# Gender-Based Violence

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South Africans march to raise awareness about gender-based violence in 2021. The country has seen a spike in violence against women over the past two years.
Photo: Gender Links

## KEY POINTS

- According to new research, four in ten women aged 15-49 in Madagascar have experienced emotional, physical or sexual abuse perpetrated by a husband or partner.[1]
- An eight-country study on online violence shows worrying increases in hate speech, misogyny and online gender-based violence (OGBV).[2]
- A growing group of scholars and activists has observed that the internet and its associated technologies perpetuate new and reconfigured forms of abuse, such as cyber harassment, trolling, stalking, body shaming and non-consensual creation of sexual images through artificial intelligence.
- New research shows that women and girls seeking reproductive healthcare services often face physical and psychological violence and mistreatment, known as obstetric violence.[3]
- In March 2022, Lesotho's parliament approved the Counter Domestic Violence Bill, a move that aims to address the scourge of violence against women and girls in the country.

[1] Statistique (INSTAT), I.N. de la and ICF (2022) 'Enquête démographique et de santé à Madagascar (EDSMD-V) 2021', https://dhsprogram.com/publications/publication-FR376-DHS-Final-Reports.cfm, accessed: 2 September 2022.
[2] Understanding-Online-GBV-In-Southern-Africa: An Analysis of eight country prevalence of digitally enabled gender-based violence.
[3] Commission for Gender Equity 2019 Report to the United Nations Special Rapporteur. https://www.ohchr.org/Documents/Issues/Women/SR/ReproductiveHealthCare/Commission for Gender Equality South Africa.pdf.

# Introduction

This 2022 chapter continues the #Voiceand Choice campaign, with its focus on Sexual and Reproductive Health and Rights (SRHR). It assesses progress on reducing gender-based violence (GBV) in the region, including the extent, prevention, response, and support across all 16 SADC countries.

The Barometer measures this against commitments made in several normative frameworks, including the SADC Protocol on Gender and Development (the "SADC Protocol); Beijing Platform for Action (BPFA) +20 Africa Declaration; Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW); UN Sustainable Development Goals (SDGs); The Maputo Protocol; International Conference on Population and Development (ICPD); and the Commission on the Status of Women (CSW) Resolution 60/2 on Women, the Girl Child, and HIV.

While the previous edition of the Barometer noted a dearth of recent GBV data, researchers across institutions collected new figures and information over the past year. Recent studies include an eight-country study commissioned by Meta (formerly Facebook) and the Public Policy Department for Southern Africa called *Understanding Online Gender Based Violence in Southern Africa*.

Additionally, the 2021 Demographic and Health Survey (DHS) in Madagascar measured domestic violence there.[4] It showed that about four in ten women aged 15-49 (44%) had experienced emotional, physical or sexual abuse perpetrated by a husband or partner and 27% reported such experiences in the 12 months prior to the survey.[5] Most women in Madagascar do not seek help for this. Among those in this group who experienced physical or sexual violence, 50% did not seek help or mention the abuse to anyone other than researchers for this study; 19% never sought help, but did tell someone about it; and only 32% sought help.[6] This finding is consistent with others from Botswana, Lesotho, Mauritius, Seychelles, South Africa, Zambia and Zimbabwe, where Gender Links (GL) conducted GBV studies from 2010 to 2018.

> In Madagascar, four in ten women aged 15-49 reported experiences of emotional, physical or sexual abuse perpetrated by a husband or partner

These studies, conducted during the height of the COVID-19 pandemic, highlight that GBV remains endemic in Southern Africa and has spread to new terrain. The 2021 Meta study found that widespread use of the internet in the region has led to normalisation of hate speech, misogyny, and other dark forms of participation. It also pointed to a rise in information disorders, which involve the sharing or creation of false and potentially harmful information. Further, female journalists have reported an escalation in cyber bullying and harassment. Most countries do not have specific legislation to respond to the growing issue of online GBV (OGBV).[7]

New research on the mistreatment of women and girls in healthcare settings, known as obstetric violence, shows that women and girls seeking reproductive healthcare services in South Africa's public health system often face violence and

[4] Statistique (INSTAT), I.N. de la and ICF (2022) 'Enquête démographique et de santé à Madagascar (EDSMD-V) 2021', https://dhsprogram.com/publications/publication-FR376-DHS-Final-Reports.cfm, accessed: 2 September 2022.
[5] Ibid.
[6] Ibid.
[7] Understanding-Online-GBV-In-Southern-Africa: An Analysis of eight country prevalence of digitally enabled gender-based violence.

harm. This includes physical, emotional, psychological, and even sexual violence perpetrated by healthcare practitioners. Power disparities between providers and patients keep women from objecting to, or speaking out against, these abusive practices.[8]

Despite these and other challenges, SADC member states have made progress in addressing GBV by implementing multi-sectoral approaches that include legislative and criminal justice responses. In March 2022, the Lesotho parliament approved the Counter Domestic Violence Bill, which will help address the scourge of violence and help the country fulfil its regional and global commitments to end GBV. With the passing of this bill in Lesotho, 14 SADC countries now have domestic violence laws. Only the Democratic Republic of the Congo (DRC) and Tanzania remain without this critical legislative tool to eradicate GBV.

In Zimbabwe, the government collaborated with the Spotlight Initiative, a global partnership led by the UN to eliminate all forms of violence against women and girls (VAWG), to launch a High-Level Political Compact to ending GBV and Harmful Practices (HLPC) in October 2021.[9] According to the Spotlight Initiative, the Compact will promote political commitment at the highest level to respond to VAWG.[10] In Southern Africa, the Spotlight Initiative works in Malawi, Mozambique and Zimbabwe.

Human trafficking in SADC, exacerbated, according to the UN, by the COVID-19 pandemic, represents one issue that policymakers have done little to address.[11] Namibia remains the only African country in the Tier 1 ranking on trafficking of persons in 2022, which means it complies with the minimum standards for elimination of severe forms of trafficking in persons. The four tiers (Tier 1, Tier 2, Tier 2 watch list, and Tier 3) align with the Trafficking Victims Protection Act (TVPA), an anti-trafficking United States Federal Law.[12] SADC countries in Tier 2 - Angola, Botswana, Lesotho, Mauritius, Malawi, Mozambique, Seychelles and Tanzania - are not fully compliant but making "significant efforts" to comply. The remaining countries sit on the Tier 2 Watch list.[13] Other countries need to emulate Namibia's level of commitment and consistency in fighting trafficking.



A banner shares information about a GBV awareness campaign led by the Municipal Council of Mbabane in Eswatini. Photo: Thandekuhle Dhlamini

# COVID-19 and GBV prevalence

The most acute effects of the COVID-19 virus, which ravaged the region over the past two years, have subsided. Several mutations of the virus challenged healthcare and other regional and state systems throughout the region, killing tens of thousands and devastating economies and social supports across the region and around the world. At the time of writing, as SADC countries continued to loosen restrictions, a new global threat known as monkeypox began emerging. The global outbreak of this viral disease, with symptoms similar to those seen in the past in smallpox patients, had yet to affect most parts of the SADC region.

[8] Thelwell, K. (2020) 6 Things to Know About Obstetric Violence, The Borgen Project, https://borgenproject.org/obstetric-violence/, accessed: 7 September 2022.
[9] Africa Regional. Available at: https://spotlightinitiative.org/africa-regional, accessed: 15 September 2022.
[10] Spotlight Initiative High Level Compact on ending Gender Based Violence and Harmful Practices Officially Launched. | United Nations Development Programme, https://www.undp.org/zimbabwe/news/spotlight-initiative-high-level-compact-ending-gender-based-violence-and-harmful-practices-officially-launched, accessed: 8 September 2022.
[11] COVID-19 an accelerator of human trafficking - UN, https://globalinitiative.net/analysis/covid-19-human-trafficking-un/, accessed on 18 September 2022.
[12] United States Department of State (2022),Trafficking in Persons Report, https://www.state.gov/reports/2022-trafficking-in-persons-report/, accessed: 30 August 2022.
[13] Ibid.

Despite decreasing prevalence of COVID-19, governments mostly failed to address the pandemic's impact on GBV, especially the increase in abuse against women and children during lockdowns. As reported in the 2021 Barometer, reliable data on this topic remains scarce: either unreported or underreported. However, the variation in police data from South Africa over the last two years provides a good indicator of the extent of GBV.

Table 6.1: Total sexual offences from April 2020 to March 2022[14, 15]

| Crime category | April to June 2020 | July to September 2020 | October to December 2020 | January to March 2021 | April to June 2021 | July to September 2021 | October to December 2021 | January to March 2022 |
|---|---|---|---|---|---|---|---|---|
| **Rape** | 5805 | 8922 | 12 218 | 9518 | 10006 | 9556 | 11315 | 10818 |
| **Sexual assault** | 1070 | 1758 | 2390 | 1910 | 1900 | 1753 | 2069 | 2165 |
| **Attempted sexual offences** | 271 | 451 | 625 | 433 | 514 | 400 | 524 | 547 |
| **Contact sexual offences** | 150 | 292 | 362 | 272 | 282 | 255 | 280 | 269 |
| **Total sexual Offences** | 7296 | 11 423 | 15 595 | 12 133 | 12702 | 11964 | 14188 | 13799 |

*Source: South African Police Services sexual offences statistics.*

Table 6.1 provides comparative data on rape, sexual assault and other sexual offences in South Africa between April 2020 and March 2022: two years marked by COVID-19 lockdowns and restrictions. The worst increases of rape occurred in the second quarter of 2021, with the country logging a 72% increase compared to the previous year.

South Africa reported 6083 murders in the first three months of 2022, which works out to 77 murders a day

In both years, the last quarter saw the most sexual offences. The figures and times correlate to periods with the strictest lockdowns in the country. South African police have not yet shared comprehensive data for the second quarter of 2022, although Police Minister Bheki Cele said that police opened 9516 rape cases between April and June 2022. "This is almost 500 less rape cases reported, compared to the same period last year," he said, noting rape cases declined in all provinces except the North West and Northern Cape.[16]

While researchers have not yet analysed this recent data against other regional information and trends, it aligns with concerns about a rise in GBV due to lockdowns expressed by many in civil society during the pandemic's early days. The sharp increase in reported rape cases throughout 2020 and 2021 reflects a worrying trend as the country takes stock of progress to implement its National Strategic Plan on Gender Based Violence and Femicide (GBVF).

[14] South African Police Services sexual offences statistics, https://www.saps.gov.za/services/crimestats.php, accessed 16 September 2022.
[15] Ibid.
[16] South Africa: SAPS Records 6.7 Percent Decrease in Sexual Crimes, https://allafrica.com/stories/202208190505.html, accessed on 18 September 2022.



## South Africa: Toxic masculinity drives violent war against women

South Africa saw more murders over the 79-day period representing the first quarter of 2022 than civilian deaths during the first 100 days of Russia's invasion of Ukraine, making the country a more dangerous place to live than an active war zone.

On 3 June 2022, Bheki Cele, minister of police, presented crime statistics for the period 1 January to 31 March 2022, noting that it was an especially brutal three months for women and children.

The statistics present a number of worrying trends. Overall, police noted a 9.3% increase in reported crimes. This number masks even more alarming spikes in violent crime, especially against women and children, which saw double-digit increases.

There were 6083 murders in the first three months of 2022, 1107 more murders - or a 22% increase - compared to the same period last year. This works out to 77 murders a day. Of these, women represented 898 (15%), an increase of 134 (17%) from 2021. The murder of children younger than 17 increased 37% to 306 murders in the three-month period.

Police said the most commonly reported causative factors for murder include arguments and misunderstandings (not domestic-related); road rage/provocation; vigilantism/mob justice; and retaliation/revenge/punishment - crimes largely perpetrated by men that point to the effects of toxic masculinity in South African society.

