



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**  
**Eightieth session**

**Summary record of the 1839th meeting**

Held at the Palais des Nations, Geneva, on Friday, 5 November 2021, at 10 a.m.

*Chair:* Ms. Acosta Vargas

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** *(continued)*

*Fifth periodic report of South Africa (CEDAW/C/ZAF/5; CEDAW/C/ZAF/Q/5; and CEDAW/C/ZAF/RQ/5)*

1. *At the invitation of the Chair, the delegation of South Africa joined the meeting via video link.*
2. **Ms. Nkoana-Mashabane** (South Africa), introducing the fifth periodic report of South Africa (CEDAW/C/ZAF/5), said that the Constitution of South Africa accorded women fundamental rights, which were the basis for achieving gender equality, and prohibited direct and indirect discrimination on the grounds of, inter alia, gender, sex and pregnancy. South Africa had made significant progress in protecting, promoting and fulfilling women's Convention rights. However, the coronavirus disease (COVID-19) pandemic had reversed some of the gains made in advancing gender equality and had exposed women and girls to rights violations. The pandemic had, in some cases, restricted their access to basic sexual and reproductive health services, placed a strain on their mental health and limited their participation in social and economic recovery processes. National lockdowns had also exposed more women to gender-based violence and poverty. The teenage pregnancy rate had increased between April 2020 and March 2021. Despite the existence of progressive laws aimed at protecting children, they remained vulnerable to various forms of violence in communities and in the home.
3. To promote a collective approach to advancing gender equality, the Government had taken into account reports by civil society and the Commission for Gender Equality and a joint complaint submitted to the Commission by non-governmental organizations (NGOs). The incumbent President of South Africa actively championed initiatives to address gender-based violence and gender inequality. The first Presidential Summit on Gender-Based Violence and Femicide, which had taken place in November 2018, had led to the adoption of a declaration against those phenomena. The adoption in 2020 of the National Strategic Plan on Gender-Based Violence and Femicide was likewise a significant milestone. In August 2021, a report highlighting some of the strides made in the implementation of the National Strategic Plan had been published. Resource mobilization strategies would need to be strengthened to ensure its full implementation. In early 2021, a private sector-led gender-based violence and femicide response fund had been established to mobilize businesses in that endeavour.
4. The Domestic Violence Amendment Bill, the Criminal and Related Matters Bill and the Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill were all aimed at strengthening the criminal justice system so that it could respond effectively to gender-based violence. Further legislative gaps needed to be addressed to promote the rights of women and girls enshrined in the Constitution. According to one study, there was a need for an explicit law prohibiting the practices of early, forced and child marriage and that of *ukuthwala*, which involved abduction and forced marriage, and was associated with other offences such as rape and human trafficking. For example, in *Jezile v. State and others*, Western Cape High Court had held that *ukuthwala* could not be invoked as a defence against crimes of rape, human trafficking and assault and had sentenced the convicted person to 22 years' imprisonment. Anyone who aided, supported or participated in forced marriage rituals could now face criminal prosecution under the Prevention and Combating of Trafficking in Persons Act.
5. The Department of Home Affairs was in the process of devising a marriage policy to ensure harmonization between the Recognition of Customary Marriages Act, the Marriage Act and the Civil Union Act. The policy explicitly outlawed early, forced and child marriage by setting the minimum age of marriage at 18 years for everyone. Efforts were also being made to expedite the processing of the Women's Empowerment and Gender Equality Bill. The Government continued to address the challenges facing the lesbian, gay, bisexual, transgender, queer, intersex and asexual community. The Department of Justice and Constitutional Development was in the process of resubmitting the Hate Crimes Bill to

Parliament for enactment. The Government remained committed to working with the Committee to achieve the objective of eliminating all forms of discrimination against women.

