practices should be defined as both non-racial and non-sexist. Equality should be entrenched in the Constitution and affirmative action must refer to gender as well as race. The participation of women in the constitution-making body and the electoral process needs to be assured.

Any interim government arrangement proposed in Working Group 3 needs the structured participation of women to ensure that the interests of women are represented during this period. This body should ensure that the gender issue is addressed in all interim matters, for example, the defence force, the Budget, foreign relations, media, land, local government and development. :

In Working Group 4 where the reincorporation of the TBVC states is considered, special attention must be paid to the repeal of discriminatory laws and to the position of black

rural women. It is important that the views of this group are heard, and that information about CODESA is disseminated to them.

Working Group 5 has the task of implementing and monitoring the decisions and agreements of CODESA. All Working Groups need to ensure that the representation and interests of women are promoted and entrenched in the interim period, but there is a particular duty on Working Group 5 to do this.

AFRICAN NATIONAL CONGRESS WOMEN\200\231S LEAGUE

CODESA TERMS OF REFERENCE

RECOMMENDATIONS FOR WORKING GROUP 1

CODESA has recognised that

democracy requires that all the participants in the political process should be free to participate in that process without fear and on an equal footing and on a basis of equality with the other participants. (1.1)
In our understanding this means addressing the structural inequalities and disabilities not only of race, but also of gender.

In South African society women have suffered systemic oppression and occupied a subordinate position in the home, the work-place and in the public sphere.

Gender relations in the home have created dependency and subordination for most women in this society. The domestic division of labour has relegated women to child care and domestic work. In this arena, women\200\231s unpaid domestic labour has provided a significant, but unrecognised contribution to the maintenance of individual households, the economy and society. This has been one of the reasons why society has placed women in a position of subordination and economic dependence.

The relegation of women to the home has also rendered them vulnerable to violence and exploitative practices which are hidden from the public eye. There is little protection for women against such violence as the home is perceived as a private domain.

The subordination and oppression of women has also determined the access of women to paid employment. The unequal sexual division of labour in the work-place has concentrated women in particular categories of work, and has affected women\200\231s pay, promotion and treatment. A particularly blatant example of women\200\231s inequality in the work-place is the high level of sexual harassment. Domestic workers are especially subject to sexual exploitation and violence.

Women are generally invisible in the public sphere. There has been little or no representation of women and their interests in politics and political organisations. Women's contribution to politics has been marginalised. The only political space open to women has been in "women's issues" which are solely seen as women's responsibility.

The subordination of women is reflected in the legal system, particularly in customary law, and in the manner in which the law has been distorted, interpreted and fossilised in the courts and in the legislative process. Women have suffered disadvantage by the definition of their legal status and capacity. Criminal law (particularly those areas concerning violence against women), the laws of marriage and of the family, property ownership, tax and contractual ability are examples of the laws which have entrenched women's subordination. Moreover, the law has failed to protect women or to ensure their equal treatment.

These are some of the reasons why women have not enjoyed full and free participation in the political process. Women in rural areas have been particularly disadvantaged. Without addressing the systemic nature of women's subordination, CODESA will not be able to achieve its aim of fostering and establishing a climate in which all individuals and organisations can participate in the political process freely and without interference and intimidation (1.1.1).

The conditions for women's full participation in the political process require that CODESA address the following:

ie Women's right to exercise their civil liberties

Domestic Violence against women

See Women's participation in the Peace Accord and its structures.

4. The possession of weapons by private persons.

5. Women and the police force.

6. Women and the defence force.

7. Women and the media.

8. Education about CODESA.

9. The participation of women in CODESA.

Women's right to exercise their civil liberties.

It is the urgent task of CODESA to ensure that a political climate is created in which men and women are free to exercise all their civil liberties. The subordinate position that women occupy in society means that special effort needs to be made to overcome their political and social disadvantages and to allow them to exercise their rights on an equal footing with men.

Women should have the right to make their own independent decisions about their participation in the political process.

Violence against Women.

As women we are concerned about the wave of violence which is sweeping our country. Women in the communities are affected by the increasing levels of violence in a particularly direct way. Research has shown an increase in

domestic violence and rape. This is exacerbated by deteriorating socio-economic conditions and leads to the break-up of families.

Women suffer direct and indirect violence at the hands of men in the home, the work-place and in the public sphere. This acts to intimidate and restrict women in their political activity. The issue of violence against women and men's control

over women has to be directly addressed by CODESA and the interim authority. Women have to be free of all forms of violence, abuse and subtle forms of harassment, including the use of sexual or other stereotypes, which may block their freedom in any way.

Women's participation in the Peace Accord and its structures.

We strongly believe that it is urgent for CODESA to take up the implementation of the Peace Accord.

It is our view that the Peace Accord should include within its purview, violence against women.

In most, if not all, of the methods of dealing with violence, women's organisations were not involved or consulted. For example, in the Peace Accord, no women's organisations were involved. Political parties, Bantustan governments, and trade unions signed the Accord. These groupings hardly drew women into the process.

Local Dispute Resolution Committees, which are the grassroot structures in the peace process, are meaningless unless they include women.

We believe that without the inclusion of women in all peace processes, there will be no solution to the violence in our country.

The possession of weapons by private persons.

South Africa's gun-licensing laws allow for the private possession of numerous firearms. There is an alarmingly high number of licensed weapons, as well as large numbers of unlicensed weapons in the country. This has increased the violence in the townships and suburbs of South African towns and cities.

Crime has proliferated as a result both of the economic recession in which South Africa finds itself, and the wide and easy availability of firearms.

The African National Congress Women's League (ANC WL) believes that greater control over the use of licensed weapons is needed. This is particularly important with respect to the public carrying of firearms by private persons. This is intimidating and may impede the exercise of free political activity. Furthermore, the police need to enforce the law respecting the carrying and

licensing of firearms more vigorously, and in good faith.

In our view, South Africa should ultimately be free of firearms.

Women and the Police Force

The police force in South Africa is not seen as neutral by the majority of South Africans. The dominant perception of its role is one of collusion, inaction and corruption. The police are seen to be players in the political violence. This makes it impossible for women and competing political groups to accept police attempts to act as mediators or referees in the endemic violence in South Africa.

Policemen have also participated in acts of violence against women. Police have been accused of sexual torture in their treatment of women detainees. More generally, there is evidence of policemen sexually harassing women in the course of their duties. These are notorious methods by oppressive regimes of controlling women and children.

In the light of these allegations, it is imperative that the police force introduce codes of conduct and ethics which deal with the issue of police violence against women, and of sexual harassment.

It is also imperative that the police force begin to enforce the law in good faith. The way in which it is enforced appears to be selective, and appears to exacerbate or even engender conflict and violence. Further, we believe that the carrying of guns, knives and so-called cultural weapons in public should be prohibited, and that the police should act to disarm persons carrying such weapons. CODESA is urged to find ways of addressing this situation as a matter of urgency.

Of particular concern to the ANCWL is the composition of the police force. There is a notable absence of women in the force. The ANCWL recommends that this situation be redressed by the active recruitment of women from all sectors of the population into a future democratically constituted police force.

Women and the defence force.

A single unified defence force should be created which is committed to the principles of non-racialism, non-sexism, democracy and national unity.

Women should be included in the debates around the formation and principles of this new defence force. Particular attention should be paid to the eradication of discrimination against women in training, deployment, command structures and combat roles.

Conscription into a new defence force should be voluntary and should include the active recruitment of women from all sectors of the population. Programmes of affirmative action should be introduced.

Women and the Media

The public media should be governed by the principles of political neutrality and fair access (1.1.4f). In this respect, the ANCWL recommends that the principle of non-sexism be enforced by both public and private media. Moreover, we recommend that control of the public media during the interim period be removed from government control and handed to an Independent Communications Authority comprised of representatives of the South African community, including women.

A fundamental principle of this authority should be that the content of the media is both non-racist and non-sexist. Programmes for and about women are an important part of this principle.

In respect of the media, CODESA needs to address two issues. The first is how to redress the unequal access of sections of South African society, in particular women, to the media. The second issue is how to ensure that the principles of non-racism and non-sexism are adhered to in the private media. One suggestion is that the Independent Communications Authority withdraws licenses to media groups, including political parties, which do not adhere to these principles.

Education about CODESA

Education and campaigns about CODESA should focus on the issue of political tolerance. In particular, the ANCWL recommends that CODESA has campaigns which address the question of violence against women and which dispel degrading and stereotyping myths about women, their private role and their exclusion from politics.