Masculinity is a social construct, rooted in power and patriarchy and built on the idea that men should act in a certain way according to notions of the "ideal man," - physically strong, sexually virulent, the protector of the family, and partaker of masculine activities and risky behaviours. These notions can lead to dire consequences for the man himself and/or for the people around him, representing toxic masculinity: one of the major reasons for high rates of sexual and gender-based violence (SGBV).

Toxic masculinity plays out in the home, the workplace, public spaces and politics; perhaps best evidenced in the shockingly high number of rapes and sexual assaults that take place daily. Women accounted for 95% of rape survivors and 96% of sexual assault survivors. In total, sexual offences increased by 13 percentage points to 13 799, with rape representing the majority of the reported offences. In the first three months of 2022, 10 818 rapes took place, that is 137 rapes a day, or six per hour. This does not include the many survivors who did not report to police. Almost half of these rape cases took place at either the home of the rape survivor or the rapist.

The war on women often takes place in the home. Sex-disaggregated data on selected domestic violence-related crimes during the reporting period underscores this. Men perpetrated 88%, or 12 314 incidents, of common assault in the home against women. Sex disaggregated data on victims of all crimes, as well as their sexual orientation and gender identity and data on the perpetrators of these crimes, would shed more light on the gender dimensions of crime in the country.

*Source: Susan Tolmay, GL Gender and Governance Associate, for the Gender Links news series in 2022.*



Turning Point Qhakaza, a group that supports physical, mental and emotional wellbeing of trauma victims, marches against GBV in Durban, South Africa, in 2020. Photo: Mboyi Maswabi

Table 6.2: Key data on extent, response, support, and prevention of GBV in SADC

| INDICATORS | Region | Angola | Botswana | Comoros | DRC | Eswatini | Lesotho | Madagascar | Malawi | Mauritius | Mozambique | Namibia | Seychelles | South Africa | Tanzania | Zambia | Zimbabwe |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Proportion (%) of women and girls aged 15-49 who experienced intimate partner violence (IPV) in the previous 12 months (2016)[17] | All 16 countries | 50 | 35 | 40 | 58 | 43 | 41 | 42 | 43 | 25 | 48 | 39 | 30 | 31 | 47 | 47 | 43 |
| Proportion (%) of ever-partnered women aged 15-49 years experiencing IPV and/or sexual violence at least once in their lifetime (2013)[18, 19] | Nine countries | N/A | N/A | 6 | 64 | N/A | N/A | 44[20] | 31 | N/A | 33 | N/A | N/A | 26 | 43 | 49 | 42 |
| Proportion (%) of women and girls aged 15 years and older subjected to physical and sexual violence by a partner in the previous 12 months [21] | 14 countries | 21.7 | 28 | 12 | 4.6 | 4.6 | 0.8 | 27[22] | 24.3 | n/d | 36 | 33 | n/d | 8.7 | 41.7 | 43 | 39.6 |
| Proportion (%) of women aged 15-49 years experiencing physical and/or sexual violence perpetrated by someone other than an intimate partner at least once in their lifetime (1995-2013)[23] | Five countries | N/A | N/A | N/A | 3 | N/A | N/A | N/A | 2 | N/A | N/A | N/A | N/A | N/A | 3 | 3 | 1 |
| Non-partner sexual violence prevalence[24] | 9 countries | 4.5 | 2.9 | 10.1 | 25.4 | 0.2 | n/d | n/d | 14 | n/d | 7 | n/d | n/d | n/d | 10.1 | n/d | 14 |
| Laws on domestic violence[25] | 13 countries | Yes | Yes | Yes | No | Yes | No (Bill approved) | Yes | Yes | Yes | Yes | Yes | Yes | Yes | No | Yes | Yes |
| Laws on sexual assault[26] | 14 countries | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | No | Yes | Yes | Yes | Yes |
| Human trafficking laws[27] | All 16 countries | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Sexual harassment laws[28] | 15 countries | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Integrated approaches: national action plans[29] | All 16 countries | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Accessible, affordable, and specialised services, including legal aid, to survivors[30] | All 16 countries | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Specialised facilities, including places of shelter and safety[31, 32, 33] | All 16 countries | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Comprehensive treatment, including post-exposure prophylaxis (PEP)[34] | All 16 countries | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |

| |
|---|
| SDG Target achieved |
| 2021 Milestone achieved \| Achieved target: continue existing efforts to sustain and further the gains made |
| -1% to -14.9% \| Target not achieved: sustain and expand efforts in order to reach the target. |
| -15% to -29.9% \| Target not achieved: review existing efforts and make considerable investments in order to reach the target. |
| 30% or more \| Target not achieved: review and make signicicant efforts to achieve the target. |
| No target set |
| N/A - Not applicable |
| No Data \| No Milestone set |

[17] United Nations, Sustainable Development Goal SDG Tracker, Our World in Data, https://sdg-tracker.org/gender-equality, accessed: 18 June 2021.
[17] 'WorldsWomen2015_chapter6, https://unstats.un.org/unsd/gender/downloads/WorldsWomen2015_chapter6_t.pdf, accessed 18 June 2021.
[17] WHO, Intimate partner violence prevalence data by country, World Health Organization, https://apps.who.int/gho/data/view.main.IPVv, accessed 18 June 2021.
[17] Statistique (INSTAT), I.N. de la and ICF (2022) 'Enquête démographique et de santé à Madagascar (EDSMD-V) 2021', https://dhsprogram.com/publications/publication-FR376-DHS-Final-Reports.cfm, accessed: 2 September 2022.
[17] SADC SRHR SCORECARD 2021_EN_FR_PO. https://dev-www.sadc.int/srhrscorecard/, accessed: 10 September 2022.
[17] Statistique (INSTAT), I.N. de la and ICF (2022) 'Enquête démographique et de santé à Madagascar (EDSMD-V) 2021', https://dhsprogram.com/publications/publication-FR376-DHS-Final-Reports.cfm, accessed: 2 September 2022.
[17] 'WorldsWomen2015_chapter6, https://unstats.un.org/unsd/gender/downloads/WorldsWomen2015_chapter6_t.pdf, accessed 18 June 2021.
[17] SADC SRHR SCORECARD 2021_EN_FR_PO. https://dev-www.sadc.int/srhrscorecard/, accessed: 10 September 2022).
[17] Gender Links, (2019) 'Audit of SRHR Laws and Policies in SADC', Gender Links, https://genderlinks.org.za/gmdc/publications/audit-of-srhr-laws-and-policies-in-sadc/, accessed 18 June 2021.
[17] Gender Links (2019) 'Audit of SRHR Laws and Policies in SADC', Gender Links, https://genderlinks.org.za/gmdc/publications/audit-of-srhr-laws-and-policies-in-sadc/, accessed 18 June 2021.
[17] United States Department of State (2020),Trafficking in Persons Report, https://www.state.gov/reports/2020-trafficking-in-persons-report, accessed 5 June 2021.
[17] Gender Links (2019) 'Audit of SRHR Laws and Policies in SADC', Gender Links, https://genderlinks.org.za/gmdc/publications/audit-of-srhr-laws-and-policies-in-sadc/, accessed 18 June 2021.
[17] Gender Links, Policy and action plans, https://genderlinks.org.za/what-we-do/justice/policy-and-action-plans/, accessed 18 June 2021.
[17] Lowe Morna, C., Rama, K. and Chigorimbo, S. (eds) (2020) SADC Gender Protocol 2020 Barometer. 13th edn. Johannesburg: Gender Links, https://genderlinks.org.za/what-we-do/sadc-gender-protocol/sadc-protocol-barometer/sadc-gender-protocol-barometer-2020/, accessed: 18 June 2021.
[17] Lowe Morna, C., Rama, K. and Chigorimbo, S. (eds) (2020) SADC Gender Protocol 2020 Barometer. 13th edn. Johannesburg: Gender Links, https://genderlinks.org.za/what-we-do/sadc-gender-protocol/sadc-protocol-barometer/sadc-gender-protocol-barometer-2020/, accessed: 18 June 2021.
[17] GBV Prevention Network (2018) Seychelles: Shelter for Women Victims of Violence Opens in Seychelles, https://preventgbvafrica.org/seychelles-shelter-for-women-victims-of-violence-opens-in-seychelles/, accessed 18 June 2021.
[17] UNFPA Comoros (2021) VBG_: L'UNFPA remet de matériels informatiques et de mobiliers aux comités de veille de Mohéli et d'Anjouan, UNFPA Comoros, https://comoros.unfpa.org/fr/news/vbg-lunfpa-remet-de-mat%C3%A9riels-informatiques-et-de-mobiliers-aux-comit%C3%A9s-de-veille-de-moh%C3%A9li-et, accessed 18 June 2021.
[17] Lowe Morna, C., Rama, K. and Chigorimbo, S. (eds) (2019) SADC Gender Protocol 2019 Barometer. 12th edn. Johannesburg: Gender Links, https://genderlinks.org.za/what-we-do/sadc-gender-protocol/sadc-protocol-barometer/sadc-gender-protocol-barometer-2019/, accessed: 18 June 2021.

Due to the aforementioned challenges in accessing current data, Table 6.2 mostly shares similar numbers to those in the 2021 Barometer. This 2022 Barometer added a new indicator on non-partner sexual violence to align reporting to the SADC Scorecard report.[35] It included two GBV indicators: 1) Proportion (%) of women and girls aged 15 years and older subjected to physical and sexual violence by a partner in the previous 12 months and 2) Non-partner sexual violence.




Both indicators add new information to this Barometer from country scorecards. They point to wide variances across the region. On the first indicator, Lesotho represents a low at 0.8% of women and girls older than 15 reporting physical and sexual violence, while almost half (43%) of Zambians reporting similar crimes. Meanwhile, only half the countries have data on non-partner sexual violence, which shows that one quarter of female respondents in the DRC reported this type of violence, compared to 2.9% in Botswana.

Only three SADC countries (Angola, Comoros and Malawi) have achieved their scorecard goals on the first indicator, with none doing so on the second. Indeed, most remain far off target.

Other indicators remain largely unchanged and, in most cases, quite dated. For more than a decade, GL worked to address these data gaps, spearheading seven comprehensive violence against women and girls (VAWG) and/or GBV baseline studies in Botswana, Lesotho, Mauritius, Seychelles, South Africa, Zambia, and Zimbabwe (2010 to 2016) and a comprehensive follow-up study in Botswana in 2018.[36]

The existing data shows that:

- Only nine countries have data on the proportion of women who have experienced intimate partner violence (IPV) at least once in their lifetimes.[37]
- Thirteen SADC countries now have domestic violence legislation and 14 have sexual assault legislation. Lesotho approved its long-awaited Counter Domestic Violence Bill.
- The DRC and Tanzania have yet to enact specific domestic violence laws.
- All SADC countries except Angola now have legislation on sexual harassment and all 16 have human trafficking laws.



The latest DHS results for **Madagascar** show high instances of physical violence in the country for women aged 14-49. Activists have expressed deep concern over the increase in spousal injuries and the culture of silence, with half of women not seeking help or telling anyone.




Police at the Botha Bothe station in Lesotho share GBV data management tools in 2022.
Photo: Nyeoe Ntene

[35] SADC SRHR SCORECARD 2021_EN_FR_PO. https://dev-www.sadc.int/srhrscorecard/, accessed: 10 September 2022).
[36] The studies can be accessed on the GL website: https://genderlinks.org.za/what-we-do/justice/research/violence-against-women-baseline-research/
[37] SADC SRHR SCORECARD 2021_EN_FR_PO. https://dev-www.sadc.int/srhrscorecard/, accessed: 10 September 2022.