*Articles 1–6*

6. **Ms. Gabr** said that the Constitution set out a mixed approach to incorporating international law into the country's domestic legal system: a dualist approach was followed in relation to international treaties and a monist approach was followed in respect of customary international law. She wished to know whether the Convention had been directly invoked in court proceedings and, if so, how many cases had been decided on the basis of its provisions and, if not, what were the obstacles impeding the full domestication of the Convention. While she welcomed the fact that the definition of discrimination against women contained in the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance was consistent with that contained in article 1 of the Convention, she wondered whether the State party intended to incorporate that definition into law.

7. The Committee likewise appreciated the State party's efforts to develop training materials on gender equality and to provide training on gender mainstreaming and gender-responsive budgeting. It would be helpful to know how many judicial officers had benefited from such training, how many of the complaints received by the Equality Courts had been submitted by women living in remote or rural areas and what general measures were in place to ensure that women living in such areas had access to justice. She understood that Legal Aid South Africa, whose clients in civil law cases were mostly women, was forced to prioritize clients owing to a lack of financial resources.

8. She would be grateful to receive information on the budget allocated to that institution. It would also be useful to hear more about the current iteration of the Traditional Courts Bill, the steps taken to bring it into line with the Constitution and the timeline for its adoption. The delegation might indicate whether, under the current iteration of the Bill, women could appeal decisions taken by traditional courts to the ordinary courts. It might also describe the impact on women's rights of the Criminal and Related Matters Bill and the Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill, which, as she understood it, had now been adopted.

9. **Ms. Maluleke** (South Africa) said that a basic principle of international law was that a State party to an international treaty must ensure that its domestic law and practice were consistent with the treaty that it had ratified. Section 9 of the Constitution made specific reference to promoting the achievement of equality and prohibited discrimination based on gender or sex. The Constitution provided that, when interpreting the Bill of Rights, the courts must, *inter alia*, consider international law. What was important was that the Constitution protected women's rights. The rights enshrined in the Bill of Rights were justiciable and could be enforced in court. The Convention had been incorporated into domestic law through the adoption of more than 40 pieces of legislation to promote women's rights, gender equality and the prohibition of discrimination, covering all sectors. The Promotion of Equality and Prevention of Unfair Discrimination Act defined discrimination. That definition had been reproduced verbatim in new legislation on the promotion of women and women's rights, female empowerment and gender equality. The Promotion of Administrative Justice Act was one of the laws that prohibited discrimination in access to justice.

10. **Ms. Kambula** (South Africa) said that the gender-neutral Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill created several new crimes related to sexual offences, classifying them according to whether they were committed against children, persons with mental disabilities or adults. The Children's Act, the Protection from Harassment Act and the Prevention and Combating of Trafficking in Persons Act also played a role in integrating the Convention into national law.

11. **Mr. Smith** (South Africa) said that the National Prosecuting Authority had developed training sessions for prosecutors on gender-based violence covering all aspects of statutory common law and case law. The following training sessions had been held since 2012: a total of 51 sessions on sexual offences for almost 900 prosecutors; 41 training sessions on child justice for almost 700 prosecutors; 29 training sessions on domestic violence legislation for over 400 prosecutors; 31 training sessions on maintenance of child support and the

feminization of poverty for almost 600 prosecutors; and 41 training sessions on the Prevention and Combating of Trafficking in Persons Act for over 700 prosecutors. A comprehensive training manual on gender-based violence had also been produced and 180 training sessions had been organized for over 4,000 members of government departments.

12. **Mr. Mncwabe** (South Africa) said that almost all members of the departments of the South African Police Service that were responsible for handling sexual offences had received effective training. According to research on the impact of the training courses and the Sexual Offences Act, the number of such offences had been stabilized. However, about 80 police stations had been identified in which the struggle to reduce the number of offences presented a major challenge.

13. **Ms. Kambola** (South Africa) said that the Traditional Courts Bill had been considered by the National Council of Provinces, which had raised issues of constitutionality. It had then been referred to the Portfolio Committee on Justice and Correctional Services and the resulting legal opinion would be discussed at the forthcoming sitting of Parliament.