All sectors of the population should be permitted and encouraged to debate constitutional and political issues and should have access to the political parties

and representatives of their choice. Particular attention should be paid to ensuring that women in the homes and in the rural areas are provided with access to information about CODESA and the political process. Of particular concern here is the servile and restricted position of people in domestic employment, especially live-in domestic workers, and farm workers. Employers have no rights over their workers's political identity or political ideas. This issue

also needs to be addressed in the TBVC states and the Bantustans. Free political activity must become a fundamental principle. -

The participation of women in CODESA

CODESA One adopted non-sexism as one of its principles in the Declaration of Intent. Yet it cannot be said that women or women's interest are represented at CODESA. In other words, one of the basic principles of democracy, the participation of the majority in decision-making, is being violated by CODESA. It cannot claim to represent the voice of women if it does not have mechanisms to include the representation of women and their organisations.

The response so far given by the management committee to resolve this problem is that political parties should include women in their delegations.

We feel this response denies the fact that gender oppression is actually structured in society and permeates all aspects of life. In this way we cannot rely on political parties to deal with this situation. To solve this dilemma we need to create special mechanisms which will redress the problem. One of the mechanisms we suggest is the formation within CODESA of a Gender Advisory Committee, set up by the Management Committee. The Advisory Committee would receive all documentation from the Working Groups, would review the gender implications of such documents, and return these to the working groups for amendment. The Committee would have a further supervisory function, in ensuring that changes were implemented.

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AFRICAN NATIONAL CONGRESS WOMEN\200\231S LEAGUE

CODESA TERMS OF REFERENCE

RECOMMENDATIONS FOR WORKING GROUP 2

1. CONSTITUTIONAL PRINCIPLES AND THE GENDER QUESTION

The African National Congress Women\200\231s League (ANCWL) recommends that a principle which characterises a future South African state as non-sexist is vital.

The responsibility for eliminating sexism should be placed upon the state and entrenched in the Constitution.

The ANCWL does not seek rights for women that are in any way different from those enjoyed by all citizens. However, because of the history of subordination of women, and the fact that women bear children, it is necessary to recognise that special provision will have to be made to ensure that women are, in fact, equal to men in a democratic South Africa. ~

Our recommendations are:

1.1 that in drafting the Bill of Rights, full account should be taken of gender differentiation and the subordination of women.

1.2 that the new Constitution should also include a Charter which will assist women in claiming and exercising the rights in the Constitution and Bill of Rights on an equal basis with men.

1.3. that provision for affirmative action on the basis of race and gender must be made in the Bill of Rights.

1.4 that all laws, customs and practices that discriminate against women shall be held to be unconstitutional.

2. THE CONSTITUTION-MAKING BODY:

2.1. The Constitution must be made by a body elected on the basis of one-person, one-vote, on a common voters roll and with a vote of equal value.

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2.2 This body should include a large number of women to ensure a proper democratic process.

Political parties should apply affirmative action in their selection of candidates for the constitution-making body by including women in their lists. This means that there should be a representative portion of women equally distributed throughout these lists. Proper exposure should be given to women candidates by giving them campaign platforms.

3. ELECTIONS.

The historical oppression of women has created a male-dominated political culture amongst all racial, ethnic and religious groups. Politics has become an almost exclusive male domain in many societies, not only in South Africa, where men resent and actively prevent women from debating political issues and seek to prevent their participation in elections. Women too, have internalised this culture. Where women attempt to exercise an independent choice, men often impose their preferences upon women and prevent them from doing so. If democracy is to be effective, then it is important to break this mould in order to facilitate and create a climate for the confident expression of women's opinions in the political arena.

In particular, the ANCWL believes that the following are important :

3.1 CODESA should institute education programmes which address the issue (see recommendations to working group one).

3.2 At a later date, it will be necessary for the Electoral Commission or body controlling elections, as well as political parties, to address and educate the community. At the appropriate time, the ANCWL will make submissions to the Commission.

3.3. In any election the voter identification procedures must take into account that women, particularly African women, are less likely to have identification documents. Alternative arrangements should be found for the identification of these voters in the election process.

3.4 Whatever mechanisms are decided upon for the electoral process, these need to make special provision to reach women and facilitate their participation.

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CODESA TERMS OF REFERENCE

WORKING GROUP THREE - TRANSITIONAL ARRANGEMENTS /
INTERIM GOVERNMENT / TRANSITIONAL AUTHORITY.

1. INTERIM ARRANGEMENTS FOR THE PARTICIPATION OF
WOMEN

Regardless of what form the interim government takes, it is imperative that women participate in all its structures and that their interests are protected.

The African National Congress Women\200\231s League (ANCWL) recommends that women\200\231s

interests should be represented and protected in the interim period as follows :

1.1 During the period of Codesa and any nominated or appointed interim authority, a Gender Advisory Committee should exist. The ANCWL will make further recommendations about its composition, powers and terms of reference at the appropriate time.

1.2 Once a constitution-making body has been elected, that body should establish a Gender Commission to deal with gender issues and sexism. At the appropriate time, the ANCWL will make representations about its composition, powers and terms of reference.

2. KEY ISSUES, PROCESSES AND PROBLEMS IN THE INTERIM
PERIOD.

The ANCWL sees the following issues as important for consideration in the interim period. Many of these issues have already been raised in more detail in our recommendations to Working Groups 1 & 2 and the reader is referred to these.

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The unification of the defence forces is a matter of priority for the interim authority. This unified defence force will then need to begin immediately to redress race and gender imbalances in their composition, and to introduce codes of conduct and norms which will create confidence amongst all the people in the country.

The Budget in the interim period needs to begin to equalise the benefits of national expenditure and focus on redistribution to the disadvantaged, particularly women, who have suffered the greatest neglect under the apartheid regime.

Development is a vital component in the need to redress the inequalities and imbalances of apartheid. The ANCWL believes that the process of development should begin in the interim period. Human resources and development in its training and resource allocation has to become gender sensitive and provide access to and for women.

South Africa's foreign relations have mainly been conducted by men. In the interim period, women should be employed on an equal basis with men, in establishing and maintaining foreign relations. Any existing discriminatory regulations and practices with respect to gender and race in South Africa's foreign service need to be removed.

In the arena of local government the participation and representation of women should reflect the gender composition of the local communities. Any projects undertaken during the life of CODESA and the interim government should be aimed at the interests of all groups in local communities, including women.

Any structures established to ensure an impartial media must :

2.6.1 include women;

2.6.2 ensure access for women to the media;

2.6.3 ensure that women's issues are publicised; and

2.6.4 bring an end to all forms of sexist, pornographic and objectifying portrayals of women.

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Land and women: The history of dispossession of land has meant that the land is predominantly owned by whites and by men. Women have been disadvantaged in their occupation and ownership of, and access to land.

The present government is in the process of transferring state land to private individuals. In our view this should cease immediately, not only because we believe that the question of the redistribution of land is one for a future democratic government, but also because we are concerned that the full range of rights and interests of the dispossessed, especially women, will be ignored in the process of land allocation.

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AFRICAN NATIONAL CONGRESS WOMEN\200\231S LEAGUE

CODESA TERMS OF REFERENCE

RECOMMENDATIONS FOR WORKING GROUP 4 - FUTURE OF
TBVC STATES

The African National Congress Women\200\231s League (ANCWL) has fundamental problems with the terms of reference of this working group in so far as they contain an inherent assumption that the TBVC states are legitimate and have a choice about their reincorporation into South Africa. The TBVC states are a creation of apartheid and were constituted without consultation with the people of these regions. The elimination of apartheid should be accompanied by the reincorporation of these states.

The process of reincorporation must pay particular attention to the following :

1. ., The immediate removal of all discriminatory laws of the TBVC states : After independence, the TBVC states enacted sexist legislation in introducing, for example, polygamy, the flogging of women, the prohibition of married women\200\231s employment in the civil service, including educational institutions, and discriminatory marriage and family laws. The position and status of women in these states worsened. All laws which operate against women in the TBVC states must be repealed.

7a Citizenship

The ANCWL endorses the position of the ANC that all people in the TBVC states should get their South African citizenship back.

Be Equality of women

In establishing the bantustans and the TBVC states, the South African

government sought to entrench indirect rule through the manipulation of the system of traditional rule.

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This system has in all its aspects discriminated against women. Women have been excluded from all decision-making. Customary laws and land allocation have been particularly glaring in their discrimination against women.

The equality of women cannot be established without the democratic transformation of the system of customary law and the institution of hereditary rulers and chiefs.

Our views follow the ANCâ\200\231s constitutional guidelines which state that :

the institution of hereditary rulers and chiefs shall be transformed to serve the interests of the people as a whole in conformity with the democratic principles embodied in the constitution.

We believe that the entrenchment of the principle of non-sexism is a crucial part of this transformation.