Table 6.3: Overview of Madagascar 2021 DHS findings on domestic violence

| Area of concern | Findings |
|---|---|
| Experience of violence | 35% of women aged 15-49 have experienced physical or sexual violence |
| Husband control | One in five women aged 15-49 (20%) reported experiences of at least three controlling behaviours from her husband or partner. |
| Intimate partner violence (IPV) | About four in ten women aged 15-49 (44%) experienced emotional, physical or sexual abuse perpetrated by a husband or partner at some point, and 27% reported experiences of one or more of these in the 12 months prior to the survey. |
| Spousal violence injuries | Among women aged 15-49 who experienced sexual or physical violence at any time, 37% resulted in injuries. In the last 12 months, this rose to 42%. |
| Seeking help | Among women aged 15-49 who experienced physical or sexual violence, 50% never sought help or told anyone, 19% never sought help but did tell someone about it, and 32% sought help to end the situation. |

*Source: 2021 DHS Madagascar Report.*[38]

Table 6.3 underscores some of the most serious findings from the recent DHS study in Madagascar, illustrating the extent of VAW and controlling behaviours, as well as the challenges presented by stigma and fear, which prevent women from reporting these crimes. Periodic GBV statistics like these make a strong case for increased efforts on prevention. The statistics help show the magnitude and type of violence perpetrated, providing a clear argument for concrete actions and dedicated government budgets to reduce the violence.

# Trafficking in persons (TIP)

**SADC Gender Protocol Article 20.5**: State parties shall:
(a) Enact and adopt specific legislative provisions to prevent trafficking in persons and provide holistic services to the victims, with the aim of re-integrating them into society;
(b) Put in place mechanisms by which all relevant law enforcement authorities and institutions should eradicate national, regional, and international trafficking syndicates;
(c) Put in place harmonised data collection mechanisms to improve research and reporting on the types and modes of trafficking to ensure effective programming and monitoring;
(d) Establish bilateral and multilateral agreements to run joint actions against trafficking in persons among origin, transit and destination countries; and
(e) Ensure capacity building, awareness raising and sensitisation campaigns on trafficking in persons exist for law enforcement officials.
**SDGs 5.2**: Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking, sexual, and other types of exploitation; and 16.1 Significantly reduce all forms of violence and related death rates everywhere.

Human trafficking is on the rise globally and regionally because of the COVID-19 pandemic.[39] Despite this, the US State Department 2022 report on Trafficking in Persons shows that SADC leaders' heads remain buried in the sand on this issue, as 15 out of 16 countries have yet to meet even the minimum standards for the elimination of trafficking.[40] Other than Namibia, all SADC countries sit in the second tier position, representing nations that do not meet the minimum standards but are working to do so. Seven countries sit on the Tier 2 watch list (Comoros, DRC, Eswatini, Madagascar, South Africa, Zambia, and Zimbabwe), which represents countries with high rates of trafficking where policymakers have not taken proportional concrete actions to address it.[41]



**Namibia** retained its ranking in Tier 1 in 2022, making the country a model in combating trafficking in SADC. In 2022, the government continued implementing its 2019-2023 National Action Plan (NAP) on GBV, which addresses all forms of human trafficking, and the Ministry of Gender Equality, Poverty Eradication, and Child Welfare (MGEPECW) and other stakeholders drafted a new five-year NAP on Trafficking in Persons (2022-2027).

As reported in previous years, most SADC countries lack adequate victim identification and protection efforts, and show low conviction rates of traffickers. Several have laws on trafficking that do not align with the 2000 UN Trafficking in Persons Protocol. Factors promoting trafficking include porous borders, poverty and increasing reports on corruption.

In 2021, the UN General Assembly held a meeting to appraise the UN Global Plan of Action to Combat Trafficking in Persons. It noted that the COVID-19 pandemic, with its border closures and lockdowns, worsened existing risks, leaving more people vulnerable to poverty and exploitation.

## Other than Namibia, SADC countries do not meet the minimum standards to address trafficking

Ghada Waly, director of the United Nations Office on Drugs and Crime (UNODC), noted the increase of online recruitment and anonymity, citing South Africa, which saw an increase in labour exploitation complaints during the pandemic. Another example from the DRC involved a scheme to target young people. They received an academic scholarship and airline tickets and then found themselves sexually exploited or forced into labour when they arrived at their destination.[42]




[39] COVID-19 and Crime: The Impact of the Pandemic on Human Trafficking, https://www.unodc.org/unodc/en/frontpage/2021/July/covid-19-and-crime_-the-impact-of-the-pandemic-on-human-trafficking.html, accessed 18 September 2022.
[40] United States Department of State (2022),Trafficking in Persons Report, https://www.state.gov/reports/2022-trafficking-in-persons-report/, accessed: 30 August 2022.
[41] United States Department of State (2022),Trafficking in Persons Report, https://www.state.gov/reports/2022-trafficking-in-persons-report/, accessed: 30 August 2022.
[42] COVID-19 an accelerator of human trafficking - UN, https://globalinitiative.net/analysis/covid-19-human-trafficking-un/, accessed on 18 September 2022.

# Sexual harassment

**SADC Gender Protocol Article 22.1**: State parties shall enact legislative provisions and adopt and implement policies, strategies and programmes which define and prohibit sexual harassment in all spheres and provide deterrent sanctions for perpetrators of sexual harassment.

**SADC Protocol Article 22.2**: State parties shall ensure equal representation of women and men in adjudicating bodies hearing sexual harassment cases.

Sexual harassment is any form of unwanted words and/or actions of a sexual nature that violate a person's body, privacy, or feelings and make that person feel uncomfortable, threatened, insecure, scared, disrespected, startled, insulted, intimidated, abused, offended, or objectified.[43] It occurs in both the private and public spheres, including in many traditional contexts, formal and informal workplaces, the streets, public transportation, schools and universities, restaurants, malls, at home, in the company of others (family, relatives, and colleagues), and, increasingly, online.[44] Sexual harassment has remained a huge challenge in the SADC region, with a growing number of perpetrators using online anonymity to spread cyber misogyny, stalk women and share revenge pornography, which is the distribution of sexually explicit images or videos of individuals without their consent.

Research points to sexual violence and harassment towards women as a major contributing factor to women's mental health disorders, poor sexual and reproductive health (SRH), injuries and other chronic health conditions, the impact of which can last many years. Prevalence Estimates found that "violence against women is a public health problem of pandemic proportions."[45]

While 15 out of 16 SADC countries have sexual harassment legislation, the increase in new forms of violence, such as OGBV, limits the scope of existing laws. Escalating reports of online abuse and harassment during the pandemic point to the urgent need for countries to develop, adopt, and implement sufficiently stringent sexual harassment laws that include all the spheres in which abuse takes place.

Partner violence is a major contributing factor to women's poor sexual and reproductive health

[43] What is sexual harassment, https://harassmap.org/what-sexual-harassment, accessed: 8 September 2022).
[44] Ibid
[45] WHO. 2021. Violence against women prevalence estimates, 2018. Geneva: World Health Organization. https://www.who.int/publications/i/item/9789240022256, accessed 20 August, 2022.



## Zimbabwe: Government approves new sexual harassment policy

A 2020 petition to get Zimbabwean lawmakers to review the country's labour act and address gaps around the issue of workplace harassment seems to have sparked political action, with activists celebrating the rollout of a new policy to create safer work environments in early 2022.

The Zimbabwean government approved the Public Service Sexual Harassment Policy in the first quarter of the year, which sets out to ensure safe workplace environments free from sexual harassment and provide redress to survivors of violence within the public service.

Civil society organisations engaged in nationwide consultations to review the country's Labour Act following the submission of the petition to Parliament in October 2020 by the Emthonjeni Women's Forum (EWF).

As reported in the previous Barometer, the petition called on lawmakers to undertake a comprehensive analysis of the Labour Act to address the scourge of sexual harassment in the world of work.

Speaking at the launch of the policy, Vincent Hungwe, chair of the Public Service Commission, said the policy seeks to address shortcomings in the public service to address sexual harassment. "There has been reluctance by victims to report sexual harassment incidents and cases due to various reasons, including fear of the unknown outcomes, fear of retaliation from the perpetrator, family or societal pressures," he noted.[46]

By establishing formal and informal complaints handling procedures, the new policy attempts to address some of the evident gaps in Public Service Act regulations, such as:

- Lack of an explicit provision for sexual harassment and penalties for it;
- The fact that victims must lodge complaints of sexual harassment with an immediate supervisor, even if they may be the perpetrator of the harassment; and
- There is no built-in dispute handling procedure for sexual harassment cases.

The policy covers some of the common behaviours and actions that constitute sexual harassment and extends to cover new non-verbal conduct such as sharing or displaying of sexually explicit or suggestive material including photographs, reading matter or objects, offensive screen savers, sexually-suggestive gestures, whistling, leering, and sending sexually explicit messages using electronic devices.

*Source: Zimbabwe Sexual harassment policy, UNDP.*



Government and UN Development Programme (UNDP) representatives launch Zimbabwe's Public Service Sexual Harassment Policy on 22 July 2022 in Harare.
. Credit: UNDP Zimbabwe/Valentine Gwerevende

# Obstetric violence

Pregnant or birthing individuals can experience obstetric violence (OV), which includes physical, emotional, psychological, and sexual violence committed by healthcare practitioners, such as doctors, nurses and midwives. Until recently, this institutionalised form of VAW has received scant

[46] Milestone as Zimbabwe Government puts Sexual Harassment Policy in place | United Nations Development Programme, https://www.undp.org/zimbabwe/news/milestone-zimbabwe-government-puts-sexual-harassment-policy-place, accessed: 8 September 2022.

acknowledgement, even though it violates fundamental women's rights.

Fighting OV involves recognising the role gender inequality has in creating hierarchical dynamics between doctor and patient.[47] A 2019 analysis of factors that characterise OV showed that power disparities between doctors and patients discourage women from objecting to or speaking out against abusive practices. It also noted that obstetric violence is not limited to pregnant women, that healthcare practitioners mistreat specific groups of women, and that obstetric violence discourages women from consulting maternal health services or obstetrician-gynaecologists.[48]

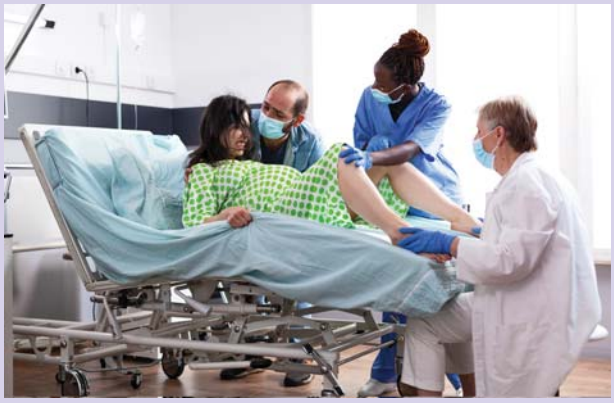


## South Africa: The dark side of birth: obstetric violence is a form of GBV[49]

Many pregnant mothers in South Africa have experienced a form of obstetric violence, an often-ignored form of GBV.

At 23, Nthateng (not her real name) shared one example of this along with the trauma she experienced in the childbirth process. It began with her partner calling an ambulance when she went into labour, which only arrived four hours later. When she finally made it to the hospital, healthcare staff refused to administer pain medication despite her frequent and desperate requests for it.

Instead, Nthateng says they told her to "stop being dramatic" and return to her bed. She did so, and laboured there alone and terrified. Eventually, her water broke and she could feel her baby's head with her hand. Feeling the sudden urge to push, she got off the bed, stood up, legs apart, and screamed loudly - a shout that helped alert a nurse, who came to her room to support the birth.