14. The Department of Justice and Correctional Services was establishing courts in rural and semi-urban communities. There were currently 115 sexual offences courts, of which 69 handled cases in rural communities and provided support services for women. A national policy framework for restorative justice was being developed with a view to creating a referral system between traditional courts and magistrate courts. Women could thus request the referral of cases from traditional courts to magistrate courts or vice versa.

15. The National Prosecuting Authority, the Department of Justice and the House of Traditional Leaders had developed a programme to provide traditional leaders with information on domestic violence in order to ensure that the existing legislation was implemented by traditional leaders in coordination with prosecutors and magistrates.

16. With regard to the budget for legal aid, there had been a cut in the 2020/21 budget of 127 million rands (R), and budget cuts that might total R 670 million were expected for the 2021/22 and 2022/23 financial years. However, steps were taken to ensure that the legal aid budget was utilized in a cost-effective manner so that more effective results were produced with less funds.

17. **Ms. Zulu** (South Africa) said that budget cuts had not been applicable solely to legal aid. The entire budget for all government departments had been reduced during the three-year cycle owing to general constraints. It was hoped that the crisis would end in 2024.

18. **Ms. Tisheva** said she wished to know how the restructuring of the Ministry of Women had affected the mandate, priorities and sustainability of resources for gender equality. It would be useful to have a full account of the human, financial and technical resources used to strengthen the monitoring and evaluation-related capacities of the Ministry's reconfigured Department of Women. She wondered how many gender focal points were based in line ministries and municipal administrations and would welcome information on the level of their positions, their locations and the number that were fully equipped and operational.

19. She asked whether there was a new national policy framework for women's empowerment and gender equality and whether a new national action plan for women had been developed. She would be interested in hearing about the outcome of the National Development Plan and its Medium-Term Strategic Framework (2014–2019), specifically in relation to the achievement of gender equality and women's empowerment through sustained mainstreaming of gender budgeting.

20. The Global Alliance of National Human Rights Institutions had accredited the South African Human Rights Commission with A status in 2017, but its Subcommittee on Accreditation had encouraged the Commission to advocate for more State funding in order to improve its operation and the fulfilment of its mandate. She wished to know what steps were being taken to ensure that the Commission could discharge its mandate effectively and independently in full compliance with the Paris Principles.

21. According to a recent report by the Commission for Gender Equality, over 64 per cent of the planned activities of the Department of Women had not been implemented, and there had been serious instances of gender-based violence and violations of the rights of older

women. It would be useful to have further details of the relationship between the South African Human Rights Commission and the Commission for Gender Equality, its status and its human, financial and technical resources. She wished to know how many violations of women's rights had been identified in the past two years and what remedies had been provided. How many women, including rural women, and women's NGOs had been involved in such procedures at the national and local levels and what support was provided and planned for organizations protecting women's rights?

22. In view of the particularly severe impact of climate change on women, especially rural women and women in situations of poverty, she wished to know how they were involved in national development programmes under the Paris Agreement and programmes to mitigate the effects of climate change.

23. She commended the State party on the affirmative action taken in the field of political representation of women, who accounted for over 46 per cent of the Members of Parliament, and on its encouragement of gender parity in public services. She would welcome information on how the policy of ensuring women's meaningful participation in public and political life had been implemented and whether tangible results had been achieved in terms of substantive equality and transformative decisions regarding women's rights.

24. She wished to know the extent to which temporary special measures to achieve substantive gender equality had been included in other governmental policies and programmes and the steps taken to implement such measures in areas in which women were disadvantaged and underrepresented, for example in leadership roles in the Office of the Chief Justice, in the private sector and in the National Council of Provinces. She also wished to know which mechanisms or agencies were responsible for monitoring the implementation of affirmative action.

25. Noting that poverty and socioeconomic disadvantages in the State party intersected directly with race owing to the structural inequalities inherited from the apartheid era and that women were disproportionately affected, she asked whether temporary special measures would be adopted to promote women's meaningful participation in the education system and the economy and to facilitate their access to land as a potential source of income.