4. Strategies to inform the population

We have made specific recommendations to Working Group 1 about the importance of ensuring that women have access to information. This will be particularly important for women in the TBVC states, where a high proportion of women will be illiterate. Special effort must be made to communicate with the population of the rural areas through oral education programmes.

5. Business confidence and the relevance for women.

Investment within the areas of the TBVC states has been encouraged by special tax benefits, subsidies and privileges. The ANCWL is not opposed to investment in these areas, but we are opposed to the exploitative manner in which this investment has taken place.

There is evidence that the residents of these areas have been disadvantaged, inter alia by corruption, the payment of excessively low wages, the absence of protective labour legislation and the refusal to recognise trade unions.

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Women, as the most vulnerable and exploited section of society, have experienced the worst effects of business involvement. Furthermore they have experienced sexual exploitation, for instance, in the denigration of women in casinos and the promotion of pornography and prostitution.

As a result these regions and the people in the TBVC states have been significantly disadvantaged by such investment. Special attention must be paid to future investment to ensure that there is equitable investment in all regions of the country and that this investment benefits women.

AFRICAN NATIONAL CONGRESS

CODESA TERMS OF REFERENCE

RECOMMENDATIONS FOR WORKING GROUP 5

The African National Congress Women's League (ANCWL) believes that the transition to a democratic South Africa should take place as soon as possible. Within this process special attention must be paid to the representations and interests of women to ensure that the principles of non-sexism and equality are entrenched in the spirit and letter of the new constitution.

Our understanding of the terms of reference of Working Group 5 is that this group has the task of monitoring the process at CODESA, implementing the decisions and agreements reached by CODESA, disseminating information about CODESA and identifying key issues and problems that may arise from the above.

In this respect, we wish to draw the working group's attention to the following issues and tasks :

ie There should be public access to all documentation of CODESA (1.1.4 e).

oe All information relating to CODESA should be made available to the African National Congress Women's League and other women's organisations (1.1.4 e).

as In the dissemination of information by CODESA, particular attention should be paid to reaching people in rural areas, particularly women (1.1.4 e). -

4, In view of the high level of illiteracy in the country, it is important that CODESA find oral methods of disseminating its information (1.1.4 e)

So It is our view that public oral hearings at CODESA will constitute an important mechanism to reach all sectors of the population (1.1.4 e).

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With respect to its monitoring function (1.1.4 d) and its task of implementing agreements (1.1.4 i), we believe that this working group will have to work closely with the proposed Gender Advisory Committee to ensure that the principles of non-sexism and equality contained in the Declaration of Intent are entrenched. In practical terms this means that this working group needs to ensure that the process takes account of and implements the ANCWL recommendations.

In order to create a climate conducive to free political participation (working group 1), CODESA needs to address all discriminatory legislation, both in terms of race and gender. There are many laws which entrench discriminatory practices and ideas about women and which consequently impede women's ability to participate freely and without fear in the political process. It is the urgent task of working group 5 to begin identifying these laws for repeal and amendment (1.1.4 f & g).

WLSC WOMEN\200\231S LEGAL STATUS COMMITTEE

P.O. Box 17051, HILLBROW 2038
Tel.: 440-1973 442-8985\200\224 Johannesburg

ogth vebruary 1992 AX 011 402 0616

Mhe Co-Uhairmen

Mr Justice Ism2il Mahomed
Mr Justice fFiet schnabort
CODLSA

0) Boxe SKC

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Phe Women's Legal status Committee hereby applies for membership
of the Convention for a Democratic South Africa.

This organisation has been actively involved since 1975 in changes
to legislation concerning marriage, divorce, property rights, em-
ployment, violence in the family etc. Its membership consists of
women from the whole of society.

WLSC has also constantly lobbied government about the absence. of
women on boards, commissions, and negotiating forums. The org=
anisation made submissions, with specific proposals for women, to

.. the South african Law Commission on 4 Bill of Rights. This was
supported by thirty other organisations.

The Women's Legal Status Committee is concerned that so few women
have been chosen by their political parties to participate in
CODESA and none of them have been appointed spokesmen.

This is a critical omission at this crucial time when a new social
structure is being built in our country. ios Unusu ooau

53% of our population is relegated to an insignificant role in
what should be the democratic process to determine South Africa's
ublnondt ere A non-sexist, non-racial South African can be achieved
only by the full participation of Glee eikc Spe Omler

We consider that the Women's Legal Status Committee is rully
competent to serve on CODESA as a non-governmental organisation,
to take part in negotiations on all national issues.

\200\230We ask that this application be treated as urgent and look
forward to a prompt reply.

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Acberta Johnston, Â«

Babette Kabak) Co-conveners pee ee oa

Doris Ravenhill - Executive Member. Docs Sent : cecectecceseers

Handed for Processing to :

Aa ee Drucplog. ss

WLSC WOMEN'S LEGAL STATUS COMMITTEE

P.O. Box 17051, HILLBROW 2038
Tel.: 4 40-1973 442-8985 \200\224 Johannesburg
: PAK 402-0616
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Mr Murphy Morobe

head: CODEIDSA Fidiannarsipaciueson
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Dear Mr Morobe,

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APPLICATION FOR REPRESENTATION AT CODESA

Thank you for your letter of 9th March 1992. \200\230the replies FO
the questionnaire are as follows:-

Â® "he Women's Legal Status Committee was founded in 1975.

ce Office bearers: Babette Kabak, Roberta Johnston, Co-conveners
ee NO tages reins cian ae

Oye WLSC Constitution is enclosed herewith.

4. WLSC has approximately 300 members of whom many are
women's organisations.

Die activities -

Gonventions - 1976 Convention to Advance Women's Legal xAights
4980 women and the zconomy
1984 National Convention of \200\230Women
4989 Living Together-Unmarried (Seminar)

Publications- Newsletter published 3 to 4 times annually sin
oi

Numerous reports on Legal Issues
4987 = A Survey of Working Women in Â© Oula yee en
4991 - Book: Living Together Unamrried, pub-
lished by Southern Publishers.

Meetings - Sxecutive meetings fortnightly since 1975
Working sub-committee ror specific submissions
to Government.

6. Civic participation - WLSC Executive members attend innumerâ\200\224
able conventions, seminars and meetin
arranged by ovher organisations.

lire address etc. as above.

All personnel are volunteers - none are paid.

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Page two

Se women's Legal Status Committee accomplishes a great deal on a very small budget derived from a modest membership Zee.

ore WLUSC operates from offices in two private homes in Johannesburg.

Membership is spread over the whole of South Africa.

10. Rules for Membership - Brochure is enclosed.

we hope that this is the information Ute nya Ollecre C Ubleers
We shall be pleased to hear from you ILS TUES

Yours sincerely,

A bet @ fee R_

Roberta Johnston

Babette Kabak) Co-conveners.

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THE WOMEN'S LEGAL STATUS COMMITTEE

(as adopted at the Special General Meeting YONI Oniaaratinié AD) 11 tone

and amended at the Extraordinary General Meeting of 15th March 1980)

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Name, Definitions, Objects and Policy

Name

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This organisation shall be called the Women's Legal Status Committee (WLSC). a

The administrative offices of the Committee will be situated In the Transvaal.

The area of operation of the Committee In which contributions will be collected and In which business will be carried on shall be the Republic of South Africa.

Definitions

"The Commi tree" means the Women's Legal Status Committee (WLSC).

"Executive Committee" means the Executive Committee of the WLSC constituted In terms of Article IV.

"Financial Year" means the period from 1st April to 31st March.

Objects and Policy

The objects of the Committee are To work towards the elimination of the legal disabilities and towards the upgrading of the legal status of

the women of the Republic of South Africa :

To achieve these objects the Committee shall study legislation affecting women, making representations and lobby, and undertake all other

activities to promote these ends.

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Membership

Membership shall be open to all women, organisations or branches of organisations who subscribe to the above objects.

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Applications for membership shall be approved by the Executive Committee, who may also terminate membership for reasons approved by the Committee.

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Organisation

The authority of the Committee shall be vested in the Committee in plenary assembly, which shall establish policy, set membership fees

and levies and receive the Annual Report and Financial Statement. The Committee may delegate its administrative powers to the Executive Committee.

ARTICLE IV

Administration

Plenary Meetings

Plenary Meetings of the Committee shall be held not less than once per calendar year.

Paid-up members and representatives of paid-up organisations or branches of organisations shall have the right to attend plenary meetings.

Each paid-up member and each paid-up organisation or branch of organisation, through its representative, shall have the right to exercise one vote.

The notice convening a plenary meeting and agenda, which shall have been drawn up by the Executive Committee, shall be circulated four weeks before the date of the meeting. 5

Motions for Resolution

Motions for resolution may be submitted by any paid-up member or paid-up organisation or branch of organisation. Such motions for resolution must be submitted by a date set by the Executive Committee, for scrutiny by the Executive Committee, before inclusion in the agenda.