Women and girls in South Africa often face physical and psychological violence from healthcare providers during childbirth. Credit: @DCStudio

Still in incredible pain, she felt someone cut between her vagina and anus (a procedure known as an episiotomy) as part of the delivery. Afterwards, the healthcare staff neglected to show her Nthateng how to breastfeed or care for her new baby, her first. Yet she recalls nurses shouting at her when her baby cried, admonishing her for not keeping it quiet. She also recalled how another mom in the ward had a psychotic episode and the nurses did nothing to support the woman and instead stood nearby laughing. Now back home and caring for her newborn, Nthateng struggles to come to terms with the experience. The episiotomy means she feels constant pain alongside the exhaustion of being a new mother. She struggles to sleep as frequent nightmares remind her of her time at the hospital. She filed a formal complaint with the hospital and has had no response.

### *Obstetric violence often ignored*

In 2019, the Commission for Gender Equity submitted a report to the United Nations Special Rapporteur that raises the alarm about this often-ignored form of GBV.[50] In it, the authors write "research and investigations conducted over

[47] Thelwell, K. (2020) 6 Things to Know About Obstetric Violence, The Borgen Project, https://borgenproject.org/obstetric-violence/, accessed: 7 September 2022.
[48] Bohren, M.A. (2019) 'How women are treated during facility-based childbirth in four countries: a cross-sectional study with labour observations and community-based surveys', 394, p. 14.
[49] Patterson, T.-L. (2021) The dark side of birth - obstetric violence is a form of GBV, Health-e News, https://health-e.org.za/2021/12/28/the-dark-side-of-birth-obstetric-violence-is-a-form-of-gbv/, accessed: 7 September 2022.
[50] Commission for Gender Equity 2019 Report to the United Nations Special Rapporteur, https://www.ohchr.org/Documents/Issues/Women/SR/ReproductiveHealthCare/Commission for Gender Equality South Africa.pdf

the last two decades in South Africa have shown that women and girls seeking reproductive healthcare services in the public health system often face physical and psychological violence and mistreatment."

These acts of abuse and mistreatment include psychological abuse in the form of neglect, verbal assault; and discrimination and stigma based on age, gender, sexual orientation, race, class or HIV status. Physical abuse can include slapping, dragging, applying pressure to the abdomen during labour and isolating women in active labour as a form of punishment. OV also includes invasive medical procedures (such as vaginal and cervical examinations, C-sections, episiotomies and hysterectomies) when performed without informed consent or knowledge.

Access to reproductive healthcare is fundamental to women's autonomy over their bodies and their lives. A woman seeking reproductive healthcare has vulnerabilities in those moments, and these experiences have far-reaching effects on her health and the health of her child(ren). Any violence or harassment committed against women accessing reproductive healthcare reflects a serious violation of their human rights.

### *Obstetric violence is not new*

Academic literature on obstetric violence in South Africa dates to a 1997 Medical Research Council (MRC) study of maternal health services in and around Cape Town.[51] It investigated nursing practices at healthcare facilities at the primary, secondary and tertiary levels. At all three tiers of the maternal healthcare system provided by the state, women reported humiliation, neglect and abuse. Researcher Rachelle Chadwick's 2016 guest editorial in the South African Medical Journey warns against the lack of accountability for medical professionals and institutions in South Africa.[52]

She writes, "Calls for legal action and the criminalisation of abusive practices by healthcare professionals are now gaining ground in the SA context. While it is true that the roots of abusive treatment are complex, including health system inadequacies, an insufficient emphasis on an ethics of care in midwifery training, poor working conditions, healthcare professional overload and historical legacies of inequalities, there is also no excuse for failure to hold individuals and institutions accountable for practices that dehumanise, degrade and cause harm to women and girls in some of their most vulnerable[53] moments (i.e. labour and childbirth)."

### *At crisis point*

Although there is a lack of reliable quantitative data in relation to the prevalence of obstetric violence, activists have enough qualitative data to conclude that violence experienced by birthing persons represents a national crisis and should be on the national agenda. According to the auditor general's 2019-2020 report, the National Department of Health (NDoH) faced litigation claims totalling R147 billion ($7.2 billion). NDoH pays billions in medical negligence lawsuits at public hospitals, many connected to maternal and neonatal injuries and deaths. Medico-legal claims against the state are on the rise. They affect service provision and planned improvements.

### *COVID-19 impact*

Even before the pandemic, South Africa had disparities in the spatial distribution of facilities and the availability of skilled birth attendants. Healthcare workers often report that they are under-supported and overworked, which leads to high levels of burnout. The COVID-19 pandemic has complicated this high-pressure situation as healthcare workers now work longer, more demanding hours, often without adequate personal protective equipment.

[51] Jewkes, R., Abrahams, N. and Mvo, Z. (1997) Study of health care seeking practices of pregnant women in Cape Town. Pretoria: CERSA-Women's Health, Medical Research Council. http://196.21.144.194/gender/pregnant.pdf.
[52] Chadwick, R.J. (2016) 'Obstetric violence in South Africa', South African Medical Journal, 106(5), pp. 423-424, https://doi.org/10.7196/SAMJ.2016.v106i5.10708.
[53] Cullinan, K. (2016) Mission impossible? Replacing abuse with empathy, Health-e News, https://health-e.org.za/2016/08/22/mission-impossible-replacing-abuse-empathy/, accessed: 7 September 2022.

Private healthcare is not exempt from these problems. In 2020, a Council for Medical Schemes (CMS) report argued that the high rate of malpractice litigation (a reported 98% of all legal claims in obstetrics relate to vaginal births) in private healthcare may be behind the climbing rates of medically unnecessary C-sections.[54] The CMS estimates that as many as 77% of C-sections have no medical justification, needlessly exposing women to possible complications of major surgery.

***System-wide attention and solutions needed***

Nthateng's experience is a symptom of a larger set of problems that demand system-wide attention and solutions. There is a need for stronger accountability mechanisms and transparency. Many women who try to get justice face denial, dismissiveness, and a general unwillingness to engage.

*Source: Health e-News, by Nonkululeko Mbuli and Rumbi Goredema Görgens.[55]*

# Effects of GBV

Studies on GBV show that exposure to GBV leads to many adverse health outcomes.[56] This includes HIV and AIDS and other sexually transmitted infections (STIs), induced abortion, low birth weight and prematurity, harmful alcohol use, depression and suicidal tendencies, non-fatal injuries, and fatal injuries (intimate partner homicides).

In Sub-Saharan Africa, research has long identified GBV as a major determinant of HIV and AIDS infections among women. This has seen activists champion several interventions focusing on the eradication of violence against women to fight the spread of the HIV.

The recent Meta study on online violence showed how OGBV limits the innate rights to freedom of speech and association, and affects the livelihoods of women and girls.[57] Online exclusion due to OGBV bars them from accessing health, financial and educational resources, amongst other things. Many public goods and services are now available online. The drawback of this, however, is that many women and girls may not be able to access important information because they do not know where to find it or they worry about OGBV repercussions and risks.

Online exclusion due to OGBV bars women from accessing health, financial and educational resources

This civic and social information represents an essential element of participation in democratic processes such as elections and referenda. When they lack it, women face alienation within their communities, often unable to apply for jobs or engage in electronic transactions. All of this holds women and girls back. It also impedes progress to achieving the SDGs, which include a goal aligned with access to basic services and states that governments should use technology to inform and empower women.[58]

[54] Council for Medical Schemes, Epidemiology and trends of caesarean section births in the medical schemes' population, 2015 - 2018, https://www.medicalschemes.com/files/Research%20Briefs/Caesarean%20section%20births%20-%20Research%20Brief%201%20of%202020.pdf
[55] Patterson, T.-L. (2021) The dark side of birth - obstetric violence is a form of GBV, Health-e News, https://health-e.org.za/2021/12/28/the-dark-side-of-birth-obstetric-violence-is-a-form-of-gbv/, accessed: 7 September 2022.
[56] García-Moreno, C. et al. (2013) Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence. Geneva, Switzerland: World Health Organization.
[57] Understanding-Online-GBV-In-Southern-Africa: An Analysis of eight country prevalence of digitally enabled gender-based violence.
[58] UN Sustainable Development Goals Indicators https://unstats.un.org/sdgs/metadata/?Text=&Goal=5&Target=5.b, accessed 18 November 2021.



## Botswana: Lack of data inhibits support for sex workers facing violence, say activists

Sex workers across the region face stigma, police brutality, and discrimination from healthcare providers. They also face GBV but activists do not know how much or what types due to a persistent lack of data and documentation on the topic.

One 2016 study, the Sex Work and Violence in Botswana Needs Assessment, found that 66% of sex workers experienced violence in the year preceding the study, with clients and law enforcement representing the main perpetrators. Tosh Beka, Sisonke Botswana executive director, said sex workers also face a wide range of barriers to access justice in Botswana, both as victims of crime and if police charge them with crimes of prostitution. Selling sex is legal in the country, but soliciting it is illegal.

According to Beka, female sex workers experience an increased risk of physical and sexual violence along with stigma and discrimination. This increased during the COVID-19 pandemic as social media posts spread misinformation linking sex workers to the spread of the virus.

Moreover, accessing SRH services during the pandemic became more challenging although sex workers began using a mobile emergency response system to report cases of violations, some of which the system referred to Botswana Network on Ethics, Law and HIV and AIDS (BONELA) for investigation.

Most sex workers access health services from Botswana Family Welfare Association, a nationally recognised leader in SRH. "We have hotspots in some selected areas where we park our mobile clinic," said outgoing president of the Youth Action Movement, Precious Ndlovu. "We provide those who have tested HIV positive with antiretrovirals (ARVs), condoms, we provide pap smears, and our clients are checked every year or at least twice a year."

With the aim to ensure sex worker human rights become a reality, BONELA has called upon the government to take immediate action guided by human rights principles to promote, protect and satisfy the rights of sex workers.

BONELA and Sisonke Botswana also run Hands Off, which supports sex workers with psychosocial support and counselling, legal services, food packages and linkages with service providers including the police, emergency shelter and relief services.

But the groups say they need better data on the extent of GBV in the community to improve their impact and the lives of their sex worker clients. "Community attitudes need to change so that sex workers can come out in the open and access services, especially HIV services," said BONELA's Cindy Kelemi. "We also need comprehensive programmes to address the needs of children of sex workers who require life skills programmes and psychosocial services as they too become affected by what their parents do for a living."

Furthermore, she said, there is a continued need to support the removal of legal and health-related barriers and address stigma and discrimination through engagement with community leaders and members. She noted that the public should understand that sex work is work and that sex workers are part of our communities: they are mothers, sisters, and aunts, they engage in sex work to improve their socio-economic status. It is in the best public health interest to protect them.

*Source: Lephoi, Keneilwe, GL News Service, Botswana.*[59]




Activists take part in a sex worker rights protest in Western Cape in South Africa in 2021. Female sex workers in the region experienced an increased risk of physical and sexual violence during the COVID-19 pandemic.
Photo: Sisonke

[59] GBV Prevalence amongst Sex Workers Not Documented. GL News Service Sixteen Days of Activism News series.

# Response

**SADC Gender Protocol Article 20.1**: States parties shall:
(a) Enact and enforce legislation prohibiting all forms of GBV;
(b) Develop strategies to prevent and eliminate all harmful social and cultural practices, such as child marriage, forced marriage, teenage pregnancies, slavery and female genital mutilation; and
(c) Ensure that perpetrators of GBV, including domestic violence, rape, femicide, sexual harassment, female genital mutilation, and all other forms of GBV are tried by a court of competent jurisdiction.
(d) **SADC Gender Protocol Article 20.6**: State parties shall ensure that cases of GBV are conducted in a gender sensitive environment.
(e) **SADC Gender Protocol Article 20.7**: State parties shall establish special counselling services, legal and police units to provide dedicated and sensitive services to survivors of gender violence.
**SADC Gender Protocol Article 20.3**: States parties shall review, reform, and strengthen their laws and procedures applicable to cases of sexual offences and GBV to:
(a) Eliminate gender bias; and
(b) Ensure justice and fairness are accorded to survivors of gender-based violence in a manner that ensures dignity, protection and respect.
**SADC SRHR Strategy Outcome 10**: Remove barriers - including policy, cultural, social, and economic - that serve as an impediment to the realisation of SRHR in the region (SDGs 5.1 and 5c).
**Maputo Protocol 2(a)**: States parties shall take appropriate and effective measures to: Enact and enforce laws to prohibit all forms of violence against women including unwanted or forced sex whether the violence takes place in private or public.