26. **Ms. Maluleke** (South Africa) said that the Department of Women, Youth and Persons with Disabilities promoted women's rights at the national, provincial and local levels. There were high-level gender focal points in all government departments. There were also gender focal points or gender units in some State-owned enterprises and private companies.

27. The Commission for Gender Equality was a powerful entity. It had been authorized, for instance, to subpoena any minister or member of a private-sector company for alleged violations of women's rights.

28. With regard to the failure to implement 64 per cent of the planned activities of the Department of Women, collective measures had been adopted and action was being taken, in coordination with the National Treasury, to ensure that government departments at the national, provincial and local levels mainstreamed gender-responsive budgeting. In addition, training courses were being held, in cooperation with the International Monetary Fund, to ensure that all officials were familiar with such budgeting procedures. More than 60 per cent of the National Strategic Plan on Gender-Based Violence and Femicide had been implemented.

29. **Ms. Mamashela** (South Africa) said that the Employment Equity Act empowered the Government to ensure that affirmative action measures were implemented by employers in the public and private sectors to address inherited imbalances affecting women, persons with disabilities and black people. However, progress towards equitable employment, especially in the private sector, was very slow. According to the 2020–2021 annual report of the Commission for Employment Equity, women accounted for only 24.9 per cent of senior management posts in the private sector. With a view to supporting vulnerable groups, such as domestic workers, the National Minimum Wage Act of 2018 provided that no worker should be paid less than the prescribed minimum wage. As a result, 88 per cent of domestic workers were currently paid the prescribed minimum wage.

30. **Ms. Kambola** (South Africa) said that 1,325, or 51.6 per cent, of the 2,566 magistrates at the lower court level were women belonging to all racial groups, namely 621 Africans, 220 coloured persons, 228 Indians and 256 white persons. At the high court level, 100 women judges accounted for 43.7 per cent of the total, and they comprised 49 Africans, 12 coloured persons, 10 Indians and 29 white persons.

31. **Ms. Al-Rammah** said that, while she commended the laws enacted by the State party to protect women from gender-based violence and sexual offences, problems arose when it came to their implementation. *Ukuthwala* still existed although it had been outlawed by the Constitution. Traditional authorities and leaders should be trained to educate communities about its harmful and discriminatory nature.

32. Adolescent girls were faced with early marriage and studies showed that 6 per cent of girls in the 14 to 19 age group were at different stages of pregnancy. The risk of human immunodeficiency virus (HIV) was also higher among women.

33. Forced virginity testing occurred notwithstanding its prohibition for children under the age of 16 and the requirement that virginity tests for women over 18 years of age could only be carried out with their written consent. She wished to know whether the Government recognized virginity testing as inhumane, discriminatory and a form of violence and whether it would prohibit such testing and harmonize existing laws with its constitutional, international and regional obligations.

34. She would appreciate hearing more about legislative action taken to outlaw *ukuthwala* and eliminate it completely. As female genital mutilation persisted notwithstanding its prohibition by the Children's Act, she would welcome information regarding measures taken to enforce the Act. She also wished to hear about measures taken to raise public awareness of harmful practices that deprived women of their rights and ability to play an active role in the country and efforts to educate community leaders and persuade them to support action against stereotypes and such practices.

35. Femicide levels were, unfortunately, five times higher than the global average and rape was such a widespread problem that women felt unsafe in public and private areas. Marginalized women, such as refugees and women with disabilities, were particularly at risk.