The Executive Committee shall have power to consider urgency motions for resolution which may arise between plenary meetings and, in mat-

ters of special urgency, to take a separate vote of the membership if

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It deems such action advisable. Such postal vote must receive not less than a two-thirds majority of possible votes to be adopted.

Motions for resolution discussed at a plenary meeting must receive not less than a two-thirds majority of the votes of those present

and voting to be adopted.
Election of Office Bearers

The election of office-bearers shall take place annually at the Annual General Meeting of the Committee.

Paid-up members and representatives of paid-up organisations or - branches of organisations shall have the right to nominate and to vote.

The due date for nominations shall be set by the Executive Committee. Election shall be by simple majority of those present and voting.

The following members shall be elected annually:

A Chairman and Vice Chairman (or two Joint Chairmen)
An Honorary Secretary

An Honorary Treasurer

Nine Members

The above elected officers shall form the Executive Committee. The Executive Committee shall have power to co-opt.

Executive Committee

The Executive Committee shall execute the policy of and carry out the administration work of the Committee.
The Executive Committee shall have the power to -

a) create special committees for purposes which it deems

as

necessary;

interventions between plenary

b) make Interim or special appointments, such appointments to be subject to confirmation at the next plenary meeting.

The Executive Committee shall hold not fewer than ten meetings per year. Five members shall form a quorum.

The agendas for such meetings shall be in the hands of its members as soon before the meeting as is practicable.

Each member of the Executive Committee shall have one vote.

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Financial Year

The financial year of the Committee shall be from 1st April to 31st March.

The funds of the Committee shall be kept in a banking account in the name of the Committee and shall be operated by any two of the signatories authorised from time to time by the Executive Committee.

The audited accounts of the Committee shall be presented at the Annual General Meeting, when an auditor for the ensuing year shall

be appointed. . |
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Amendments

This Constitution may be amended by the Committee at an Annual General Meeting or at an Extraordinary General Meeting called for the purpose.

Notice of any proposed amendment must be in the hands of members two months before the date of the proposed Annual General Meeting or Extraordinary General Meeting.

Such amendment must receive a two-thirds majority of the vote of those present and voting to be adopted.
Article 44
Extraordinary Meetings of members

Extraordinary Meetings: of the Company may be called at the request of the Executive Committee or at the written request of not less than twenty paid-up members or representatives of paid-up organisations or branches of organisations.

The agenda for such Extraordinary Meeting must be circulated three weeks before the date set for such meeting.

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ARTICLE VII

Dissolution

The Committee may be dissolved if at least two-thirds of the members present and voting at a General Meeting of members convened for the purpose of considering such matter are in favour of dissolution.

Not less than twenty-one days notice shall be given of such meeting and the notice convening the meeting shall clearly state that the question of dissolution of the Committee and disposal of its assets will be considered.

If upon dissolution of the Committee there remain any assets whatsoever after the satisfaction of all its debts and liabilities, such assets shall not be paid to or distributed among its members but shall be donated to such other organisation or organisations having similar objects as the Committee may then decide. Such organisations must be authorised in terms of the Fund Raising

Act 1978 to collect contributions in South Africa.

JCW/LE/25th March 1980

For further information contact

The Women's Legal Status Committee
P.O. Box 17051

Hillbrow 2038

Johannesburg

Telephones (011) 440-1973 and
(011) 442-8985

â\200\230WLSC

WOMEN's\200\231S

LEGAL STATUS

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COMMITTEE

seeks to remove the legal disabilities of
women

stimulates awareness of the status of
women

promotes the involvement of women in
decision making

researches legislation affecting women
and the family

lobbies and submits recommendations
to commissions and government
departments

presents conventions, conferences and
seminars

responds to personal legal problems

provides speakers

issues newsletters

WLSC LOBBIES FOR

AND MAKES SUBMISSIONS,
RECOMMENDATIONS AND
REPRESENTATIONS ON...

x ABill of Rights for South Africa

*Â« More women in Government, on
Advisory Boards and commissions

*Â« Complete abolition of the marital
power

*Â« The extension of the 1984 marriage
laws to Black couples

Â« Joint guardianship of children
* Separate taxation for married couples

* Improvements in the collection and
payment of maintenance

*Â« The introduction of family courts

Â«x Pensions to be a divisible asset On
divorce

Â«x Improved property laws for immigrant
divorcees

* Status and rights for common law
wives

Â« Improvements in the law of domicile

*Â« The right of a spouse to have a claim
on the estate of a deceased spouse

Â« Better medical schemes for families

Â« A new commission which includes
- women to review abortion law:

WLSC HAS HELPED TO ACHIEVE

Â« The repeal of sex discrimination in
labour law

Â« The present marriage system of
accruals

*Â« A property division on divorce for
women with unfair marriage contracts

* No fault divorce

Â« Partial abolition of the marital power

Â« The withdrawal of skin lighteners

*Â« Change in law regarding guilt when
under the influence of drugs or drink

* A Human Sciences Research Council
investigation into non-payment of
maintenance

@ The Women's Legal Status
Committee upholds the United
Nations Convention on the
Elimination of all Forms of

a Discrimination Against Women.

See also

@ WLSC campaigns strongly for the
Participation of women on all
policy and decision making bodies
in both the public and private
sectors. The ultimate aim must be
equivalent status for women and

men.

APPLICATION FOR MEMBERSHIP

Membership is open to all women who
subscribe to upgrading the legal status of
women.

Telephone Number (domestic) 22s

(Business)-.-....:

Subscription: R £ per annum for
individual members plus
R voluntary donation

Rel per annum for
organisations

Ree ee enclosed

Women's Legal Status Committee
P.O. Box 17051

Hillbrow 2038

Johannesburg

Telephones: (011) 440-1973
(011) 442-8985

WLSC

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Babette Kabak)

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Rola ae Gam GiaO) tl amen
CODESA

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Isando 1600

Dear Colleagues,

The women's Legal Status
enclosed recommendations
Rights to be included in
South Africa.

Yours sincerely,

Bele EC. foe Om

Roberta Johnston) 77%
and Executive Committee

WOMENâ\200\231S LEGAL STATUS COMMITTEE

P.O. Box 17051, HILLBROW 2038
Tel.: 440-1973 442-8985â\200\224 Johannesburg
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Date Rec'd : coca
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Committee submits the
for an Interim Bill of

a new Consicicuikden) for

Co, conveners

CODESA

WORKING GROUP. {14
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SUBMISSION ON
A â\200\230SOUTH AFRICAN BILL OF RIGHTS
OR
INTERIM BILL OF RIGHTS
WITH SPECIFIC REFERENCE TO THE
RIGHTS OF WOMEN
FOR INCLUSION IN THE S.A. CONSTITUTION

WOMEN'S LEGAL STATUS COMMITTEE
Pp O BOX 17051
HILLBROW

2038 13 MARCH 1991

The Women's Legal Status Committee firmly believes that a Bill of Rights would benefit South Africa materially. The present Constitution does not entrench the Rule of Law nor does SUE protect the individual with regard to freedom of speech, freedom of movement and residence and freedom of association. Traditionally in South Africa there is no de facto recognition nor, in some cases, de jure recognition of the equality of men and women and a Bill of Rights must provide for the legal recognition and realisation of this principle. A Bill of Rights must eliminate the existing discrimination and give recourse to the courts for redress.

This Committee limits its submission to the specific rights of women, which we are firmly of the opinion should be included in a Bill of Rights.

A BILL OF RIGHTS MUST:

- * Embody the principle of the equality of men and women and by law and other appropriate measures ensure Hates realization.

- x Eliminate discrimination against women by any person, organisation or enterprise.
- 3 Protect women in pregnancy and maternity.

- * Establish all appropriate measures to ensure the equality. of women with men in marriage and parenthood and in political, social, economic and cultural life, guaranteeing them the exercise of human rights and fundamental freedoms on a basis of equality with men.

MARRIAGE

- a. A woman shall enter into marriage only with her free and full consent and the legal age for marriage must be the same for both sexes.

- b. Within marriage, there must be equality in the legal consequences for men and women and equal parental rights and responsibilities with regard to their children.

- c. Woman married by customary law must have tne same rights under the law as their husbands and as women married by civil law.

- d. A woman must have the right to retain her own nationality and to confer it upon her children.

dil) Conc...

MARRIAGE (continued)

(i)

(iv)

The Women's Legal Status Committee is aware that certain groups of arranged marriages even between very young people exist and have been eliminated.