Critical gaps still exist when it comes to the scope of legislation to respond to emerging and evolving forms of GBV, such as online violence

While the region has made progress on legislation dealing with GBV with specific laws and penal codes, critical gaps still exist when it comes to the scope of legislation to respond to emerging and evolving forms of GBV such as online violence.[60] The following sections focus on legislation around OGBV, delving further into some of the regional updates and presenting possible entry points where lawmakers could amend existing legislation to encompass online violence and harassment.



In **Angola**, the 2017 Computer Networks and Systems Protection Law provides for security on the internet.[61] It states that internet providers should promote the registration of users and the implementation of measures and tools for the anticipation, detection and reaction to security risks on their networks. This provision clearly promotes backdoor surveillance through the mandatory registration of internet users. While freedom of expression

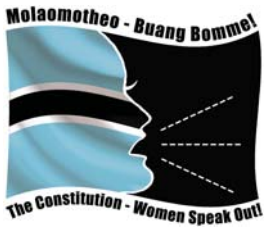
[60] SADC regional strategy and 2018-2030 Framework of Action
[61] Angola Computer Networks and Systems Protection Law 7 of 2017.

and privacy activists criticise this feature, others see it as a positive way to protect women in the online space, as it aims to protect all users connected to different platforms and telecommunications service providers in Angola. The Electronic Communications Law (No. 23/11 of 20 June 2017) provides for the protection of citizens online.[62] Article 15 refers to the "protection of citizens in the use of ICTs." It provides for the right to confidentiality of communications, the right to privacy of personal information, including the right of access and consultation, and the right to use this information in strict compliance with constitutional principles and applicable legal rules.



**Botswana**'s 2008 Domestic Violence Act of 2008 set out to protect women from abuse perpetrated within domestic relationships.[63] While the law does not specifically address OGBV, it refers to harassment that may occur electronically via sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to someone's home or work.[64] The law, which aims to address GBV in totality, albeit in the context of domestic violence, could be a point of reference for advocates looking to bring in greater specificity on OGBV. The government passed the Cybercrime and Computer Related Crimes Act 2018 to respond to cybercrime and computer-related crimes, and to facilitate the collection of electronic evidence. The law is meant to respond to, and keep up with, new crimes such as cyberterrorism, money laundering, trafficking of illegal and harmful chemicals, cyberstalking and cyber harassment.[65] It also has sections on offensive electronic communication, pornographic or obscene material and non-consensual sharing of material.

In 2022, Botswana struck a group, known as the Dibotelo Commission or the Presidential Commission of Inquiry into the review of the Constitution of Botswana, to support a constitutional review. Representatives of all five major political parties and seven women's rights organisations, with tech-nical support from GL, the UN Resident Coordi-nator's Office in Botswana, UN Women East and Southern Africa Regional Office (ESARO) and the Southern Africa Multi Country Office (SAMCO) made a submission to the commission.




A submission by the group Molaomotheo-Buang Bomme (*The Constitution: Women Speak out*) argues that a compelling reason for the review of Botswana's 55-year-old Constitution is to ensure compliance with global, African, and Southern African regional commitments to attain gender equality.

Key recommendations made on the topic of protection from violence state that government should:

- Guarantee the Constitution includes a section that addresses GBV specifically.
- Be obliged to protect and secure citizens, e.g. Section 12(1) (c) Provision of comprehensive services, including dignified reporting spaces, expedient case management, and closed courts.
- Enhance Section 7 of the Botswana Constitution (Protection from Inhuman Treatment). This could include language on human dignity, for example, Section 10 of the South African Constitution.
- Have a mandatory requirement for the protection of citizens against sexual harassment in all institutions. It noted that having a sexual harassment policy should be a prerequisite for the registration of all, inclusive of political parties, and
- Add in Sec 16 (1): "If he or she has been convicted of any GBV offense," as a criterion for disqualifications for membership of the National Assembly.[66]

[62] Angola Electronic Communications Law 23 of 2011.
[63] UN Women 'Global Database on violence against women' https://evaw-global-database.unwomen.org/en (accessed 13 November 2021).
[64] Botswana Domestic Violence Act 10 of 2008.
[65] C Swanka 'Botswana reviews Cinematography Act to boost creative economy' Sundat Standard 2 September 2019 https://www.sundaystandard.info/botswana-reviews-cinematography-act-to-boost-creative-economy/ (accessed 13 November 2021).
[66] Molaomotheo- Buang Bomme! Submission Paper to the Dibotelo Commission.



**Namibia**'s Cybercrime Bill has languished in draft form since 2013. Government last updated it in 2019.[67] Among other things, it seeks to address electronic harassment and abuse. For instance, in chapter 4, section 14, the Bill stipulates, "a person who intentionally posts or sends [a harmful] data message, or who intentionally causes such a data message to be displayed, commits an offence." Once convicted, offenders must pay a fine not exceeding N$10 000 ($570), or the case may result in imprisonment for a period not exceeding two years. While this section deals with non-consensual sharing of images, cyber threats and serious harms to reputations, it makes no specific reference to women, girls and the lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) community as members of society requiring special considerations.



**Mozambique** has no specific legislation to protect women online; the legal frameworks on women's rights are outdated or have no provisions of relevance for OGBV. This is despite the fact that its constitution clearly establishes total gender equality in all areas of society. It also prohibits all legislative, political, cultural, economic, and social discrimination (Articles 6, 67, and 69). According to Article 6, all citizens are equal before the law, enjoy the same rights and are subject to the same duties, regardless of colour, race, sex, ethnic origin, place of birth, religion, level of education, social position, marital status of the parents or profession. Article 67 states that men and women are equal before the law in all spheres of political, economic, social and cultural life.



**Malawi**'s Penal Code contains provisions that could tackle online violence. It dates back to 1930 and contains archaic language that does not apply to current circumstances. Nonetheless, it includes the offence of insulting the modesty of a woman in section 137. The justice system could use this provision to prosecute those who commit online violence, for example, the non-consensual sharing of intimate images of the victim or others and using profane language against women. Another noteworthy cybersecurity-related law is the 2016 Electronic Transactions and Cyber Security Act (ETCS Act). Leaders also developed a National Cybersecurity Strategy. The ETCS Act establishes a Malawi Computer Emergency Response Team (MCERT) that could support the fight against OGBV. Section 6(2) of the ETCS Act states "the Malawi CERT shall take charge of its information infrastructure protection actions and serve as a base for national coordination to respond to information and communication technology security threats." The Act highlights offences related to computer systems such as child pornography,[68] cyber harassment,[69] offensive communication,[70] and cyberstalking,[71] among others. This is the only act in Malawi that speaks directly to OGBV; however, the country has yet to see it used for in such a case.



Women take part in online training courses during the 16 Days Activism in Curepipe Council, Mauritius, in 2013. Photo: Mary Coopa



**South Africa** developed a 2020-2030 national strategic plan (NSP) on ending GBVF, which, amongst other things, deals specifically with OGBV.[72] The NSP, an output of the 2018 Presidential Summit in response to the GBVF crisis, aims to provide a multi-sectoral, coherent strategy, policy and programming framework to strengthen a coordinated national response to GBVF by the govern-

[67] Council of Europe 'Namibia: Cybercrime policies/strategies' https://www.coe.int/en/web/octopus/country-wiki-ap/-/asset_publisher/CmDb7M4RGb4Z/content/namibia?_101_INSTANCE_CmDb7M4RGb4Z_viewMode=view/, accessed 3 November 2021.
[68] Electronic Transactions and Cyber Security Act 33 of 2016 sec 85- 'child pornography' is a direct quote from the Act, however the widely accepted terminology is child sex abuse material.
[69] Electronic Transactions and Cyber Security Act 33 of 2016 sec 86.
[70] Electronic Transactions and Cyber Security Act 33 of 2016 sec 87.
[71] Electronic Transactions and Cyber Security Act 33 of 2016 sec 88.
[72] National Strategic Plan on Gender-Based Violence and Femicide 2020 https://www.justice.gov.za/vg/gbv/NSP-GBVF-FINAL-DOC-04-05.pdf, accessed 8 November 2021.

ment and the country as a whole.[73] The national strategic plan acknowledges the existence of OGBV in the activities, outcomes and outputs outlined in the document. It defines it as any act of GBV against a woman that is committed, assisted or aggravated in part or fully by the use of ICTs, such as mobile phones, the internet, social media platforms or email, against a woman because she is a woman, or affects women disproportionately. Its interventions include addressing online violence and it recognises the specific vulnerability of young women in facing a disproportionate level of online violence.[74] It calls for technology intermediaries to adhere to human rights standards to protect women's rights on online platforms and new technologies. It also calls for the design and roll out of disability-accessible cyber violence and cyber awareness programmes that promote online safety. The NSP requires capacity building for police, prosecutors and the judiciary on emerging cyber threats and it fast tracks legislative measures to address inadequate management of OGBV cases. It notes the need for a deepened understanding of the impact of online violence on women and LGBTIQ persons and potential strategies to address it.[75]



After protracted years spent passing its Domestic Violence Bill, **Lesotho** legislators moved a step closer to enacting the much-anticipated law to address domestic violence in the country.[76] In March 2022, the National Assembly approved the Counter Domestic Violence Bill, 2021. If passed into law, it will ensure Lesotho upholds its commitments to the 2009 AU Gender Policy, 2008 SADC Protocol (as amended), 1997 SADC Declaration on Gender and Development, and 1995 CEDAW.

The bill seeks to abolish abusive practices that degrade children and women, such as forced marriages, the practice of marrying off widows to brothers of their deceased husbands, and the practice of marrying off men to their infertile wives' sisters. It also criminalises incest, in particular sexual relations between parents and their children. The bill will apply to people in domestic relationships and it recognises the discrimination experienced by people because of their age, disability, sexual orientation and gender identity.

> A new Domestic Violence Bill in Lesotho will abolish practices such as forced marriage

The bill affords victims protection in the form of court orders known as protection orders to prohibit perpetrators from doing certain acts. Activists expect it to provide for the establishment of a family court to handle cases arising out of family squabbles as well as hear cases of domestic violence. It also provides for the establishment of restorative justice councils, at which village chiefs will guide proceedings.[77]



In June 2020, **Zambia**'s cabinet passed a resolution to approve the African Union Convention on Cybersecurity and Personal Data Protection. This ensures harmonisation of the new cyber laws and regional cooperation on matters of cybersecurity, cybercrime and data protection. Following this, in March 2021, Zambia passed three ICT-related laws: The Cybersecurity and Cybercrimes Act, Data Protection Act and Electronic Commerce and Transactions Act (reviewed).[78] Of these, the Cybersecurity and Cybercrimes law provides general protections for OGBV. It criminalises the following offences: pornography,[79] child sexual abuse,[80] child solicitation,[81] production, possession and

[73] Ibid
[74] National Strategic Plan on Gender-Based Violence and Femicide 2020 https://www.justice.gov.za/vg/gbv/NSP-GBVF-FINAL-DOC-04-05.pdf, accessed 8 November 2021.
[75] Ibid
[76] Victory in sight for domestic violence victims - Lesotho Times. Available at: https://lestimes.com/victory-in-sight-for-domestic-violence-victims/ (Accessed: 8 September 2022).
[77] Ibid
[78] The Electronic Commerce and Transactions Act of 2009 was reviewed and unbundled to form the current ECT Act, Data Protection Act and Cybersecurity and Cybercrimes Acts.
[79] Cybersecurity and Cybercrimes Act 2 of 2021 sec 56.
[80] Cybersecurity and Cybercrimes Act 2 of 2021 sec 57.
[81] Cybersecurity and Cybercrimes Act 2 of 2021 sec 58.

circulation of obscene matters or things,[82] unsolicited electronic messages,[83] hate speech,[84] and harassment using electronic means.[85] For instance, it notes, "a person shall not produce or participate in the production of pornography using a computer system. A person convicted of an offence under subsection (1) is liable to a fine not exceeding five hundred thousand penalty units or to imprisonment for a period not exceeding five years, or both."[86] The provision on pornography criminalises and discourages all non-consensual sharing of private images and content through production, distribution, selling, procuring, or circulation.