36. The police's lack of seriousness in investigating cases of violence against women was evidenced by the fact that, in May 2021, forensic science laboratories had had a backlog of over 200,000 DNA tests, more than half of which were related to gender-based violence. As women were reluctant to report sexual assaults to the police owing to discriminatory attitudes and gender bias in the judicial system, the Committee wished to know what was being done to drive social change in such a way as to protect women. She would welcome details about the national strategic plan adopted in 2011 to tackle HIV, sexually transmitted infections and tuberculosis and the resources allocated to its implementation. When would the amendment of the Domestic Violence Act be finalized? She would be grateful for a description of training programmes for professionals working with victims and survivors of gender-based violence. It would be helpful to know what resources were available to assist them, such as shelters and psychosocial counselling. What measures were taken to ensure the access of women with disabilities to judicial services? She would like to hear what action had been taken on the recommendations contained in paragraphs 118–123 of the Committee's report on its inquiry concerning South Africa conducted under article 8 of the Optional Protocol to the Convention (CEDAW/C/ZAF/IR/1). She hoped that the State party would ensure the collection of disaggregated data on gender-based violence in order that its impact on vulnerable groups might be assessed.

37. **Ms. Leinarte** said that the Committee had several concerns with regard to the implementation of the anti-trafficking legislation mentioned in the replies to the list of issues (CEDAW/C/ZAF/RQ/5). In that connection, it wished to know when the vacant Chair of the National Intersectoral Committee on Trafficking in Persons would be filled. Were victims of trafficking safeguarded from deportation, even when they failed to cooperate in police investigations? She would be grateful for updated statistics from the baseline study of the scale and nature of trafficking in South Africa. Was the data from the new criminal justice information system shared with countries in the region? It was regrettable that corruption remained a significant obstacle to fighting human trafficking. In that context, she asked

whether the delegation could comment on reports that Chinese businessmen had recruited their own nationals for forced labour in South African factories and that Cuban doctors working in South Africa received only a small fraction of their salary, while the remainder was paid to the Government of Cuba. She would be grateful if the delegation could elaborate on the State party's national strategy to combat trafficking. She wondered if the delegation could confirm that a clear trend had emerged in public thinking in favour of the decriminalization of prostitution.

38. **Ms. Zulu** (South Africa), speaking via video link, said that Cuban doctors were employed in her country on the basis of bilateral agreements. She would supply more detailed information in writing.

39. **Mr. Smith** (South Africa) said with reference to *ukuthwala* that, although the judiciary recognized the legitimacy of certain traditional practices, a criminal act had to be prosecuted.

40. The National Prosecuting Authority had established a protocol for the standardized management and prosecution of cases of femicide and gender-based violence. It had also devised further training for prosecutors and other criminal justice officials that took a victim-centred approach to cases of gender-based violence. In 2020, the 55 Thuthuzela Care Centres in the country had assisted over 29,000 persons, most of whom were women, to gain access to justice. The centres were funded predominantly by the Government, with some donor support. A further 16 centres were being set up in rural and urban areas in order to cover the 50 hotspots where a large number of femicide or sexual crimes had been reported. There had been a substantial increase in the conviction rate of rapes reported to the centres, from 60.1 per cent in 2010 to the current 73.9 per cent. The National Prosecuting Authority and the police service had embarked on a concerted effort to clear the backlog of DNA tests. Since October 2020, 2,748 DNA reports specifically dealing with sexual crimes had been finalized. In the most recent batch of reports, 59 had indicated the existence of serial rapists.

41. The Prevention and Combatting Trafficking in Persons Act (Act No. 7), which had entered into force on 9 August 2015, covered all forms of trafficking. In 2021, although the courts had completed fewer cases owing to the COVID-19 pandemic, a conviction rate of 87 per cent had been secured in trafficking hearings. There were 52 trafficking cases currently on court rolls. Trafficking was particularly prevalent in the provinces of Eastern Cape, Gauteng, Western Cape and Free State.

42. As far as the trafficking of Chinese nationals was concerned, he was aware of two cases in Gauteng, one concerned 99 victims, the other 59 victims. The National Prosecuting Authority and the police did their best to have a victim-centred approach to trafficking cases and to ensure that victims received support and assistance.