The statutory age of marriage should be at least eighteen years and be the same for both sexes, as it is generally accepted that anyone below this age is immature and unready for marriage or parenthood. The present marriage age of fifteen for girls is too low.

Matrimonial property laws should ensure the equality of man and wife irrespective of the date of the marriage, the marriage regime and the different type of contribution men and women make to marriage.

Hundreds of thousands of women married before 1984 are still subject to the marital power and have neither legal status nor any control over their joint property. .

Many other women married out of community of property have, sometimes by virtue of an ante-nuptial contract, no share in the fruits of the marriage.

Parents are equally responsible for the welfare of their children and should enjoy joint guardianship. Neither parent should be prejudiced in the matter of custody

Women married by customary law are subject to many specific legal disabilities. No woman or her children should suffer disadvantage as a result of the marriage regime such as legal minority,

disinheritance or illegitimacy.

Where parents are of different nationalities children should have the right to dual nationality until they reach majority when the choice should be exercised by the children.

No woman should be deprived of her nationality because of marriage. This is an especially important factor for women who marry men from the national states.

EMPLOYMENT

To ensure equality in the workplace, women must be considered for employment on the same basis as men and must receive equal pay for work of equal value.

Women must have the same opportunities as men to benefit from pensions, medical benefits, training schemes, housing loans and other in-service benefits.

Married women must _ have the same rights within employment as single women and men.

(i) The Women's Legal Status Committee finds

that, in the work situation, women are often prejudiced in hiring, advancement and retirement.

At present, women governed by Wage Board and Industrial Conciliation Board determinations are entitled only to the same minimum wage as men. This does not ensure equality. Other women have no protection at all against inequality at any level.

(ii) Generally, women. are not granted the same

benefits as men and their claim to such benefits is often prejudiced by their marital status, particularly in the case of housing loans.

Women are often required to retire some years earlier than men for no good reason. Their life expectancy is greater than that of men and they may wish to continue for economic or other reasons.

(iii) Married women are not treated the same as men and single women. Their career prospects tend to be stultified although their marital status has = no bearing. whatsoever on their worth as employees. Employers are mistakenly inclined to believe that a married women does not warrant training and advancement because maternity and home responsibilities may interfere with her work. A married woman's advancement may thus be pre-empted by her employer's prejudice.

EDUCATION

Access to opportunities for education must be equal for both sexes.

Traditional concepts of the role of men and women as reflected in societal attitudes result in different emphases in education for boys and girls. Certain subjects in the curricula are considered more suitable for boys who are frequently given more opportunities for higher education, bursaries, etc.

Girls tend to be channelled into stereotyped roles without regard to their natural talents, abilities and preferences.

ECONOMIC FACILITIES

Economic facilities such as bank accounts, credit cards, loans, mortgages and other financial credits must be extended to women on the same basis as men.

Too often women are refused these economic facilities simply because they are women. Marriage is a further impediment to the granting of these facilities. The status of a woman as to whether married or divorced is often queried and proof demanded, whereas the marital

status of a man is not even considered.

GENERAL

a6 Legal discussions on important social questions such as the termination of pregnancy must not be taken without the participation of women.

There have been commissions in the past relating specifically to issues of direct concern to women to which only men have been appointed.

2. Penalties for sexual offences must not be weighed in favour of men.

Prostitution is illegal and condemned by society but the male partner is not required to face either prosecution or the stigma of publicity.

NOTE

The Women's Legal Status Committee totally accepts the United Nations Convention on the Elimination of All Forms of Discrimination against Women.

OU an

WLSC WOMEN\200\231S LEGAL STATUS COMMITTEE

P.O. Box 17051, HILLBROW 2038
Tel.: 440-1973 A42-8985\200\224 Johannesburg
FAX 011 402 0616

March 12 1992

Working Group IT
CODESA

P O Box 307
Isando 1600

Dear Colleagues,

The women's Legal Status Committee submits the
enclosed recommendations for a Bill of Rights
to be included in a new Constitution for South
Africa.

Yours sincerely,

Payee

(7 Babette Kabak,) \200\234iC
Roberta Johnston) Co conveners
and Executive Committee

CODESA

WORKING GROUP 11
P O BOX 307
ISANDO

1600

SUBMISSION ON
A SOUTH AFRICAN BILL OF RIGHTS
OR
INTERIM BILL OF RIGHTS
WITH SPECIFIC REFERENCE TO THE
RIGHTS OF WOMEN
FOR INCLUSION IN THE 8.A. CONSTITUTION

WOMEN'S LEGAL STATUS COMMITTEE
P O BOX 17051
HILLBROW

2038 13 MARCH 1991

The Women's Legal Status Committee firmly believes that a Bill of Rights would benefit South Africa materially. The present Constitution does not entrench the Rule of Law nor does it protect the individual with regard to freedom of speech, freedom of movement and residence and freedom of association. Traditionally in South Africa there is no de facto recognition nor, in some cases, de jure recognition of the equality of men and women and a Bill of Rights must provide for the legal recognition and realisation of this principle. A Bill of Rights must eliminate the existing discrimination and give recourse to the courts for redress.

This Committee limits its submission to the specific rights of women, which we are firmly of the opinion should be included in a Bill of Rights.

A BILL OF RIGHTS MUST:

- * Embody the principle of the equality of men and women and by law and other appropriate measures ensure its realization.
- * Eliminate discrimination against women by any person, organisation or enterprise.
- * Protect women in pregnancy and maternity.
- * Establish all appropriate measures to ensure the equality of women with men in marriage and parenthood and in political, social, economic and cultural life, guaranteeing them the exercise of human rights and fundamental freedoms on a basis of equality with men.

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MARRIAGE (continued)

(i)

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(iv)

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NOTE

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PO Box 130721 } Tel: (GOnEID Beara Er stoiatr
een ae (O11) 463-2068
Bae , Fax: (O11) 402-0616
Sandton

South Africa 2 March 1992

The Chairman
Working Group Tf
CODESA

P O Box 307
Isando

1600

Fax No : 397-2211

Deax Sax

The agreed terms of reference of Working Group I for CODESA are
ei ee tel oT oe eT ia) an Oe Ole dicen ne ete ern moms
This implied the involvement of all South Africa's inhabitants.
Women form more than half the population of the country and yet
they are not present SLOTS CYTE ee eNT as numbers sigf. the
decision-making arena at national, regional and local levels.

Poem WOMe ns GOOD Vass OUE SiC TOS liwil Gates Ose Sl Ome Ome
participation: of all citizens is being seriously addressed in
South Africa at this critical time with so few women taking part.
There are substantial numbers of competent women who should be
@zawn into CODESA and subsequent political processes. "Free
reYoyLaheslerail, jotchdslyseyeslopal? farewells felete SUS jehowayeyey GL Ghecinsj)
Spe
approval on decisions but being intimately involved in arriving
at those conclusions.

In planning the new South Africa, Working Group I must ensure

that significant numbers of women are included every step of the
way. Only then can a true democracy be created in accordance
with CODESA's Declaration of Intent.

Yours sincerely

Babette Kabak - Chairman

â\200\230Doris Ravenhill - Vice Chairman

eas nec Veto QBs

Bildred ak wea - Treasurer

E E Monro - Committee Member

Zwoo2

STD CARD

ones Mi) 442-8985
(CpialÂ®) 462-2062
Fax: (011) 402-0616

pO Box nealOneees
Bryanston

2021

Sandton

South AfricÃ©

2 March 1992

Mr Justice Ismael Mahomed
Mr Justic Piet Schabert
PO Box 307

Tsando

1600

gax No 2 397-2211

Request Â£98 Observe Status

' The Women's Lobby requests observer status at CODESA. Although we are 4 relatively new organisation we have been formed specifically at this critical juncture of South African history to promote women 'S participation Sine poititcal eC eee country: . CODESA'S Declaration of Intent calls for 4 non-sexist as well as non-raciel society- Hardly anything is being done to advance the Berio non-sexisz- At CODESA itself women are present in token numbers only-

To redress this wrong Eee imperative that sufficient numbers Of women take part in te negotiations, 45 well as pecoming | ebservers of the procedures at CODESA which will ultimately affect every men, woman and child in this country-

Ie is not sufficient that wonen of all groups be granted tne vote. That is the mininum- Women have for too long beer relegated <0 the fringes One nation's awareness, their interests and opinions parely acknowledged.

Women are more than fifty percent og eS population and just 4s deeply concerned as men about their future, the Constituticr, tre economy and the welfare oÂ£ the nation in all its aspects.

Â\200\230Members of The Women's Lobby ate women of stature and competence. Their backgrounds ere legai, business, academic, editorial, journalistic, weltare, etc- Many ere well-kncwn angd all have worked conti nously for numerous women's organisations.