While there is no reference to online violence in **Zimbabwe**'s Domestic Violence Act, (DVA (2006), lawmakers there gazetted a Cyber Security and Data Protection Bill on 15 May 2020. Enacting it will create the following noteworthy offences, which address OGBV and attract a penalty or a fine or imprisonment for a period not exceeding ten years, or both. These include:

- The transmission of data messages inciting violence or damage to property;
- The sending of threatening data messages;
- The generation and sending of any data message to another person, or posts on any material whatsoever on any electronic medium accessible by any person, with the intent to coerce, intimidate, harass, threaten, bully or cause substantial emotional distress, or to degrade, humiliate or demean the person of another or to encourage a person to harm himself or herself;
- The distribution, making available or broadcasting data concerning an identified or identifiable person knowing it to be false, intending to cause psychological or economic harm; and
- The transmission of data with intimate images without consent.[87]

# Support




**SADC Gender Protocol Article 23.2**: State parties shall ensure accessible, effective and responsive police, prosecutorial, health, social welfare and other services to redress cases of GBV.

**SADC Gender Protocol Article 23.3**: State parties shall provide accessible, affordable, and specialised legal services, including legal aid, to survivors of GBV.

**SADC Gender Protocol Article 23.4**: State parties shall provide specialised facilities including support mechanisms for survivors of GBV.

If survivors of GBV face impediments that deny them access to justice in "normal" times, what happens during a pandemic? Jarpa Dawuni, the founder of the Institute for African Women in Law, notes that the COVID-19 pandemic brought "new challenges to judiciaries, and applying a gendered lens to these challenges... highlights extra layers of concerns for women's ability to safely, promptly and efficiently access justice."[88]

[82] Cybersecurity and Cybercrimes Act 2 of 2021 sec 59.
[83] Cybersecurity and Cybercrimes Act 2 of 2021 sec 62.
[84] Cybersecurity and Cybercrimes Act 2 of 2021 sec 65.
[85] Cybersecurity and Cybercrimes Act 2 of 2021 sec 69.
[86] Ibid
[87] Cyber Security and Data Protection Bill 2019 clauses 164, 164A, 164B, 164C and 164E.
[88] The Gendered Face of COVID-19: Women and Access to Justice, https://www.unodc.org/dohadeclaration/en/news/2020/04/gendered-face-of-covid19-women-and-access-to-justice.html, accessed 18 September 2022.

Challenges include legal costs, transport costs to health care facilities, and subjective costs that link to religion, stigma, and tradition. More than ever, state parties must amplify and accelerate survivor-centred approaches that aim to empower the survivor, prioritising the rights, needs, and wishes as well as offering multiple SRHR services to women and girls as they seek to redress cases of GBV. Dedicated funding from governments remains essential as well as collaborative partners to sustain the minimum support mechanisms for survivors of GBV.



As a way of increasing outreach to GBV survivors, the **Zimbabwe** government, with support from the Spotlight Initiative to eliminate GBV, has launched a mobile one-stop centre. "We are taking services to the people," Sithembiso Nyoni, minister of women affairs, community, small and medium enterprises, said at the launch. This innovative approach adds to the existing brick and mortar one-stop centres in Harare, Makoni, Gwanda, Gweru, Rusape, Chipinge and Chinhoyi. Altogether, these centres have assisted more than 8000 survivors to access health, legal, counselling, psychosocial and protection support, with victims of sexual violence accounting for 65% of that number.[89] The mobile centres also respond to concerns of SRH service disruptions during pandemic lockdowns and concerns about a lack of privacy at police stations and health centres for those reporting abuse.

In addition, Nyoni's ministry launched and operationalised a national GBV web-based information portal in collaboration with the Anti Domestic Violence Council of Zimbabwe.[90] Its purpose is twofold: to promote and facilitate access to available services for GBV survivors from community to national level, and to aid GBV service providers in coordinating their own efforts. The portal also serves as a repository of key documents and data resources on GBV in Zimbabwe.

Zimbabwe launched a mobile one-stop centre for GBV survivors who may not be able to access in-person services

# Economic justice

Widespread lack of economic independence for women restricts economic growth in SADC and hinders progress on women's economic empowerment efforts across the region. Evidence shows that women constitute more that 50% of the poorest segment of the SADC population.[91] Countries will only sustainably address poverty rates when they can guarantee access and participation of women in all economic sectors. Economic empowerment of women not only positively influences their personal financial situations; it is also central to mobilising their potential for sustainable development and poverty alleviation.

Since 2001, GL has worked with more than 2000 women to document their experiences of GBV as part of its "I" Stories series.[92] In these first-hand accounts of GBV, women have repeatedly said they stay in abusive relationships because they have no choice due to a lack of economic independence. In her article *South Africa:*

[89] 'Healthtimes (2019) 'Zim Launches Mobile One Stop Centres For GBV Survivors', HealthTimes, 6 December, https://healthtimes.co.zw/2019/12/06/zim-launches-mobile-one-stop-centres-for-gbv-survivors/, accessed: 10 September 2022.
[90] GBV Portal, https://www.zimgbvportal.org.zw/about/, accessed: 10 September 2022.
[91] Southern African Development Community: Women Economic Empowerment Programme, https://dev-www.sadc.int/issues/gender/women-economic-empowerment-programme/, accessed: 10 September 2022.
[92] 'I' Stories - Gender Links, https://genderlinks.org.za/what-we-do/justice/i-stories/, accessed 1 July 2021.

*Needed - New approaches to ending GBV*,[93] GL's Special Advisor, Colleen Lowe Morna, mentions that, "the slogan 'voice and choice' is meaningless to those who do not have the economic means to exercise their agency."

> The COVID-19 pandemic eroded women's economic independence, and increased unemployment and the burden of unpaid work

The COVID-19 pandemic further eroded women's economic independence, and increased unemployment and the burden of unpaid work. More than ever, lawmakers face an urgent need to adopt gender-responsive laws and policies to mitigate these challenges and reduce women's economic dependency on male partners. As the "I" Stories noted, this dependency prevents many women from reporting abuse.

During the opening of the Women Economic Assembly to empower women (WECONA) in October 2021, South African President Cyril Ramaphosa noted that the economic empowerment of women represents one of the pillars of the country's National Strategic Plan of Gender-Based Violence and Femicide. "By improving the economic circumstances of women, we are reducing their vulnerability to abuse and violence," he said. "By being less economically dependent on male partners, women have a better chance of leaving an abusive relationship." WECONA has its eyes on government's commitment to ensure that 40% of all government procurement ends up in the hands of women.[94]

## The Sunrise Campaign - empowering women to end violence

In 2013, GL piloted a programme entitled *Empower Women: End Violence*. Known as the Sunrise Campaign, the group employed it to test the hypothesis that increasing women's agency, confidence and economic power would result in less violence for women in relationships and more control over their lives. Results to date show a strong positive correlation between women's economic independence and sustainable solutions to GBV.

The campaign's entrepreneurship course targets survivors of GBV and combines life skills to enhance confidence and agency with basic business skills. While GBV debilitates and destroys self-worth, business builds confidence, negotiation skills, innovation, and resilience. The two forms of training thus complement each other. A unique feature is that local councils have undergone a ten-stage process to become




Centres of Excellence (COEs) for gender in local government anchor the course. The councils include support for survivors of GBV as part of their GBV and local economic development action plans.

The programme has evolved over the years to include handing over primary management to the COEs, a mentorship component, and working with men. In 2021, GL worked with women and girl survivors in Eswatini, Lesotho, Madagascar, Mauritius and South Africa to exercise #Voiceand Choice through increased agency and economic power to prevent GBV and take control of their lives.

[93] Colleen. L. Morna 'South Africa: Needed - new approaches to ending GBV', Women's Voice and Leadership SA, http://www.wvlsa.org.za/south-africa-needed-new-approaches-to-ending-gbv/, accessed: 10 September 2022.
[94] Ibid.

Table 6.4: Sunrise Campaign reach in three countries, 2021-2022

| Country | Number of councils | Number of women trained | Number of men trained | Number of councils that completed life skills training | Number of councils that completed men's workshops | Number of councils that completed action planning workshops |
|---|---|---|---|---|---|---|
| Eswatini | 12 | 204 | 180 | 12 | 12 | 6 |
| Madagascar | 13 | 283 | 144 | 13 | 13 | 16 |
| South Africa | 19 | 326 | 173 | 13 | 11 | 6 |
| **Total** | **44** | **813** | **497** | **38** | **36** | **28** |

*Source: GL Sunrise Campaign programme August update.*



Men, including perpetrators of violence, took part in GBV training and prevention workshops led by GL in Anatanamitarana, Madagascar, in 2021. Photo: Zotonantenaina Razanadratefa

Table 6.4 shows that, by August 2022, GL had worked with 813 women and 497 men from 44 councils in the three countries. GL has also worked with all the councils to review and revise their GBV and Local Economic Development (LED) action plans. The plans include yearlong GBV campaigns. The process began in November 2021 when councils conducted stocktaking exercises during the 16 Days of Activism. To facilitate learning and sharing, all the women entrepreneurs signed up to WhatsApp groups.

"I" Stories from participants in the programme show positive changes in participant businesses and increased personal agency in their lives.

*"I am Nomathemba Tema, I am in my 50s. I am from Midvaal in South Africa. My husband and I got into a fight and decided to separate. We had kids together. When we separated, he then got a girlfriend. I did not work or have any financial support since he took care of everything. The girlfriend did not want the kids around and she did not want my husband to support them financially. I refused to send my kids to my husband and his girlfriend. That is when our communication stopped, he also stopped visiting the children and stopped his financial support.*

*Along my journey I was introduced to GL. I have learned a lot, I gained wisdom, knowledge and skills. After everything that has happened in my relationship and through the help of GL, I told myself that I do not rely on anyone to support me financially, so I started looking for jobs and tried opening up a business so that I am able to support my children. I also used to struggle with low self-esteem, but now my confidence is back and I am happy that I am strong and I do not give up easily. All these because of GL. Thank you GL. I am happy and grateful to be one of your products."*

During 2021, GL began working with significant males in the lives of the women and girls, while ensuring that it did not put survivors at risk. The workshops occurred under the banner *Engaging men in GBV prevention*, with the key objectives:

- Understanding what the different forms of gender-based violence are and their impact on survivors.
- Identify ways that men can contribute to GBV prevention.

GL completed training with more than half of the men targeted in the project in Eswatini, Madagascar and South Africa. As shown in the "I" Story below, some men showed appreciation and willingness to engage other men to transform their relationships and end violence against women.