43. **Ms. Kambula** (South Africa) said that the Domestic Violence Amendment Bill had been approved by Parliament and was awaiting the President's assent. The country had made great progress in giving effect to the High Court's decision in *Jezile v. S and others*. The Law Reform Commission's work had resulted in a bill to criminalize forced and child marriage and to make it a criminal offence if anyone did anything whatsoever to facilitate such marriages. On the recommendation of the Special Rapporteur on violence against women, a dashboard had been established, using data from an interdepartmental platform, to log all cases of femicide and gender-based violence. Currently it recorded only cases of femicide reported by the Department of Justice. At a later stage, it would include information from the Department of Health. Persons with disabilities received special support in court cases related to sexual offences and gender-based violence; they could be accompanied by guide dogs, documents in braille were available for blind or partially sighted persons and interpretation services were provided. As far as the matter of decriminalizing prostitution was concerned, the purpose of Project 107: Sexual Offences – Adult Prostitution had been to initiate reform to ensure that the country met its international obligations, including those under the Convention.

44. **Mr. Mncwabe** (South Africa), speaking via video link, said that additional analysts were being recruited to clear the backlog of DNA tests. Every police station had social crime prevention officers who were specifically assigned to engage with communities on issues involving *ukuthwala*. Detectives' training covered dealing with sexual offences.

45. **Ms. Maluleke** (South Africa) said that the South African Government had implemented measures to address the concerns expressed by the Special Rapporteur on violence against women. It was untrue that women in South Africa were unable to influence policy. Their vigorous action in 2018 had led to the drafting of the Gender-Based Violence and Femicide National Strategic Plan (2020–2030), which was currently under discussion. Under the law of the land, they had to be consulted when new laws were drafted. As violence had been the order of the day during apartheid, many people’s thinking was still marked by that brutal era. It was therefore necessary to change the population’s mindset in order to counter gender-based violence for the sake of social cohesion and nation building.

46. **Ms. Zulu** (South Africa) said that the Department of Social Development was also responsible for social cohesion and citizens’ wellbeing. It therefore had a programme designed to bring about behavioural change in order to prevent violence at home, on the street, in the community and in society at large. That department cooperated with those of justice, education and health to provide not only a large number of shelters but also a safe environment for women. The country currently had 136 shelters that offered women who had been subjected to gender-based violence psychosocial counselling and other forms of victim support, including training and education so that, when they left the shelters, they could earn a living and did not have to return to an abusive relationship out of economic necessity. There were 19 shelters for trafficking victims.

*The meeting was suspended at 12.10 p.m. and resumed at 12.25 p.m.*

47. **Ms. Gabr** said that she would welcome confirmation of whether, in the most recent version of the Traditional Courts Bill, the section allowing women to opt out of proceedings had been removed. She would be grateful for details of the budget of the South African Human Rights Commission.

48. **A representative of South Africa** said that the Traditional Courts Bill was before Parliament. The public consultation process was protected by the Constitutional Court; any parts of the Bill that were rejected by the people would be revisited.

*Articles 7–9*

49. **Ms. Ameline** said that she would be interested to hear about any lessons that had been learned, in terms of women’s representation, following the most recent municipal elections. She also wished to hear about the actions that were being planned in order to consolidate gains in gender parity in governance, in line with the Sustainable Development Goals. It was unclear whether representative governance was inclusive of all women, irrespective of their religion, ethnicity or sexual orientation. She would be grateful for details of any measures aimed at ensuring parity in the governance of traditional leadership structures. Lastly, she would welcome an account of the initiatives the State party intended to undertake to improve the implementation of Security Council resolution 1325 (2000) on women and peace and security.

50. **Ms. Stott Despoja** said that she wished to learn about the measures being taken to ensure that children born to undocumented mothers did not become stateless and that all women, including those in rural areas, had access to adequate birth registration in a timely manner. She would welcome an account of how the State party ensured that stateless women and girls were able to obtain access to health care, education and employment.

51. **A representative of South Africa** said that undocumented mothers received handwritten birth certificates for their children and were assisted in obtaining the appropriate permits for their stay in the country. To facilitate birth registration in remote areas, the Department of Home Affairs and the Department of Health had partnered to ensure that registration occurred before new mothers left hospital. Mobile outreach trucks were also being used to reach remote communities.