Ce

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Qe "028 Adega Poi) 636

by <perefore reques

The Women's Lob
of observer at
CCDESA.

Yours sincerely

Doris Ravenhill ~ Vice Chairman

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sessions taking place at

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- gEla@reÃ© Hadassin â\200\224 Treasurer

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= & Monro - Committee Member

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To the CODESA Management Gommnpnciaacr

Teor te ee Gt 8 Â© cm OM OC request for commenzs GU ClSIUI= RSTn tae ec TAS
from members of the Uo tenga ccna e atm Ne COMPOSUBLSDa Aimdl Aseomonle
of the â\200\234ODESA working groups.

ES aeons DENG RIN are atone hun San Arce ran emma Far Up Sent (=e ae) Oca
participants affirms a commitment to the creation of a democratic
suth Africa free ef all forms Ola GaSe Gama na Gero seinauciGhdenoncia big

S

2 constitution which protects then maigints. om women.

ie HAS CONG LO ME ALwERte LOM thae Chere Aare VYeErr few women
Deaeene cinoma the decision making bodies of CODES(. ara abs

Siew, Lf ce coerltsiods A Gero CRnOnicnmca com GOW) 57 ua ctae merken ei
to represent the NS Ose Gk enne Mesa onamme. TV) OTE NCR HamRS ONC be ment ts lgeinerca
lnS meme
needs, views and ideas of women musi: be talem inte accoune a's
Bena sea en Om ene negotiation process. â\200\230omen represent LOO
thle! Sou the Afr lean en Ui saneeron AnGaaoe oManw Gespecus = tien
experiences and concerns differ from those of men.

Trt eee Cero elshome Ome nS UI Cahors cha ihe CODBSA process x1Â¢
representative and legitimate, I offer the following suggestion:

That a CODESA Gender Review Committee be constituted and charged
with the following responsibilities:

ae To consider the briefs of each of the working group with
Ege sat meters KONGERS LEIE SLI EVE Ns â\200\224Cigh Tnlolucia' 5 ame CO melke
recommendations with regard to issues which need to be raised to
ensure that all deliberations reflect gender awareness.

2. To review the decisions of all working groups with regard to
thems pEejested impact poms wo oe ny Working Groups should be
required to consider the recommendations Of the EeGaclere Merxes
Committee before making final decisions.

The Gender Review Committee should be comprised of two
representatives from each party who are selected on the basis of
demonstrated interest and experience in gender issues.

Telook forward to notification of youn nesponse to this proposal.

Yours sincerely

at

Address: en) aleee ve
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DATE acciee: Le 9 ee Sys =
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UNIFED NATIONS

GENERAL
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GENERAL

A/RES/34 /180
22 January 1980

Thirty-fourth session
Agenda item 75 [-
RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY
/on the report of the Third Committee (A/34/830 and A/BU/L.olly

34/180. Convention on the Elimination of All Forms of
Discrimination against Women

The General Assembly,

Considering that one of the purposes of the United Nations, as stated in ee
Articles 1 and 55 of the Charter, is to que SURES or human

rights and fundamental ees eee of any kind, eRe esr
Wager 2S tO am,

Recalling the proclamation by the General Assembly, in gs resolution va
2263 case) G of of thÃ©Weclaratyoa on the of

Taking into account the conventions, resolutions, declarations and
recommendations of the United Nations and of the specializ zencieS Besiened to)
oy Narr Terms of qiscrimnebion\and to omote equal rights) for {mer and Mi

Noting, in particular, its fresolution 33/177 of 20 December 1978] concerning
the drafting of a convention on the elimination of discrimination against women,

Considering that {discrimination\ agai nef Tree with numan |
SEY ee Ue welfare of society/and cb an bbstaclelto the NScnee)aa
he potentialities oft women

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ewer n: :
he of the world and the\cause of peace{require the
full participation of both men and women in society,\
N

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Page 2

ne peo

iversal recognition in law | \

Ww Convinced that it is necessary to ensure the oh
and in fact of the Wrmmã@iple of equality of men and women, |

Adopts and opens for signature, ratification and accession the Convention.

as

bn the Eligigation of All Forms of Discrimination against Vomen, the text of which
ts annexed to the present resolution, .

~ Â® Expresses the hope that the Convention will be signeg and
or acceded to without delay and will come into rorce at an early date;
Asse, OF Ede COMVEMCLOM CO

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*ue Vorla Conference cf the United Naticns fecade tor rcmen KOir MES UPKOrKAEX Ol g

&. Pequests tie Secretary-â\200\224weneral to submit to the General Assembly at

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â\200\230Status of the Convention on the Elimination of All Forms of

â\200\234 entitled

Discrimination against Women".

lOTth plenary meeting

18 December 1979

E ANNEX

&

Convention on the Elimination of All Forms of Discrimination
against Women

The States Parties to the present Convention,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights 1/ affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind,â\200\231 including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights 2/ have the obligation to ensure the equal right of men and women to enjoy all economic, social, cultural, civil and political rightsâ\200\234

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity ~~

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion Â©: equality between men and women,

1/ General Assembly resolution 217 A (Guise

2/ General Assembly resolution 2200 A (XXI), annex.

Emphasizing that the eradication of apartheid

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racial discrimination, colonialism,

neo-colonialism, aggression, foreign

occupation and domination and interference in the internal affairs of States is

essential to the full enjoyment of the rights of men and women, via

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Affirming that the strengthening of international peace and security,
relaxation of international tension, mutual co-operation among all States

irrespective of their social and economic systems, general and complete
disarmament, and in particular nuclear disarmament under strict and effective

international control, the affirmation of the principles of justice, equality and

= mutual benefit in relations among countries and the realization of the right

of

SoC Siros Cece nema colonial domination and foreign occupation to self-
realization . .

determination and independence, as well as respect for national sovereignty and
territorial integrity, will promote social progress and development and as a

consequence will contribute to the attainment of full equality between men and
women, ~

Convinced that the full and complete development of a country, the welfare

of the world and the cause of peace require the maximum participation of women
on equal terms with men in all fields,

Bearing in mind the great contribution of women to the welfare of the family
and to the development of society, so far not fully recognized, the social
significance of maternity and the role of both parents in the family and in the
upbringing of children, and aware that the role of women in procreation should
not be a basis for discrimination but that the upbringing of children requires a
sharing of responsibility between men and women and society as a whole

Aware that a change in the traditional role of men as well as the role of
women in society and in the family. is needed to achieve full equality between men
and women, 4

Determined to implement the principles set forth in the Declaration on the

eradication

of Discrimination against Women and, for that purpose, to adopt the
measures required

for the elimination of such discrimination in all its forms and ~
manifestations, ~

Have agreed on the following:

PART II

Article 1

For_the purbcsca of the present Convent{on,
shal} sean any 4istinction, exclusion or rest

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riction mete a toe pasts of
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of equality uf 2cm aot moma, ef ees ont. end year te Frectone te Oe
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ESA CP CMEC,

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of Sines discrimination against women and, to this end, undertake:. â\200\231

(a) ao embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical

realization of this principle; Â»

(bo) To adopt appropriate legislative and other measures, = aes sanctions where appropriate, prohibiting all discrimization against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discriminationdâ\200\235

(4) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;/Y

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterpriseyy

(Âf) To take all appropriate measures, including legislation, to sodify or abolish existing lavs, regulations, custoas and practices which constitute ~f discrimination against vooen;

(a) To repeal all rational feral froviatcas which conatitste tfacrimination againot vomen.

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oa)

â\200\234Gates Terisece e%mis Tabs 18 0s, Fle tel fs tart oo Le Siuetet echoes, e<cucmbe ard Poslases 626.08, Â©... ecrze-se ete me... eo, SL weed a ee ee ee Sr SS eerie Be Mt t Â«man, ' .Â¢ ffm

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1. Adoption by States Parties of temporary special measures aimed at . accelerating de facto equality between men and women shall not te considered discrimination as defined in the present Convention, but shall in no way entail as @ consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved. \/

2, Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory...

Article 5 -

States Parties shall take all appropriate measures:

(a) MWe imocblye wane Social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women ;\

(vb) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women. .// : ae.

PART II

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: \

(ay) ro vote in #ll elections and public referenda and to be eligible for election to ell publicly elected bodies}

aD) eo participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(ier) aeo participate in non-governmental organizations and associations concerned with the public and political life of the country 4 ~

- SESS 00
Annex
Yace 5

Article 3

St i i

ena Parties shall take all appropriate measures to ensure to women on
equal terms with men and without any discrimination, the opportunity to
represent their Governments at the international level and to participate in the
work of international organizations.