*"I am Fani Johannes Maphupha, 48 years of age, living in Lebowakgomo. I am a married man with two kids. I perpetrated GBV for many years. I used to beat my wife whom I really love, because of lack of communication with my wife. I pushed my wife to be someone she is not. Now I am totally a changed man, but I still need professional help because, at the end, I want to be someone who takes care of her and loves her. I will be happy when you can organise me help like counselling. My intention is to help other men. I know, a lot of men are afraid to come out and speak about gender based violence. I want to build a better relationship my wife and I know it should firstly start with me."*

# Training of service providers

**SADC Gender Protocol Article 24**: State parties shall introduce, promote, and provide:
(a) Gender education and training to service providers involved in GBV including the police, the judiciary, health, and social workers;
(b) Community sensitisation programmes regarding available services and resources for survivors of GBV; and
(c) Training of all service providers to enable them to offer services to people with special needs.
**BPFA +20 Africa Declaration (4.1)**: Enact and strengthen the enforcement of laws addressing and punishing all forms of violence against women and girls through adequate resource allocation and targeted capacity-building of law enforcement agencies, including the judiciary.

Effective response and support to GBV requires SADC countries to invest in continuous training and education of service providers involved in GBV, including the police, the judiciary, health, and social workers. This is important in addressing new forms of violence such as online violence, and new challenges with old problems, such as those linked to escalations in trafficking in persons and the clinical management of rape victims.



In **Malawi**, the Ministry of Gender, Community Development and Social Welfare, with support from CARE Malawi, trained 133 gender service providers on GBV case management in the context of COVID-19 in 2020.[95] These comprise police victim support units (VSUs) social welfare personnel, child protection officers and psychosocial service providers. The support included training community victim support members in six districts.

[95] Buliyani, B. (2020) 'Care Malawi invests in GBV response', The Nation Online, 29 July, https://mwnation.com/care-malawi-invests-in-gbv-response/, accessed: 10 September 2022.

# Prevention

**SADC Gender Protocol Article 21.2**: State parties shall, in all sectors of society, introduce and support gender sensitisation and public awareness programmes aimed at changing behaviour and eradicating GBV.

Eliminating GBV is not a one-off event with clear timelines but a process that takes into account many factors, including identifying risk factors and the inclusion of programmes and actions that target behaviour change in perpetrators. Emerging forms of GBV require innovative strategies and campaigns to tackle these new forms of violence.

All 16 countries in SADC have campaigns and awareness programmes around GBV prevention. They actively employ social media, including TikTok, Twitter, Facebook, WhatsApp, and Instagram, especially during the annual 16 Days of Activism against GBV.



A 2020 *Her Voice* campaign poster from South Africa's KwaZulu-Natal province. Photo: Coastal Resources Centre

## SADC: Case studies from South Africa and Malawi highlight innovative approaches to GBV prevention

### *We Will Speak Out coalition works with faith communities to end SGBV*

We Will Speak Out South Africa (WWSOSA) brings together a coalition of more than 200 individuals along with non-governmental, community, and faith-based organisations.

Its vision for transformed, just and reconciled communities in which SGBV does not destroy lives, has remained consistent since Tear Fund South Africa, Sonke Gender Justice, Christian Aid, the Bureau of Southern Africa, Zoe-Life, and SGBV survivors founded it in 2013.[96]

The impetus for the coalition links to a Tear Fund study that found faith-based communities and institutions often failed survivors, even though they represent the first place many turn for help following abuse.[97] The core purpose of WWSOSA, therefore, is to work with progressive elements in the faith sector to educate and equip faith leaders and members to speak out and act against SGBV, and to mitigate the negative impact on SGBV survivors and their families.[98]

[96] We Will Speak Out South Africa. Not dated. Full Application submitted to Gender Links for the WVL Networking Grant.
[97] WWSOSA: Faith communities ending sexual and gender-based violence. Annual Report for period August 2019 to December 2020.
[98] WWSOSA. Not dated. Full Application submitted to Gender Links for the WVL Networking Grant.

WWSOSA implements an array of projects across four pillars of work that underpin the coalition's ultimate objective: (1) supporting a vibrant and vocal GBV survivor movement; (2) equipping the faith sector; (3) joint advocacy; and (4) engaging men and boys in support of women and girls in ending GBV. The coalition mainstreams the work in Pillar 4 work into all other organisational work and activities.[99]

Organisational documents emphasise that WWSOSA prioritises SGBV survivors as the group most affected by, and most knowledgeable about, effective GBV survivor support services.[100] In this regard, WWSOSA supports the Phephisa Network for GBV survivors, which runs survivor support groups.[101]



We Will Speak Out South Africa (WWSOSA) members work to equip the faith sector with skills to support SGBV survivors. Credit: WWSOSA

WWSOSA's mobilisation work helps the faith sector understand the complexity of SGBV and the role that it can play in addressing harmful social norms. This includes conveying positive and healthy theological messages and offering safe spaces and practical support to survivors."[102]

A secondary aim is to increase the credibility of the faith sector and to include it as an effective partner in efforts towards achieving the objectives of the National Strategic Plan (NSP) to end SGBV and Femicide (NSP).[103] Methods include training, conferences, networking, and alliance building.

"We work with pastors, with church leaders, and we talk to them about how they treat survivors," said one focus group participant from WWSOSA. "We talk to them about changing the language that they use in church, and we help them to take the appropriate steps to help survivors. We are making sure that faith-based organisations become safe places for women."[104]

The six-month Faith Leaders' Gender Transformation Programme is one example of training, which, according to WWSOSA, aims "to gradually shift the dominant narrative in the faith sector by growing an online community of learning comprising change agents in a wide variety of faith communities."

WWSOSA provided extensive input on the NSP to end GBV and Femicide at national and provincial (KwaZulu-Natal) level. WWSOSA focused its contribution on pillars two and four of the NSP, which respectively address prevention, and care and support.[105]

### *Taking GBV prevention and response to World Bank project sites*

In line with its legislative commitments to address GBV, the Government of Malawi committed to ensuring that all World Bank-funded projects consider GBV risks at implementation and build on national systems to provide survivor-centred care.

While these efforts alone will not eradicate GBV, they take an important systematic step to preventing and responding to violence against women and girls.

World Bank-funded projects in Malawi now approach GBV in several innovative ways. The survivor-centred response ensures that all World Bank-financed projects acknowledge the distinctive GBV risks for different stakeholders over the

[99] WWSOSA: Faith communities ending sexual and gender-based violence. Annual Report for period August 2019 to December 2020.
[100] WWSOSA implements an impressive array of related projects.
[101] Ibid.
[102] Ibid.
[103] WWSOSA: Faith communities ending SGBV. Annual Report August 2019 to December 2020.
[104] Rapid Response Teams Focus Group participant.
[105] Ibid

lifetime of a project. Programmes prioritise survivor's interests, treating them with dignity and respect. Further, all response systems look at the various needs of women and men who have experienced violence, whether it is someone to talk to, urgent health care treatment, or legal aid. Many survivors understand their own needs best as they navigate stigma and community networks after experiencing violence.[106]

Using the World Bank's environmental and social frameworks as an entry point, administrators assess every World Bank-funded project for GBV risks. Based on the risks assessed, the Government of Malawi implements certain measures. As a priority, all workers must be trained and sign a code of conduct. Other measures include creating or strengthening systems for survivors to report violence and ensure safe and confidential referral to service providers. For example, in Chikwawa District, the World Bank-funded Shire Valley Transformation Project revamped the services of an existing one-stop centre ensuring a survivor could easily access different services under one roof (legal, medical, counselling and security).[107]

Finally, the scheme prioritises extensive collaboration with women's organisations and government departments that work to address GBV.

*Sources: M. Weideman, Women's Voice and Leadership in South Africa (WVL SA) Mid-term Monitoring and Evaluation Report Draft, and Elita Thokozani Chayala; Davies Madalitso Luhanga, and Tanya D'Lima for the World Bank Blog.*[108]

# Role of the media




**SADC Gender Protocol Article 29.7**: State parties shall take appropriate measures to encourage the media to play a constructive role in the eradication of GBV by adopting guidelines which ensure gender-sensitive coverage.

The Protocol urges the media to ensure gender equality in and through the media and to challenge gender stereotypes. The Protocol also discourages media from promoting pornography and violence against all persons, especially women and children.[109]

The role of print and electronic media in raising public awareness on GBV prevention, response, and support, especially in this information and digital age, cannot be over-emphasised. Media represents an integral component of creating a gender just society - through factual reporting, influencing political discourse and actions on eliminating GBV, and distilling myths and negative attitudes. This role is especially critical as countries recover from the COVID-19 pandemic, and as citizens of SADC look to the media for accurate information, including on the emerging threats presented by climate change, the monkeypox virus, and political instability. Organisations and governments must continue to find ways of collaborating with media to mount campaigns on GBV.

[106] https://thedocs.worldbank.org/en/doc/741681582580194727-0290022020/original/ESFGoodPracticeNoteonGBVinMajorCivilWorksv2.pdf
[107] http://www.svtp.gov.mw/
[108] Tackling gender-based violence at project sites in Malawi, https://blogs.worldbank.org/nasikiliza/tackling-gender-based-violence-project-sites-malawi, accessed: 10 September 2022.
[109] SADC Protocol on Gender and Development Article 29 (1-7).



## Zimbabwe: A survivor's story shows the essential role of media in preventing GBV

Tendai Makombe, a GBV survivor with a disability, said listening to media stories about GBV survivors finding justice gave her the courage to report her abuser.

The visually impaired mother of two enjoys listening to podcasts and other media through a phone application that converts text to audio.

"My daughter used to read newspapers for me all the time when she got home from school," she said. "Our neighbour would give us old newspapers from the previous week. People did not understand how a blind woman could love the news so much. But I got help from [GBV support network] Musasa project... after I read about how other women got help."

Makombe is one of many media consumers benefiting from innovations that help information reach new audiences through less conventional methods. She is also one of many survivors who draw strength from the stories of other survivors.

Sibongile Mpofu, a lecturer at the National University of Science and technology whose research focuses on gender and the media, said media coverage of GBV issues in Zimbabwe occurs mostly during the short period encompassing the 16 Days of Activism.

"The coverage of GBV issues in Zimbabwe is scant and very often event-driven," she said. "Even in the instances where such stories are covered, they often are not contextualised and as a result these GBV stories do not speak to the wider political economy as well as socio-cultural issues."



Journalism lecturer Sibongile Mpofu argues that media coverage of GBV in Zimbabwe is inadequate and mostly shoehorned into the annual 16 Days of Activism. Credit: NUST

Zimbabwe has signed various international and regional instruments that promote gender equality and denounce GBV. Its constitution upholds these commitments at national level. However, Makombe's story illustrates how gaps exist in disseminating these human rights to average citizens as well as how policymakers and others can help fill them.

COVID-19 showed that further innovation remains essential to tell the full GBV story, requiring the media to be alive to changing audience patterns and employ a multimedia approach to reach wider and more diverse audiences.

*Source: Extract from Zimbabwe journalist Andile Tshuma's piece for the GL News and Feature Service 16 Days of Activism News series.*

# Digital media: A fertile ground for OGBV

As noted earlier, Article 29 of The SADC Protocol discourages media from promoting pornography and violence against all persons, especially women and children.[110] Despite this, the scourge of online violence appears to be unrelenting. The 2021 SADC OGBV study by Meta in eight countries notes that, "hate speech, misogyny, dark forms of participation, information disorders and online gender-based violence (OGBV) have become the norm."

Despite the benefits associated with the acquisition and use of digital technologies, the proliferation of ICTs has contributed to the challenges faced by women and girls, including fuelling digitally enabled GBV. The results of the study, which underscore the underreporting of violence described in previous studies by GL and the DHS surveys, are summarised below:



In the case of **Angola**, research revealed that online activists and journalists face targeted threats, although they deal with less violence and harassment than journalists who operate mainly in the traditional media sphere. Some independent online news outlets reported receiving regular calls from government officials who direct them to tone down criticism or refrain from reporting on certain issues.