52. **A representative of South Africa** said that all children in South Africa, including undocumented children, were entitled to an education. Every child had access to learning and teaching materials, including workbooks, and to the National School Nutrition Programme. Schools partnered with businesses and civil society organizations to reach out to displaced families.

53. **A representative of South Africa** said that persons with the required documentation to claim asylum in South Africa had been covered by the social relief programmes introduced in the context of the COVID-19 pandemic. Exact figures would be provided in writing.

*Articles 10–14*

54. **Ms. Gbedemah** said that, in the light of the fact that girls aged 16 to 18 years were more likely than boys of the same age to drop out of school, it would be helpful to know whether the State party was considering introducing temporary special measures and addressing stereotypes around the domestic responsibilities that fell to women.

55. She would welcome details of how the authorities intended to help students recoup the year of education they had lost as a result of school closures necessitated by the COVID-19 pandemic and to address the inequalities that had resulted from the digital gap in that context. She wished to learn how the Department of Education had monitored students' attendance during online schooling. It would be interesting to hear about any psychological support that was in place for students returning to in-person education following the school closures.

56. Given the high rates of teenage pregnancy, she would appreciate an account of how the authorities would ensure that, under the new National Policy on the Prevention and Management of Learner Pregnancy in Schools, schools would accommodate teenage parents and would not impose waiting periods. She would be grateful for information on measures being taken to prevent teenage pregnancy and to ensure that all schools adhered to the National Policy. It was unclear whether that policy had been drafted using an intersectoral approach and whether comprehensive sex education was taught in schools under the terms set out in the Convention.

57. Turning to the issue of violence and harassment in schools, she said that she wished to know whether a mapping exercise had been undertaken in order to facilitate interventions. It would be helpful to learn about initiatives to provide peace education to teachers and about early intervention strategies to tackle sexual harassment, opportunistic relationships and violence against girls. She would welcome details of the structures that were in place to ensure that victims could obtain access to justice and report cases confidentially and that cases were investigated and prosecuted effectively.

58. Black women and girls, in particular, continued to be under-represented in science, technology, engineering and mathematics. Were any temporary special measures and targeted mentoring programmes being considered in order to remedy that situation? How did the Government intend to address the gender imbalance among primary teachers, 68 per cent of whom were women? How did the State party ensure that education was inclusive of girls and women with disabilities and those living in rural areas?

59. **A representative of South Africa** said that, during the school closures precipitated by the COVID-19 pandemic, the authorities had adapted the curriculum to home-based learning and instituted in-person school attendance on a rotational basis. Lessons had been delivered via the Internet, television and WhatsApp groups. Educational websites hosting learning materials had been zero-rated by the telecoms sector.

60. Efforts were under way to evaluate the impact of the disruption to education. The most recent early grade reading assessment had shown that progress had stalled. The authorities had worked with civil society partners find alternative means of providing food to students following the suspension of the school feeding programme during the first lockdown phase.

61. During the initial lockdown, there had been an alarming increase in gender-based violence. Rates had subsequently dropped following the Government's decision to ban the sale of alcohol, and it was important to acknowledge the link between substance use and violence in homes. With regard to sexual abuse, the age of sexual consent was 16 years; any person who caused a girl below that age to become pregnant had committed statutory rape. The National Policy on the Prevention and Management of Learner Pregnancy in Schools had been approved in September 2021. Under that policy, students were discouraged from engaging in sex; those that did were encouraged to take steps to guard against pregnancy, sexually transmitted infections and HIV.

62. In the context of the National School Safety Framework, all schools were required to set up a School Safety Committee, composed of parents, to ensure the application of two protocols, one on preventing sexual abuse and harassment and one on preventing corporal punishment. Any person who became aware of an instance of abuse had a duty to report it. Schools were also required to develop links with police stations, in order to ensure a rapid response if required.

*The meeting rose at 1.10 p.m.*