Article 9

ive States Parties shall grant women equal rights with men to acquire,
change or retain their nationality. They shall ensure in particular that neither
marriage nor change of nationality by the husband during marriage
shall automatically change the nationality of the wife, render her stateless or
force upon her the nationality of the husband.

States Parties shall grant women equal rights with men with respect to
the nationality of their children.

PART III

Article 10

States Parties shall take all appropriate measures to eliminate discrimination
against women in order to ensure to them equal rights with men in the field of
education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to
achievement of diplomas in educational establishments of all

studies and for the
categories in rural as well as in urban areas; this equality shall be ensured in
pre-school, general, technical, vocational and higher technical education, as
well as in all types of vocational training, as

the same conditions for, senior and junior work & WRO

,senior and junior work & WRO

(1) The same conditions for, senior and junior work & WRO
with qualifications of Use of camp at standard and echoes
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the elimination of any stereotyped concept of the roles of men and women

(ec)

at all levels and in all forms of education by encouraging coeducation and other
help to achieve this aim and, in particular, in the

types of education which will help
1 programmes and the adaptation of teaching

: revision of textbooks and school
methods; ~

(d) the same opportunities to benefit from scholarships and other study

sd

grants; :

(e) The same opportunities for access to programmes of continuing education, literacy programmes, particularly those aimed at

including adult and functional li

reducing, at the earliest possible time, any gap in education existing between

men and women; ~~

|e

Ao (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely,

(g) The same opportunities to participate actively in sports and physical education;., S

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning .-

ISAGILCILS IL

1 States Parties shall take all appropriate measures to eliminate

i discrimination against women in the field of employment in order to ensure, on a

basis of equality of men and women, the same rights, in particular:

(a) The right to work as an inalienable right of all human beings; /

(bd) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment /V

(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training; 3

acces right to equal remuneration, including benefits, and to equal treatment â\200\230in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;V

(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, es well as the right to paid leave;

oe |

(f) The right to protection of health and to safety in working conditions,

including the safeguarding of the function of reproduction. JS

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital gtatus;

(b) To introduce maternity leave with pay or with comparable social benefits . without loss of former employment, seniority or social allowances;

(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and

FS cua een Cae) soe Gueelenc eamnir me airac eno millers through promoting the establis
hment and
development of a network of child-care facilities;

(d) To provide special protection to women during pregnancy in types of work
proved to be harmful to them. V ;

3. â\200\230Protective legislation relating to matters covered in this article shall
be reviewed periodically in the light of scientific ana technological knowledge and
shall be revised, repealed or extended as necessary...â\200\235

Article 12

le States Parties shall take all appropriate measures to eliminate
discrimination against women in the field of health care in order to ensure, on a
basis of equality of men and women, access to health: care services, including those
related to family planning.Â»/

oy Notwithstanding the provisions of paragraph 1 of this article, States
Parties shall ensure to women appropriate services in connexion with pregnancy,
confinement and the post-natal period, granting free services where necessary,
as well as adequate nutrition during pregnancy and lactation. . :

Article 13

States Parties shall take all appropriate measures to eliminate discrimination
against women in other areas of economic and social life in order to ensure, on a
basis of equality of men and women, the same rights, in particular:

Q

(a) The right to family benefits;

Q (d) The right to bank loans, mortgages and other forms of financial credit;

(c) The right to participate in recreational activities, sports and all
aspects of cultural life./ me

Article 14

Li States Parties shall take into account the particular problems faced by
rural women and the significant roles which rural women play in the economic
survival of their families, including their work in the non-monetized sectors of th
economy, end shall take all appropriate measures to ensure the application of the
provisions of this Convention to women in rural areas.

ee States Parties shall take all appropriate measures to eliminate
discrimination against women in rural areas in order to ensure, on a basis of
equality of men and women, that vhey participate in and benefit from rural
development and, in particular, shall ensure to such women the Seal Aare, 8

(a) To see in the elaboration and implementation of development planning at all levels;

(ob) To have access to adequate health care facilities, including information counselling and services in family planning; .â\200\235 '

(c), To benefit directly from social security programmes,

(a) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

(e) To organize self-help groups and co-operatives in order to obtain equal access to economic gppopcunt pags through employment or self-employment;

1 (Â£) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in ou and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity. and water supply, transport and communications.

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PART IV

Article 15

ae States Parties shall accord to women equality with men before the law.

en States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages oe procedure in courts and tribunals.

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4, States Parties shall accord to men and women the same rights with regard to the law relating!to the movement of persons and the freedom to choose their residence and domicile. :

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

[ae

- (a) The same right to enter into marriage; /
- (bv) The same right freely to choose a spouse and to enter into marriage only with their free and full consent; /
- (c) The same rights and responsibilities during marriage and at its dissolution; :
- (4) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- (e) The same rights to decide freely and responsibly on the number and % spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- (f) The same rights and responsibilities with regard to guardianship, 9) wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
- (g) The same personal rights as husband and wife, including the right to) choose a family name, a profession and an occupation; ee :
- (nh) The same rights for both spouses in respect of the ownership, > acquisition, management, administration, enjoyment and disposition of property, - whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum } age for marriage and to make the registration of marriages in an official registry compulsory.

PART V

Raat lee melas

Ak 6 For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification..of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation we of the different forms of civilization as well as the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

30 The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

\

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters.

At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

or The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

6. The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The terms of two of the additional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.

11a For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

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Se The members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

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. Article 18

States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:

)

A/RES/ 34/180

Annex
Page 11

(a) Within one year after the entry into force for the State concerned; and

(d) Thereafter at least every four years and further whenever the Committee so requests.

2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

Article 19

1. The Committee shall adopt its own rules of procedure.

2, The Committee shall elect its officers for a term of two years.

article 20

1. The Committee shall normally meet for a period of not more than two weeks

annually in order to consider the reports submitted in accordance with article 18 of the present Convention.,

2, The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee.

Article 21

1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

2. The Secretary General shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

Article 22

The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities. _ The Committee may invite the |. specialized agencies to submit reports on the implementation of the Convention in _ areas falling within the scope of their activities.

Nothing in this Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained: 5

(2) in order to ensure the realization of the right of men and women to work

(o) In any other international convention, treaty or agreement in force for ENGR. Caceres

Article 24

States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

1. The present Convention shall be open for signature by all States.

2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.

3. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

4. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

5. A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

6. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 27

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession. °

Article 28

The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

Article 29

Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

Any State Party may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.

Any State Party which has made a reservation in accordance with paragraph

of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the

Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Convention. ,

a

INTERNATIONAT. COUNCIL OF WOMEN SC/Laws & the Status
13, rue Caumartin of Women/91/2

75009 - Paris â\200\224 France

(original English)
Paris, 15th November 1391

XXVI th PLENARY CONFERENCE

Bangkok , Thailand, 23rd-30th September 1991

LCW_STANDING COMMITTEE ON LAWS AND THE STATUS OF WOMEN

Theme 1

(b)

Theme II

Ae eee

(a)

(b)

Theme III

(a)

PLAN OF ACTION 1991-1994

- The Child and the Family

Safeguarding the rights of children by legislation.

Safeguarding women's legal rights within the family.

â\200\230': The Status of Women _in Politics

Women in government, local authorities and in public offices.

What do National Councils do and what can they do to promote
women in government, local authorities and public offices.

Women should promote legislation prohibiting discrimination
against women. In those countries where such legislation
already exists, women should work to ensure that such
Negislation is effective in prevent ing discrimination.

Women should lobby for the full implementation of the
Convention on the Elimination of all forms of discrimination
against women.

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XXVI th PLENARY CONFERENCE
Bangkok, Thailand 23rd - 30th September 1991
ICW STANDING COMMITTEE ON CHILD AND FAMILY

PLAN OF ACTION 1991 - 1994

THE RIGHTS OF THE CHILD

The Convention - Ratification, Provision of Information.

a)
â\200\230
b) The World Declaration on the Survival, Protection and Development
of Children.

Plan of Action for Implemantating the Declaration

c) Children in especially difficult ciramstances. @.&. prostitution. ~
* child abuse, child Jebour etc.

d) Preisicn of excceeiblo al f.cxtadle. atepmio -hild care

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INTERNATIONAL COUNCIL OF WOMEN SC/Child & Family/91/3
13, Rue Caumartin (original English)
'75009-Paris-France Paris, 10th October 1991

XVth PLENARY CONFERENCE
Bangkok Thailand 23rd - 30th September 1991

MINUTES OF CHILD AND FAMILY STANDING COMMITTEE MEETINGS

oe oe eee

Child and Family Standing Committee Meeting, Friday, September 27th, 1991
Present: see list at end.

Convener: Diane Alley in the chair.