In **Botswana**, the research found incidents of cyberbullying, harassment and many other forms of OGBV, particularly online abuse of women campaigners and activists. Incidents of cyberbullying have increased due to growth of internet usage, and researchers suspect that most of these cases go unreported in the country.



The **Namibia** report chronicles an environment in which online violence thrives in the absence of appropriate legislation. Existing laws are outdated, gender blind and at most leave legal interpretations to the courts. The lack of gender-disaggregated data on online violence hampers reporting and consequent action in dealing with online violence in the country. Female journalists, women politicians and other women in public roles represent those most targeted, while non-consensual image sharing is amongst the top forms of online violence.

> Incidences of online violence often stem from events occurring offline, which then spread onto online platforms



Researchers found that incidences of online violence in **Malawi** often stem from events occurring offline, which then spread onto online platforms. For instance, in 2019, WhatsApp groups became awash with a video of men from an opposing party attacking and stripping a woman because of the political regalia she wore. Police eventually arrested the men and charged them with insulting the modesty of a woman, robbery, and use of force.



The **Mozambican** report highlights the launch of digital platforms aimed at promoting young people's political participation, especially women. It chronicles the inner workings of Txeka, a digital platform for promoting political participation. It also shares information about an e-platform called Nyandayeyo, which means "help," created with the sole intention of fighting against domestic violence.

[110] SADC Protocol on Gender and Development Article 29 (1-7).



In **South Africa**, research suggests that incidences of OGBV occur primarily on prominent platforms such as Facebook and WhatsApp. Facebook does not require the verification of users who sign up for these services (such as providing a phone number), which makes it easier for those looking to remain anonymous while using the platform. The South African report underscores the fact that most LGBTIQ youth resort to measures such as blocking, deleting offensive content and adjusting privacy settings to cope with cyber victimisation.



The **Zambia** report found that OGBV manifests in the country as cyber-bullying, trolling, hate speech, body shaming and non-consensual sharing of intimate images and videos. These harmful tactics usually target female politicians or political aspirants, socialites, media personalities, activists, bloggers and ordinary female internet users, especially those who regularly share their views online.



In **Zimbabwe**, female politicians, human rights defenders and journalists have also been on the receiving end of OGBV. Journalists such as Ruvheneko Parirenyatwa and Samantha Musa (MisRed) regularly face online attacks. For others, this scourge manifests in the form of cyberbullying and sharing of non-consensual intimate images. Zimbabwe witnessed a rise in GBV cases by more than 40% during the COVID-19 pandemic, as recorded in 2020 through the national GBV hotline operated by Musasa, a civil society organisation focused on GBV.

These findings by Meta show that the most vulnerable groups - women and girls - often have no voice to fight back against OGBV.[111] The absence of specific legal frameworks to protect them against the growing issue is an indictment against lawmakers in the region. Governments must collect and analyse data to understand the manifestation of OGBV so they can protect those they serve.

# Restorative justice




**SADC Gender Protocol Article 20.4**: State parties shall put in place mechanisms for the social and psychological rehabilitation of perpetrators of GBV.
**SADC Gender Protocol Article 23.5**: State parties shall provide effective rehabilitation and re-integration programmes for perpetrators of GBV.

Data on rehabilitation and reintegration programmes for perpetrators remains scarce in SADC. Men, especially current or ex-partners, represent the main perpetrators of VAW due to many factors, especially negative social constructions of masculinity. Gender activists note that progress in engaging men and boys to desist or prevent violence against women and girls remains sluggish. Part of the social and psychological rehabilitation must start within homes by encouraging men and boys to take the lead as gender champions and drivers of change within communities.

[111] Understanding-Online-GBV-In-Southern-Africa: An Analysis of eight country prevalence of digitally enabled gender-based violence.



## Local council teaches youth champions to be community influencers

Look no further than youth if you want to address toxic masculinity and its effect on high rates of GBV.

That's the message underscoring the work of Kanana Council in Lesotho, which trains youth to critically interrogate toxic masculinity and become champions for gender equality and eliminating GBV.

"If we do not take the lead to be examples in our homes, and show the boys how it is done and how they can become better, we will not overcome this issue of abuse as it starts within our homes and with us," says Liteboho Selia one of the council's youth champions.

Violence against women and girls has always bothered Selia, but until he got involved with the council, he did not know how to do anything about it.

In 2021, he participated in adolescent SRHR action planning to learn how to work together with other men to eliminate cases of GBV. He said the training was exactly what he needed.

He learned about the Nokaneng smartphone app, developed by GL Lesotho in partnership with the Ministry of Gender and Youth, Sports and Recreation, Vodacom Lesotho, Main Level consulting and Partnership for the Prevention of Violence Against Women and Girls. The app educates women about their rights and shares services available for GBV. Selia now shows the app to others in his community and teaches them how to use it.



Because many consider it a woman's chore, Liteboho Selia does the laundry in his home in Kanana, Lesotho (pictured in 2021), purposely modelling by his behaviour his efforts to interrogate stereotypes linked to toxic masculinity.
Photo: Nyeoe Nten

His conversations helped him understand men better so he can show young boys how to behave in their homes and how they should treat women. He believes the best time to train boys is while they are still young so they can grow into responsible and compassionate men who respect the women in their lives.

*Source: GL Lesotho.*[112]

# Integrated approaches




**SADC Gender Protocol Article 25**: State parties shall adopt integrated approaches, including institutional cross-sector structures, with the aim of eliminating GBV.

[112]GL Lesotho local government case studies.

Lack of collaboration often derails progress in efforts to address GBV within and across SADC countries. A multi-stakeholder approach improves coordination and collaboration among different stakeholders and subsequently enhances efficiency in eliminating GBV. While all SADC countries have created national action plans (NAPs) to end GBV, some have become outdated, and others await approval. The bigger point, however, is that NAPs require dedicated funding throughout the planning period to realise any meaningful change. Otherwise, countries will accomplish only marginal gains.



## South Africa: GBVF summits both launch and track government progress

In November 2018, South Africa hosted its first Presidential Summit on GBVF following mounting pressure to address the scourge of violence. The summit produced the first ever declaration signed off by civil society organisations and the president committing to end the scourge of GBVF in South Africa, along with the development and subsequent implementation of a NAP on GBV and Femicide. Government also committed R12 billion ($680 million) over three years to implement this work.

While these notable achievements point in the right direction, feminists and women's rights activists worry about stalled progress in meeting the 24 demands put forward by the #TotalShut down movement. The establishment of a National Council on GBVF to coordinate the NSP remains pending. Women activists argue that there has been too much talk and too little action and accountability, especially on how government uses the allocated funds.

In 2021, government requested a second summit, a proactive move that illustrates its commitment; calling for all hands on deck to reduce the high levels of GBVF. Coordination for a second summit began in 2022, including plans to hold nine provincial summits in advance on the themes of accountability, amplification and acceleration.

The Call to Action Civil Society Collective (The Collective), a feminist group of like-minded organisations and individuals, met in July 2022 to take stock of government's progress to date.




Its members define the Collective as a space that provides a platform for networking and providing support for other organisations through education, peer support, networking and for amplification, signal boosting, sharing challenges and resolutions and healing.[113]

The Collective wants South African leaders to prioritise the following six pillars and corresponding issues and needs at the second summit.

***Pillar 1: Accountability, governance and coordination***

- Understand what various government departments have been able to do and read the NSP to understand the State's responsibility.

[113]CallToAction Summit Planning and Movement Building Report.

***Pillar 2: Prevention and building social cohesion***

- Fix and create infrastructure that creates an enabling environment for prevention interventions such as streetlights, and police visibility.
- Integrate prevention interventions against key populations (LGBTIQ, persons with disabilities, etc.) and with broader GBV prevention and violence prevention interventions.
- Monitor and evaluate the South African Police response to GBV.

***Pillar 3: Justice, protection and safety***

- Effectively train and sensitise officials working in the criminal justice system including court personnel.
- Decriminalise sex work.
- Clear the backlog of cases related to GBV and upgrade the case management system.
- Create a countrywide femicide watch system.
- Make information on cases available for victims to access and track progress.
- Intervene to respond to specific barriers that all victims may face in accessing services, and specifically people with disabilities and LGBTIQ persons.

***Pillar 4: Response, care support and healing***

- Increase state funding for civil society work.
- Remove victim addresses from protection orders to strengthen the safety of survivors.

***Pillar 5: Economic power***

- Address the pay gap between women and across sectors.
- Implement policies to address gender disparities across sectors.

***Pillar 6: Research and information systems***

- Coordinate between Pillar 6 and all other pillars to identify specific knowledge gaps that research and information can assist.
- Research case studies on GBV successes then replicate and scale them.
- Align an Afro-Feminist approach to research and information development and dissemination.

*Source: CallToAction Summit Planning and Movement Building Report.*



In **Zimbabwe**, decision-makers signed the Spotlight Initiative High Level Political Compact (HLPC) on ending Gender Based Violence and Harmful practices.[114] The HLPC initiative commits government to implementing an effective GBV approach in partnership with a range of key stakeholders and partners.[115] Speaking at the launch, President Emmerson Mnangagwa noted, "It is my conviction that accelerated, adaptive and innovative implementation of global, regional and national commitments as outlined in the Action Plan of this HLPC will lead to our ultimate aspiration of a Gender Based Violence free society by 2030."

Zimbabwe remains the only SADC country to launch and operationalise a multi-sectoral and high-level compact on elimination of VAWG under the Global Spotlight Initiative. The compact serves as a model and a good practice that other countries should seek to learn from and replicate within their jurisdiction.[116]



Zimbabwe President Emmerson Mnangagwa launches the High Level Political Compact in Harare in October 2021. Photo: UNDP

[114] High Level Political Compact on Ending Gender Based Violence and Harmful Practices in Zimbabwe | United Nations Development Programme, https://www.undp.org/zimbabwe/publications/high-level-political-compact-ending-gender-based-violence-and-harmful-practices-zimbabwe, accessed: 8 September 2022.
[115] Ibid.
[116] Ibid.

# Next steps

- **GBV data collection and information management**: Member countries must embrace the development and operationalisation of GBV data portals. These ensure easy access to data, assist with coordination and minimises gaps in critical indicators, such as on IPV.

- **Prevention**: Member countries need to invest in the primary prevention of GBV. This includes mobilising and sensitising diverse communities about the important role they play in preventing GBV by addressing harmful social norms, structures that support gender inequality, and the general acceptance of VAWG.

- **Media coverage**: Member states and activists within them should continue to utilise the expanding digital media space to promote GBV stories for relevant audiences, including minority and diverse groups.

- **Support**: Decision-makers should embrace survivor-centred approaches in GBV service provision. States should adopt and expand perpetrator rehabilitation programmes and ensure support facilities serve male victims of violence. It is critical to also ensure data for rehabilitation programmes is readily available to enable tracking.

- **Integrated approaches**: There is need for member states to continue strengthening forms of GBV coordination using clear frameworks at country and regional levels, including private partnerships, which remain largely untapped. This includes dedicated funding for developing and implementing costed SGBV action plans.

- **Campaigns**: Cascade campaigns such as the Sunrise campaign to local councils as part of their local economic development initiatives.

- **Diverse groups**: The region urgently needs specific guidelines for inclusion and accessibility to clarify how to provide access to SRHR, HIV and AIDS, and GBV services for diverse groups, including women with disabilities and members of the LGBTIQ community.

- **Online violence**: Intensify public education in the region on digital rights and collectively create reliable data that informs strategies and programme implementation to curb online violence.

- **Evolving forms of GBV**: Countries must urgently review legislation and expand legislative scope to respond to emerging and evolving forms of GBV, including online sexual harassment, stalking, and controlling behaviours.

- **Obstetric violence**: Continue efforts by governments and NGOs to end mistreatment perpetrated by health practitioners. This will improve the physical and mental welfare of women and children and save governments money in legal fees.

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