The Convener introduced the two Vice-Conveners present, Senel Aksu of Turkey and Monica Glenn of Australia. She reported that she had asked the 2 Vice-Conveners to work with the regions of the world in which they lived. She expressed her regret that many countries had not responded to the Plan of Action for the Triennium 1988-91.

The Plan of Action was then discussed. Concern was expressed that so many children are being bought and sold as commodities or kidnapped in many parts of the world.

Thailand - explained their tourist policy, concern was expressed over
Sex
Tours. Parent education is important to strengthen the family. It was stated that Japan, Korea, Germany, Hong Kong and Malaysia need a campaign to prevent trade of children, sex exploitation and the promotion of sex tours. :

Israel - There is a link with AIDS. The incidence is high in children who
are sexually exploited. This should link up with the ICW Resolution on
AIDS and AIDS prevention.

New Zealand stated that sexually transmitted diseases can be responsible for infertility in women. i

Monica Glenn, Vice-Convener. then spoke of her concern of the rights of children to know their parents, and that National Councils need to work for uniform legislation, as in Article 8 of the Convention. She read out her suggested resolution, "Uniform Legislation Protecting the Rights of the Child born of new reproductive technology so that every child had access to both identifying his or her legal, medical and parents history and records.

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This resolution was agreed to by all present. and was to be put forward as an emergency resolution.

Simca expressed concern that children were being kidnapped for their human organs, kidneys and livers. ;

New reproductive technology was recommended as a better expression than Genetic Engineering in Aion Tan Cre NOME The Washington Resolution 14 was Women and Reproductive Technologies.

The [CW Conference to be held in aI Gs Cen Gimme COATT CoA (0 nme Nem Cottle Tan Vd

honoring Families and Changing Qvexeiiiosâ\204¢â\200\235 was iihen ciseusuecd. Comcemnia
wars expressed that +t did not include contributors from Asia and the
anomie AWC ACO ote CUNGCC mG mn aC\ Dag Studies which has researched
all aspects of the familys. Tt was agreed that those present shoula inform

the President of suitable people from these areas.

Indonesia - Now hac: 3 models on Family. Home Management and Child Care. and
Cemrnicomionke Relationamnilps meed improving.

Problems of the elderly were discussed and the "Sandwich Generation" who
are caring for the young and the old. It lays stress on women of child-
bearing are.

tsrae) and dhailand both stated life expectancy for women greater than men.
Concern was expressed about divorce and separation giving rise to single
parent families.

Discussion centred around the programmes for the elderly which support them
to remain in their own home. Day care, respite care etc for the frail or
disabled elderly is as necessary as quality child care for children.

India is concerned that child marriages are still occurring.

The Plan of Action for the next triennial is to be discussed at the next
meeting.

The meeting concluded at 3.30pm.

PRESENT AT THE MEETING WERE:

Monica Glenn (Australia) - Mary MacGiven (New Zealand) â\200\224 Prapaipau
Subhachaturas (Thailand) - Mrs. Sentanu (Indonesia) - M.R. Chalumanok
Bronthai (Thailand) - Somchit Kaiyanapoklu (Thailand) - Sasithorn Wasuwat
(Thailand) - Yarumee Chittayasathorn (Thailand) - Dorothy Kurz (Australia)
- Sri Nirmala (Indonesia) - Roojtoeti M. Partonedardo (Indonesian Embassy.
Thailand) - Bocn Choo Saikasem (Thailand) - Merrinelle Sullivan (USA) -
Pimchai Sooksmmai (Thailand) - Koonying Vanna Chaimouanvons (Thailand) -
Somsri Ekaboosa (Thailand) - Vimolratana Kamnecdployp (Thailand) - Colonel
Asanee Suowapap (Thailand) - Amarisa Thansathit (Thailand) - Kuerkul Tonkul Â»
(Thailand) - Piew-on Ngernsri (Thailand) - Chief (Mrs) O.T. Soyeye

(Nigeria) - Fatimah Fihanta (Indonesia) - Tuti Suwarno (Indonesia) - Lili
-Ramkumar Bhargava (India) - Judy Edwards (Australia) - Catharine Sly.
(Ganncoe om eal hava: @licrael) = Siti Hertati Hartono (Indonesia) -

Beatrice Ubeku (Nigeria) - Taeka Piyo Ajariyo (UNICEF Thailand) - Harriet
Samuels (Home Kong) - Pranit Rabieb (Thailand) - Pusprink Akarasawart
(Thajland) - Boairice Teinback (Canada) - S.A. Yussuff (Nigeria) - Rommy
Suttiteth (Thoniland) - MrÃ©. Subhaporn-Peters (Thailand) - Srisomwons
Wanassilpin (Thailand).

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MEETING OF STAND UNG COMMITTEE _ON CHILD AND, FAMILY

Saturday, September 28th 1991

Present___:, Diane Milew, Comvrnmr (Australia), Senel Aksu. Vice-Convener

(Turkey). Lila Ramkumar Bhargava (India), Adeloya David (Nigeria), Monica Glenn. Vice-Convener (Australia), Tati Hartono (Tndonesia). Somchi t

Kan janupokin (Thailand). Bea Teinback (Cannda) Annie Mukhopadhaya (Indie), Merrine)le Sullivan (U.S.A.)

A UNICEF report on Children in Especially Difficult Circumstances was discussed and it was decided that action should be taken concerning the sexual exploitation of children.

Discussion of Rusolutions ~ It was suggesicd that the Committee support a resolution to "endorse the Campaign to End Child Prostitution in Asian Tourismâ\200\235 which was launched in Thailand in March NO Sie

The resoJution of this Standing Committee of Child and Family, on Sexual Mutilation, was discussed: the Commi t tee decided no addition was necessary.

The Committee reaffirmed support for the following resolutions:

Â¢ 6 - NC/Candao - War Toys

at ae SC/Social Welfare - Trafficking in Human Organs

Â¢ 5 - NC/Cameroon â\200\224 Sexual Violence within the Family and Society #19 - Women and HIV Tnfection and AIDS

An emergency resolution was acopted on Reproductive Technology and a childâ\200\231s right to know its parental. background.

Discussion of Plan of Action â\200\224 The Committee discussed the necessity of urging their governments to ratify the Convention on the Rights of the Grsiilel.

ICW President Mrs. Lily Boeykens joined the meeting to inform the Committee of Belgium's concern about child prostitution. Recenily. King Baudoin, in a privee meeting. asked Vrs. Boeykens to work nationally and inter-nationally to stop the trade in children. Belgium is a way - station for the Thai and Phillipine child trade. Children are broust to Belgium, kiven new names, stripped of their identity and subjected to abuse if they do not cooperate in training as prostitutes. When these children become

too old or diseased, they simply disapear.

The Chair noted that there are two useful information sources available from UNICEF: !

â\200\230le Nee atin Tih the Convention on the Rights of the Child

to

A publication: â\200\234World Declaration on the Survival. Protection and Development of Childrenâ\200\235 from the World Summit for Children. United Nations. 20th September. 1990.

SC/Child & Family/91/1

UNICEF has also produced a new video on the Summit goals called "One Day in September." (28 minutes - \$10.00. It may be borrowed without cost).

Members of the Committee noted positive programs involving young people in taking part in solving their own problems:

Nigeria spoke of the program sponsored by the International Javcees in which participants from 143 countries took over the United Nations for one week. Resolutions are being presented to the UN by the group.

* Thailand sponsors an Annual Children's Day on September 20 - UN Youth Day.

* Turkey has a Youth Day each April 23 with participants from other countries.

* Since 1976, Indonesia has recognized the Decade of Children. Annually, children aged 11 to 18 celebrate National Children's Day (July 23) with the President of Indonesia.

Nigeria celebrates Children's Day May 27. There is also a weekly TV Program called "Speak Out" in which children interview top government officials.

The meeting concluded with the drafting of resolutions.

aye

Please wait a moment. Bye

INTERNATIONAL COUNCIL OF WOMEN EXEC/91/9
13, rue Caumartin Coc ten en eraser)
75009 - Paris - France Backe. eth Revenbae L00

TERMS OF REFERENCE FOR THE NEW STANDING COMMITTEE ON AGING
Adopted by the Executive Committee

at the 26th ICW Plenary Conference
Bangkok - Thailand, 23rd - 30th September 1991

- To become aware of the growing number of the aged;
 - to enhance their ability to remain independent and active contributors to their communities: and preserve their dignity,
 - to become knowledgeable about the aged, their specific needs and difficulties;
- to protect them, where necessary, by legislation and other appropriate social measures;
- ~ to increase and improve opportunities for personal growth and community service;
- to encourage intergenerational co-operation in all its aspects;
- â\200\224 to recapture the honour and respect which in the past was given to the aged.

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